



MINUTES

Ordinary Council Meeting Thursday, 18 August 2022

Date: Thursday, 18 August 2022

Time: 3:45pm

**Location: Council Chambers
Cnr Camp & Weddin Streets
GRENFELL NSW 2810**

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**MINUTES OF WEDDIN SHIRE COUNCIL
ORDINARY MEETING
HELD AT THE COUNCIL CHAMBERS, CNR CAMP & WEDDIN STREETS, GRENFELL
NSW 2810
ON THURSDAY 18 AUGUST 2022 AT 5:00PM**

1 OPENING

In accordance with the WSC Code of Meeting Practice, this meeting will be recorded for the purposes of audio-visual livestreaming via Council's website and Facebook page. Those in attendance are asked to refrain from making any defamatory statements and comply with all relevant WSC codes, policies and procedures at all times.

2 ACKNOWLEDGEMENT OF COUNTRY

Weddin Shire Council would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land.

Weddin Shire Council would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal Australians who are present.

3 ATTENDANCE AND APPLICATIONS FOR LEAVE

ATTENDANCE

PRESENT:

Cr Craig Bembrick (Mayor), Cr Paul Best (Deputy Mayor), Cr Jason Kenah, Cr Michelle Cook, Cr Phillip Diprose, Cr Glenda Howell, Cr Warwick Frame, Cr Jan Parlett

IN ATTENDANCE:

Ms Noreen Vu (General Manager), Mr Michael Chalmers (Director Corporate Services), Mr Luke Sheehan (Director Environmental Services), Mrs Linda Woods (Acting Director Infrastructure Services)

APOLOGIES

Nil

LEAVE OF ABSENCE

Cr Stuart McKellar

LEAVE OF ABSENCE APPLICATION

Nil

4 CONFIRMATION OF MINUTES**RESOLUTION 219/22**

Moved: Cr Parlett

Seconded: Cr Diprose

That Minutes of the Ordinary Council Meeting held 21 July 2022 be taken as read and CONFIRMED.

CARRIED**5 DISCLOSURES OF INTEREST**

Item number and title	10.2: STRONGER COUNTRY COMMUNITIES FUND - ROUND FIVE
Name	Cr P Diprose
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Tourism Operator

Item number and title	10.2: STRONGER COUNTRY COMMUNITIES FUND - ROUND FIVE
Name	Cr J Parlett
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Tourism Business

Item number and title	11.4: HENRY LAWSON FESTIVAL OF ARTS COMMITTEE
Name	Cr J Parlett
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Henry Lawson Festival Vice President – Business Owner Main Street

Item number and title	12.1: MAIN STREET UPGRADE - TREES
Name	Cr J Parlett
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner property Main Street

Item number and title	12.1: MAIN STREET UPGRADE - TREES
Name	Cr P Best
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner of property in Main Street

Item number and title	12.1: MAIN STREET UPGRADE - TREES
Name	Cr C Bembrick
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Property owner

Item number and title	12.3: GRENFELL MAIN STREET RENEWAL - AUGUST UPDATE
Name	Cr J Parlett
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner property Main Street

Item number and title	12.3: GRENFELL MAIN STREET RENEWAL - AUGUST UPDATE
Name	Cr P Best
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner property Main Street

Item number and title	12.3: GRENFELL MAIN STREET RENEWAL - AUGUST UPDATE
Name	Cr C Bembrick
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Property owner

Item number and title	16.1: PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION
Name	Cr J Parlett
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner property Main Street

Item number and title	16.1: PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION
Name	Cr P Best
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Owner property Main Street

Item number and title	16.1: PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION
Name	Cr C Bembrick
Type of interest	Pecuniary and Significant (leaving the room)
Interest description	Property owner

6 PUBLIC FORUM

10.2 Emily Essex
Speaking for the motion

COMMITTEE OF THE WHOLE

Moved: Cr Best

Seconded: Cr Kenah

Council move into a Committee of the Whole to Consider the matter.

11.4 Belinda Power, The Henry Lawson Festival of Arts
Speaking for the motion

COMMITTEE OF THE WHOLE

Moved: Cr Frame

Seconded: Cr Kenah

Council move out of Committee of the Whole.

7 MAYORAL REPORTS/MINUTES

7.1 MAYORAL MINUTE - STATEMENT OF STRATEGIC REGIONAL PRIORITIES WORKSHOP CNSWJO 28 JULY 2022

File Number: C2.7.3

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Budget: \$ -

RECOMMENDATION

1. That the following report be noted.
2. That Councillors note the invitation to attend the CNSWJO Conference in Orange on 25 August 2022.

RESOLUTION 220/22

Moved: Cr Best

Seconded: Cr Howell

1. That the following report be noted.
2. That Councillors note the invitation to attend the CNSWJO Conference in Orange on 25 August 2022.

CARRIED

On Thursday 28 July 2022 I attended the Central NSW Joint Organisation (CNSWJO) Statement of Strategic Regional Priorities discussion held in Molong via Zoom from our Council Office. Along with the other General Managers and Mayors of the CNSWJO, we had an in depth discussion on opportunities and challenges for our region to be considered in the future Statement of Strategic Regional Priorities.

NSW boasts a network of 13 joint organisations to strengthen collaboration and engagement between State and local governments and improve infrastructure and service delivery to regional communities. Each joint organisation must develop their Statement of Strategic Regional Priorities. I commend the CNSWJO for engaging early with the Mayors and General Managers to undertake an initial discussion on the priorities. Councillors from the ten councils have been invited to attend a conference on 25 August 2022 in Orange to further discuss these priorities and endorse these as a collective. Weddin Shire Councillors will mostly be in attendance to this conference and I look forward to travelling together and working as a team to push our priorities.

To assist with the priority discussions, the CNSWJO provided environmental Scans of all the councils documents in the following areas:

1. Community Strategic Plans
2. Local Strategic Planning Statement

3. Economic and Social.

All of these documents can be found online at: <https://www.centraljo.nsw.gov.au/reports-policies/> and have been provided by the CNSWJO.

This was an informative discussion that highlighted the work that has been done on the above plans and the direction and opportunities for the Councils belonging to the CNSWJO.

7.2 MAYORAL MINUTE - COUNTRY MAYORS ASSOCIATION MEETING AND RURAL SKILLS FORUM**File Number:****Attachment:** Nil**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)**Budget:** \$-**RECOMMENDATION**

That the report be noted as presented.

RESOLUTION 221/22**Moved:** Cr Parlett**Seconded:** Cr Diprose

That the report be noted as presented.

CARRIED

This year the Country Mayors Association General Meeting was held at Parliament House on Sydney on 5 August 2022 commencing at 8:30am with a Country Mayors Rural Skills Forum held the day before on 4 August 2022. The General Manager Noreen Vu and I attended both these worthwhile events.

It was a great opportunity for myself and Noreen to network and connect with other Country Mayors and General Managers from around NSW with discussions held on many interesting and current topics relating to rural Shires and Councils.

We attended the Rural Skills Forum which was held this year after members were requested in April 2022 to review their priorities and 33 Councils responded with "Skills and Education and Attracting Skills" as their number one priority. In this forum we heard from:

- The Hon Fiona Nash, the Australian Government Regional Education Commissioner
- The Hon Alister Henskens, Minister for Skills and Training
- Mr Tim Crakanthorp, Shadow Minister for Skills and TAFE, Education
- Mr Edward Cavanagh, Director of Policy, McKell Institute
- Cr Jacob Cass, CEO, Parkes Country Universities Centre
- Cr Rick Firman, Chairman and Julie Briggs CEO Riverina Joint Organisation

All speakers acknowledged the skills and resourcing issues impacted on multiple industries across the country. Whilst there is no quick fix with some of these issues, the issues raised from the Country Mayors Association members included the centralisation of

TAFE through the Connected Learning Centres and the impact this has had on local TAFEs. Other issues raised included the low completion rates of courses provided through TAFE. Another concern included the lack of engagement between industry and training providers.

The Country Mayors Association will be following up with both parties on lobbying for more funding and resourcing in our communities.

The General Manager and I also got to attend the LG NSW Local Government Week Awards. This was a great opportunity to hear about the great initiatives across the multiple award categories across the state. And acknowledgement of our General Manager receiving on behalf of Coonamble Shire Council, the LG NSW Planning Award for Cultural Change Innovation and Excellence for her previous work at Coonamble.



It is also timely to thank all of our Weddin Shire employees for their hard work and efforts within our local government area during the week that just past.

The next Country Mayors Association meeting will be their Annual General Meeting and will be held in November 2022 and we look forward to being at the table for that meeting.

7.3 MAYORAL MINUTE - ANNUAL FINANCIAL ASSISTANCE GRANTS (FAGS) PROGRAM

File Number: G2.50.1

Attachment: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Budget: \$ -

RECOMMENDATION

That:

1. That Council notes the contents of this report.
2. That Council submits a motion to the LG NSW Annual Conference, as follows:
 - (a) Motion 1: That the LG NSW lobbies the Federal Government for one (1) per cent of annual Federal revenues to be tied to the Financial Assistance Grants (FAGs) program is still a relevant and achievable objective to strive for and requests that the policy and administration be reviewed.
 - (b) Motion 2: That the LG NSW lobbies the Federal Government to remove the FAGs program from metropolitan Sydney councils, in alignment with the intent of the legislation and policy, and review the policy as required.

RESOLUTION 222/22

Moved: Cr Best

Seconded: Cr Diprose

That:

1. That Council notes the contents of this report.
2. That Council seeks CNSWJO's support.
3. That Council submits a motion to the LG NSW Annual Conference, as follows:
 - (a) Motion 1: That the Council continues to encourage that LG NSW lobbies the Federal Government for one (1) per cent of annual Federal revenues to be tied to the Financial Assistance Grants (FAGs) program is still a relevant and achievable objective to strive for and requests that the policy and administration be reviewed.
 - (b) Motion 2: That the LG NSW lobbies the Federal Government to remove the FAGs program from metropolitan Sydney councils, in alignment with the intent of the legislation and policy, and review the policy as required.

CARRIED

PURPOSE

The purpose of this report is to provide Council with information about the annual Financial Assistance Grants (FAGs) program being allocated to the Local Governments sector by the Federal Government (and as distributed by the State Governments) to determine the facts of the current situation and whether it would be appropriate for Council to submit two motions

to the LGNSW Annual Conference for inclusion in the Notices of Motions to seek clarity on the exact policy positions of the Federal Government and request that the FAGs program is more NSW centric focus and allocated to the regions at a minimum of one (1) percent and removed from Sydney councils who have other means to generate revenue.

BACKGROUND

The Fairer Share campaign has been operating for a number of years and through the political lobbying of a number of Councils submitted a number of motions to the 2019 Australia Local Government Association Conference. They included the sentiments of:

- Removing Part 1 Sec 6 (2)(b) of the Local Government Financial Assistance Act 1995 to remove the minimum per capita amount grant.
- Restore the FAGs program to at least one percent of total Commonwealth taxation revenue.

Based on the per capital amount, allocations are based on population increases and decreases. Councils with the greatest relative disadvantage are generally rural and remote councils with:

- Small declining populations
- Limited capacity to raise revenue
- Financial responsibility sizeable networks of local roads, infrastructure and diminishing financial resources
- Relative isolation.

Reforms to the FAGs program process saw funds move to a per capita as opposed to per LGA basis.

All grants are based on a minimum grant based on population.

COMMENTS/ISSUES

There are two things I believe that should be put forward to the Notice of Motions to the LG NSW Annual Conference:

One (1) percent allocation

The community's expectation of our Council and the requirement from other levels of government has grown significantly in recent decade, but the revenue base for local government has not. The financial sustainability of our Council and our ability to provide essential services and infrastructure has been impacted by the relative decline in the core federal funding through the FAGs program.

Increasing this annual allocation to the equivalent of one (1) per cent of Commonwealth Government revenue would result in a further injection of untied funding, allowing Local Councils to maintain essential functions, adequately maintain and renew infrastructure and provide quality services to their communities. The costs of providing these essential services and infrastructure are continually rising and with more responsibility being placed on Local Government by the other spheres of Government (in many instances without corresponding budgets), it is essential that Local Government be funded sufficiently to provide their communities with essential services.

Motion 1: That the LG NSW lobbies the Federal Government for one (1) per cent of annual Federal revenues to be tied to the Financial Assistance Grants (FAGs) program is still a relevant and achievable objective to strive for and requests that the policy and administration be reviewed.

Removal of FAGs program from metropolitan Sydney

The FAGs program as a percent of rate income in metropolitan Sydney councils make up a small percentage of the councils rating and income stream.

Research undertaken by a University of Technology Sydney student in 2019 found that a comparison between Kyogle Council, North Sydney Council and Sydney of City Council the following:

Table 1 Comparison of Rating and FAGs Data for Three Councils

	Kyogle Council	North Sydney Council	Sydney City Council
Population	8,940	72,037	208,374
Revenue from Rates and Annual Charges (2018/19)	\$6.9 million	\$59.1 million	\$307.2 million
FAGs (2018/19)	\$4.35 million	\$2 million	\$6.2 million
FAGs as a percentage of rates income	63%	3.4%	2%
Household median income (per week)	\$832	\$2,360	\$1,629
Average rates per person per year	\$772	\$820	\$1,474
Rates as a percentage of weekly household income	93%	35%	90%
Rates as a percentage of weekly household income without FAGs	151%	36%	92%
Difference	58%	1%	2%

Source: (Kyogle Council, June 2019)

Source: Graham Kennett (2019).

The table shows that rural councils who are on a minimum per capital grant have no means to recover additional revenue from their communities without relying on these grants.

While I understand that my second motion is controversial, I believe that this is an ideal time to table the second motion to the LG NSW and garner support.

Motion 2: That the LG NSW lobbies the Federal Government to remove the FAGs program from metropolitan Sydney councils, in alignment with the intent of the legislation and policy, and review the policy as required.

CONCLUSION

There is an opportunity for Council to raise the question at the LG NSW by way of a motion to advocate for:

- One (1) per cent of annual Federal revenues to be tied to the Financial Assistance Grants (FAGs) program is still a relevant and achievable objective to strive for and requests that the policy and administration be reviewed.
- The FAGs program be removed from metropolitan Sydney councils, in alignment with the intent of the legislation and policy, and review the policy as required.

8 MOTIONS/QUESTIONS WITH NOTICE

Nil

9 CORRESPONDENCE

Nil

10 GENERAL MANAGER REPORTS**10.1 WRITTEN RETURN OF INTERESTS**

File Number: C2.2.2
Author: General Manager
Authoriser: General Manager
Attachments: 1. 1.1.4_Written Return of Interests 30 June 2022
2. A Guide to Completing Returns of Interests
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: June 2022 Written Return of Interests
Budget: \$ -

RECOMMENDATION

That:

1. Councillors and Designated persons review their personal circumstances and determine if they are required to lodge a Written Return of Interests within three (3) months of 30 June 2022.

RESOLUTION 223/22

Moved: Cr Frame
Seconded: Cr Cook

That:

1. Councillors and Designated persons review their personal circumstances and determine if they are required to lodge a Written Return of Interests within three (3) months of 30 June 2022.

CARRIED

PURPOSE

The purpose of this report is to provide Councillors and Designated persons a formal reminder on their requirement to lodge a Written Return of Interest within three months of 30 June 2022.

BACKGROUND

Under the 'Model Code of Conduct for Local Councils in NSW' (the Model Code of Conduct), all Councillors and Designated persons are required to disclose their personal interests in publically available returns of interests. These operate as a key transparency mechanism for promoting community confidence in Council decision making. Council's Draft Model Code of Conduct 2022 was recommended for public exhibition at the July Ordinary Meeting however the provisions around Written Returns of Interest have not changed.

Councillors must make and lodge with the General Manager a return in the attached form, disclosing their interests within three (3) months after: -

- (a) becoming a Councillor; and
- (b) 30 June each year; and
- (c) becoming aware of an interest they are required to disclose under schedule 1 of the Model Code of Conduct that has not been previously disclosed in a return lodged under (a) or (b).

ISSUES AND COMMENTS

Council must make all returns of interests publically available in accordance with the requirements of the *Government Information (Public Access) Act, 2009*, the *Government Information (Public Access) Regulation, 2018* and relevant guidelines issued by the NSW Information Commissioner.

Information Access Guideline 1 states that Councillors' returns of interests must be made publicly available free of charge on Council's website, unless there is an overriding public interest against disclosure of the information contained in them or to do so would impose unreasonable additional costs on Council. It is open to Council to redact information from returns of interests (e.g. a person's signature and residential address) when publishing returns on its website where there is an overriding public interest against the disclosure that information.

The returns specifically referenced in this Council report is for the return period of **1 July 2021 to 30 June 2022**.

A return lodged within three (3) months of 30 June must be tabled at the first Council meeting after the last day the return was required to be lodged. That is 30 September 2022.

A copy of the form can be found in Attachment 1 and a guide on how to complete it at Attachment 2.

To date, completed returns for the return period 1 July 2021 - 30 June 2022 have been received from:

- Cr W Frame
- Cr P Diprose
- Acting Director Infrastructure Services - Mrs L Woods.
- Director Corporate Services – Mr M Chalmers
- Cr G Howell

POLICY/LEGAL IMPLICATIONS

There is no direct policy or legal implication with this report. However, failure to submit the return within the three (3) months – 30 September 2022, will be in breach of the Model Code of Conduct and breaches of these requirements are to be referred to the Office of Local Government.

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial or resourcing implications arising from this report.

INTERNAL/EXTERNAL CONSULTATION

This report is being brought to Council for information and does not require consultation.

CONCLUSION

Under the 'Model Code of Conduct for Local Councils in NSW' (the Model Code of Conduct), all Councillors and Designated persons are required to disclose their personal interests in publically available returns of interests. These operate as a key transparency mechanism for promoting community confidence in Council decision making.

The report provides Councillors and Designated staff a kind reminder to submit these to the General Manager by 30 September 2022 for the period of **1 July 2021 to 30 June 2022**.

Cr P Diprose declared a conflict of interest in Item 10.2 (detailed in Item 5).

Cr J Parlett declared a conflict of interest in Item 10.2 (detailed in Item 5).

10.2 STRONGER COUNTRY COMMUNITIES FUND - ROUND FIVE

File Number: C2.8.1

Author: General Manager

Authoriser: General Manager

Attachments:

1. Letter from the Hon. Paul Toole - Stronger Country Communities Fund - Round Five
2. Letter_Proposed Inclusive Playground for Grenfell

CSP Objective: Culturally rich, vibrant and inclusive community

Precis: Round Five of the Stronger Country Communities Fund has been announced and two projects are being proposed for endorsement to be submitted including an inclusive playspace and freedom camping projects

Budget: Nil however grant funding is proposed to be sourced from the Stronger Country Communities Fund – Round Five

Cr Diprose left the room at 4:14 pm

Cr Parlett left the room at 4:14 pm

RECOMMENDATION

That Council:

1. Endorses the proposal of Project 1 for an inclusive playspace at Taylor Park, Grenfell to be submitted for consideration for the Stronger Country Communities Fund – Round Five for a value of \$350,000.
2. Endorses the proposal of Project 2 for freedom camping sites across the Weddin Local Government area including to be submitted for consideration for the Stronger Country Communities Fund – Round Five for a value of \$579,797.

RESOLUTION 224/22

Moved: Cr Best

Seconded: Cr Howell

That Council:

1. Endorses the proposal of Project 1 for an inclusive playspace at Taylor Park, Grenfell to be submitted for consideration for the Stronger Country Communities Fund – Round Five for a value of \$350,000.
2. Endorses the proposal of Project 2 for freedom camping sites across the Weddin Local Government area including to be submitted for consideration for the Stronger Country Communities Fund – Round Five for a value of \$579,797.

CARRIED

Cr Parlett entered the room at 4:41 pm.

Cr Diprose entered the room at 4:41 pm.

PURPOSE

The purpose of this report provides Council information on the Stronger Country Communities Fund – Round Five allocation and two projects to be considered for Council's allocation including:

- Inclusive Playspace in Grenfell
- Freedom Camping (Wellbeing tourism project from the Destination Management Plan).

BACKGROUND

Council is in receipt of correspondence from the Hon Paul Toole MP (Attachment 1) dated 5 August 2022 in relation to the Stronger Country Communities Fund – Round Five indicating that the funding available for projects in the Weddin Shire Local Government Area (LGA) is \$1,324,307. Of this, \$929,797 is available to Council as the applicant, with the balance of the allocation open to eligible community organisations.

Council is also in receipt of correspondence from Mrs Emily Essex (Attachment 2) for a request to consider an inclusive playground in Grenfell dated 26 July 2022. The local government area does not include an inclusive playspace. There is now opportunity to apply to the Stronger Country Communities Fund – Round Five for an inclusive playspace.

Council is also part of the Destination Network Central West, who are currently in the process of finalising their Destination Management Plan. The mission is to "*Facilitate the development and enhancement of world class visitor experiences and events that create meaningful connections between the place, its communities and businesses with visitors to the region*". As one of the priority projects or what the plan refers to as 'game changers' includes positioning ourselves as the leading health and wellbeing destination in regional NSW. A second project could be considered as part of the funding allocated to Council for the concept of freedom camping sites across the local government area.

ISSUES AND COMMENTS

Project 1: Inclusive Playspace

The NSW Government released the *Everyone Can Play Guideline* in 2019 which outlines that an inclusive playspace is one that invites people of all ages, abilities and cultures to come together. Inclusive playspaces are easy to access, easy to move around, provide a range of play options and challenges, and have appropriate facilities in a comfortable environment. Inclusive playspaces encourage everyone to stay as long as possible. A playspace is more than just equipment, it is the entire setting used and enjoyed as part of the play experience.

There are a number of providers who specialise in inclusive playspaces as outlined in Mrs Essex correspondence, however for accountability and transparency, this report only relates to the concept of creating an inclusive playspace. It does not consider any potential suppliers, which will be a procurement process should there be grant support for the project.

In previous years, the Department of Planning and Environment provided grant funding through the Everyone Can Play Grant, which is no longer available. The grants were largely co-contributions/funded projects between the NSW Government and the local Councils.

However, two demonstration playspaces that stood out that were fully funded through this grant and included the sensory play concept and approximately 650m² in area included:

- Walgett Shire Council Pandora Street Playspace - \$511,952 (2020-21)
- Eurobodalla Shire Council Mogo Sensory Playspace - \$511,952 (2020-21).

Other more modest playspaces of noting within in our region included:

- Caronne Council Canowindra Morris Park - \$174,860 (Council contribution \$87,430)
- Cootamundra Gundagai Regional Council Albert Park \$400,000 (Council contribution \$200,000).

In order to maximise the funding, it is suggested that such a development proposal would be considered in an existing park such as Taylor Park.

An estimated value of \$350,000 for the project would allow for:

- Design and construct tender including development application process
- Community engagement and consultation
- Removal of existing equipment and supply and construct of new playspace
- Any traffic controls that will be required
- Contingency for the project.

The value is in line with what other smaller towns have constructed in the past with inclusive playspaces.

Any residual funding should also be allocated to providing fencing of the other parks.

The addition of the asset to Council's assets will come with operation and maintenance costs and a need to depreciate the asset in line with the "fair value" approach and the Australian Accounting Standards.

Project 2: Freedom Camping at Grenfell Railway Precinct and concept design for villages

Weddin Shire is focused on being an appealing destination for people with caravans and motorhomes. Council's Destination Management Plan identifies caravan and motorhome owners as a market for the Weddin LGA, and it identifies enhancing the appeal of existing, and the development of freedom camping areas in our town and villages.

The caravan and camping market has expended exponentially in recent years and is now much broader than just 'grey nomads'. Previously the grey nomads were certainly perceived as a low value market however the current spectrum of caravan and motorhome users are a higher value market. Younger families and couples with fixed incomes are opting to travel in a way that creates meaningful family memories and allows people to disconnect from technology. A lot of this progress has been made during the pandemic when interstate and overseas travel disappeared as an option.

Grenfell is an 'RV friendly town', RV Friendly Towns is the name of an initiative from the Campervan and Motorhome Club of Australia (CMCA). This is a level of certification that reassures travellers that when they see RV Friendly signs on the entry to town, there will be a certain level of minimum service is available within the town.

The essentials are as follows:

- Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- Provision of short-term, low-cost overnight parking (24/48 hours) for self-contained recreational vehicles, as close as possible to the CBD.
- Access to potable water.
- Access to a free dump point at an appropriate location.

There are a few desirable requirements to provide:

- Provision of long-term parking for self-contained recreational vehicles.
- Access to medical facilities or an appropriate emergency service.
- Access to a pharmacy or a procedure to obtain pharmaceutical products.
- Visitor Information Centre (VIC) with appropriate parking facilities.
- VIC to provide a town map showing essential facilities, such as short- and long-term parking areas, dump point and potable water.
- RV Friendly Town signs to be erected within the town precinct.

The free camp area at the Grenfell Railway Station is incredibly popular and receives rave reviews. Wikicamps in an online forum for caravan and motorhome owners and our free camp area has some very positive feedback listed. It's important to note however that the free camp area at the Grenfell railway station is not actively promoted by Council as such, as it does not comply with the planning guidelines for a caravan park. We rely on informal channels such as crowd sourced information on Wikicamps to promote the site.

Project 2 will involve funding to design and construct the freedom camping option at the Grenfell Railway Station Precinct. Design concepts for the other freedom camping options in the villages will also be scoped as part of this work. This allows for a regional approach to freedom camping sites and ability to construct at other sites should there be any residual funding.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report.

FINANCIAL/RESOURCE IMPLICATIONS

The concept of both proposals will be subject to grant funding. The opportunity for the Stronger Country Communities Fund – Round Five is now open with an allocation of \$929,797 to Council as the applicant. The project proposes that:

Project 1 – Inclusive Playspace at Taylor Park = \$350,000

Project 2 – Freedom Camping Design and Construct at Grenfell Railway Precinct and concept plan for other sites = \$579,797

The addition of the asset to Council's assets will come with operation and maintenance costs and a need to depreciate the asset in line with the "fair value" approach and the Australian Accounting Standards.

INTERNAL/EXTERNAL CONSULTATION

This report is being brought to Council for consultation. Due to the recent announcement of the Round Five of the Stronger Country Communities Fund there has been no external consultation. Project 1 for the inclusive playspace is in line with Council's Disability Inclusion Action Plan which has been a consulted document with the community. Project 2 for freedom camping sites is in line with Council's Destination Management Plan which has also been a consulted document with the community.

CONCLUSION

The Stronger Country Communities Fund – Round Five is currently open with an allocation to Weddin Shire Council as the applicant for \$929,797. Two projects are being put forward for the grant funding including an inclusive playspace and freedom camping sites.

10.3 RESOLUTION REGISTER

File Number: C2.3.3
Author: General Manager
Authoriser: General Manager
Attachments: 1. Action Report
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Resolution Register Report
Budget: \$ -

For Council's information the latest Resolution Register Report is provided.

11 CORPORATE SERVICES REPORTS**11.1 STATEMENT OF BANK BALANCES****File Number:****Author:** Director Corporate Services**Authoriser:** Director Corporate Services**Attachments:** Nil**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** Statement of Bank Balances**Budget:** \$ Nil

Bank Account	
Westpac	1,484,550.29
Short Term Deposits	
CBA	<u>11,000,000.00</u>
Total	<u>12,484,550.00</u>

CERTIFICATE OF RECONCILIATION

I certify that the Cashbook for each Bank Account has been reconciled with the appropriate Bank Statement as at 31 July 2022.

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

11.2 COMMUNITY PROJECT SUPPORT APPLICATION - WEDDIN MOUNTAIN MUSTER

File Number: C1.1.3
Author: Director Corporate Services
Authoriser: General Manager
Attachments: 1. Community Project Support Application - WMM
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Community Project Support Application
Budget: \$ 2,500 to be sourced from Community Donation Budget

RECOMMENDATION

That Council supports the Weddin Mountain Muster request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection on the 26th and 28th of September 2022 subject to staff availability.
- 2) Two (2) portable toilets for the duration of the 2022 event.
- 3) 1000 litre water tank trailer.
- 4) Traffic Management planning support, signage, and implementation during the event.
- 5) The Director of Corporate Services write to inform the Executive of the Weddin Mountain Muster of the outcome and inform them that the water tank trailer is not for rider water consumption as requested.

RESOLUTION 225/22

Moved: Cr Diprose
Seconded: Cr Kenah

That Council supports the Weddin Mountain Muster request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection on the 26th and 28th of September 2022 subject to staff availability.
- 2) Two (2) portable toilets for the duration of the 2022 event.
- 3) 1000 litre water tank trailer.
- 4) Traffic Management planning support, signage, and implementation during the event.
- 5) The Director of Corporate Services write to inform the Executive of the Weddin Mountain Muster of the outcome and inform them that the water tank trailer is not for rider water consumption as requested.

CARRIED

PURPOSE

The purpose of this report is to respond to Community Project Support Application – Large from the Weddin Mountain Muster.

BACKGROUND

Weddin Shire Council is committed to the continued development of community capacity and sustainable communities through the provision of support to community organisations. The provision of community support by the Weddin Shire Council is based on a philosophy of partnership, whereby council provides opportunities for funding and in-kind assistance to encourage, engage and support groups within the community to make a positive and on-going contribution to economic, social, cultural, recreational and environmental outcomes that are in line with the Weddin Shire Community Strategic Plan.

The allocation of funds to community support will be in accordance with Council's budget priorities and the objectives of Council's Strategic and Operational Plans. The amount of funding made available each year will be determined by Council in its annual budget process. This allocated amount to community support is capped each Financial Year. Council may determine not to use the entire budgeted allocation within a Financial Year. Nothing in this policy prohibits Council from considering financial assistance or in-kind support outside the scope of this policy. Council will consider each case on its merits and any assistance provided will be without precedent.

ISSUES AND COMMENTS

The Weddin Mountain Muster is a five-day horse trail riding event held in Grenfell and surrounding area. This year's event will be the 20th Weddin Mountain Muster to be held from Sunday 25th to Friday 30th September.

Organisers are expecting approximately 120 Riders to camp at Grenfell Showground for the week of the Muster. Departing each day for a Trail Ride of up to 25Kms on a predetermined trail for that day and returning to the showground. A full support team will travel with the Riders.

The Executive of the Muster would like to request that Weddin Shire Council once again consider supporting their event by way of allocating the following as per previous year's allocation of;

- Twenty (20) Wheelie Bins & Liners for the week of the Muster Collection of waste from these bins on Monday & Wednesday mornings (after 9am and before 12pm to avoid disruption to horses and vehicles leaving the showground) and again after the completion of the Muster on 30th September.
- Supply two (2) portaloos for the duration of the event.
- Provide a trailer with a 1000L water tank and firefighting pump to be used to supply water on the rides for both riders & horses.
- Assistance with the traffic management for the planned Henry Lawson Way and Mid-Western Highway crossings (ie setup, control and pack up Special Event zones as per the Horse Management Plan developed in conjunction with Weddin Shire Council).

POLICY/LEGAL IMPLICATIONS

The request is being treated through the Policy for Community Project Support process due to the nature of this request. However, Council will not be endorsing the water provided be for rider consumption as requested.

FINANCIAL/RESOURCE IMPLICATIONS

The request is approximately \$2,500 in actual costs for employee costs and \$700 in in-kind support in regards to the portaloos hire, signs, and water tank. The donations budget year to date can be viewed below.

DONATIONS 2023 FINANCIAL YEAR				
Organisation	Event	Request	Resolution	Amount
Caragabal Country Club	Caragabal Sheep Races	1 x Barrier Mesh	210/2022	\$ 32.00
Caragabal Country Club	Caragabal Sheep Races	1 x Cool	210/2022	\$ -
			Total	\$ 32.00
			Budget	\$ 15,000.00
			Budget Remaining	\$ 14,968.00

INTERNAL/EXTERNAL CONSULTATION

No consultation is required for this application.

CONCLUSION

The application meets requirements of the Community Project Support Policy and should be supported by Council with the following exceptions:

- Council will be mindful of the request times for Garbage collection but collection will occur when Council staff are available.
- The trailer provided for water does not include a pump or endorsed for rider consumption.

11.3 COUNCILLOR EXPENSES AND FACILITIES POLICY

File Number:	C2.4.10
Author:	Director Corporate Services
Authoriser:	General Manager
Attachments:	1. Draft Policy
CSP Objective:	Democratic and engaged community supported by efficient internal systems
Precis:	Community Project Support Application
Budget:	\$ 0 to be sourced from No budget required

RECOMMENDATION

That: -

- a) Council place the draft Councillor Expenses and Facilities Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community
- b) Council request the Director of Corporate Services to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition and submission period for Council's further consideration and adoption of the Councillor Expenses and Facilities Policy (with or without changes) at its October 2022 Ordinary Meeting
- c) In the event of no submissions being received within the prescribed number of days, Council formally adopt the Councillors Expenses and Facilities Policy, without any changes, as a policy of Council.

RESOLUTION 226/22

Moved: Cr Diprose

Seconded: Cr Cook

That: -

- a) That the matter be deferred until the Ordinary September meeting.
- b) The Council be provided with the following documentation:
 - a. highlighting all of the changes from the current policy to the draft policy;
 - b. content in the OLG template that has not been included in draft policy; and
 - c. historical expenditure over the past 4 years against approved budgets.

CARRIED

PURPOSE

The purpose of this report is to present the draft Councillor Expenses and Facilities Policy to Council for consideration.

BACKGROUND

Council is required to review all of its policies within 12 months of the commencement of a new council term. WSC Policy 1.6.16 for Fees, Expenses and Facilities for Councillors 2021/2022 has been reviewed and the draft Councillors Expenses and Facilities Policy attached to this report is to replace it.

The Office of Local Government's (OLG's) policy template for the payment of expenses and provision of facilities to mayors and councillors was used to develop the attached draft policy. The Policy Template was released on 27 June 2017 and has not been utilised by Council. It is timely now to consider the best practice template introduced by the OLG.

ISSUES AND COMMENTS

A number of amendments were made to the OLG's template so as to better suit local needs and circumstances; these changes are listed here for information: -

- Restrictions on "long distance (greater than 3 hours) intrastate travel" have been removed as these are only applicable to metropolitan areas.
- Information and communications technology (ICT) expenses have been removed as Councillors are provided the relevant equipment. The provision of this equipment has been added to the facilities section accordingly.
- The provision of a councillor common room has been removed as this is not relevant to Weddin.
- The provision of a dedicated fleet vehicle to the Mayor has been removed as this is also not relevant to Weddin.

Maximum expenditure limits for specific expenses and facilities have been included in the draft policy; these have been determined according to our context at Weddin and benchmarked against similar councils.

The main expenses and facilities are summarised in the table below.

Professional development	\$10,000 total for all councillors	Per year
Conferences and seminars	\$15,000 total for all councillors	Per year

POLICY/LEGAL IMPLICATIONS

As previously mentioned, reviewing this policy is necessary for Council's compliance with the *Local Government Act 1993* and Council's policy register will be updated accordingly upon adoption of the Councillor Expenses and Facilities Policy.

FINANCIAL/RESOURCE IMPLICATIONS

The public exhibition of the draft Councillor Expenses and Facilities Policy will be advertised in Council's weekly newsletter as well as online via Council's website and Facebook page; advertising expenses are contained within existing budgets therefore there are no direct financial or resourcing implications arising from this report.

INTERNAL/EXTERNAL CONSULTATION

As with all Council policies, the draft Councillor Expenses and Facilities Policy is required to be placed on public exhibition for a period of 28 days prior to its adoption for the purpose of inviting submissions from the community so as to ensure the policy aligns with community expectations.

CONCLUSION

Council's policy for the reimbursement of expenses and the provision of facilities to Councillors has been updated to align with the Office of Local Government's recommended template for all NSW councils. It is recommended that the draft policy, as attached to this report, be placed on public exhibition prior to its adoption by Council.

Cr J Parlett declared a conflict of interest in Item 11.4 (detailed in Item 5).

11.4 HENRY LAWSON FESTIVAL OF ARTS COMMITTEE

File Number: C1.4.1
Author: Director Corporate Services
Authoriser: General Manager
Attachments: 1. HLF Report
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Henry Lawson Festival Annual Report
Budget: \$ 0 to be sourced from No budget required for this report

Cr Parlett left the room at 5:02 pm.

RECOMMENDATION

That:

- 1) Council note the report submitted by the Henry Lawson Festival of Arts Committee.
- 2) Council hold a workshop with the executive of the Henry Lawson Festival of Arts Committee to discuss the budget requirements of the 2023 festival for determination at the September 2022 Council Meeting.

RESOLUTION 227/22

Moved: Cr Diprose
Seconded: Cr Kenah

That:

- 1) Council note the report submitted by the Henry Lawson Festival of Arts Committee.
- 2) Council hold a workshop with the executive of the Henry Lawson Festival of Arts Committee to discuss the budget requirements of the 2023 festival for determination at the September 2022 Council Meeting.
- 3) Council issue a letter of thanks and congratulations to the Festival Committee for the running of what was a very successful 2022 event.
- 4) Council endorses and confirms support for the 2023 Grenfell Henry Lawson Festival of the Arts.

CARRIED

Cr Parlett entered the room at 5:08 pm.

PURPOSE

The purpose of this report is to allow the executive of the Henry Lawson Festival of Arts Committee (HLF) to present a report for the Henry Lawson Festival and Legends Concert.

BACKGROUND

In November 2021 Council resolved 198/2021 to contribute \$30,000 to assist with traffic management, waste management, and risk management for the 2022 Henry Lawson Festival. Additionally, to allocate \$40,000 for professional event management to support the Committee to deliver the Henry Lawson Festival.

The Festival were also successful in obtaining a Regional Event Activation Fund (REAF) Grant (\$50,000) to hold a concert during the Festival. At the Council Meeting in February 2022 Council resolved 33/2022, the festival and the concert are held on the June long weekend by the festival committee. Council will donate the originally proposed \$40,000 for the event manager to the committee for running the festival. Council will request a variation to the REAF with some minor budget adjustment to scale the underwriting amount to approximately \$51,000. Councils existing in kind contribution will be honoured and that Council be available for extra assistance if required.

ISSUES AND COMMENTS

There is a difference between the Committees final figures and Council staff’s reconciliation that includes the festival’s MYOB data and Council’s financial records. The below table is a high-level summary of both events that includes an appropriate apportionment of the event management and in-kind support across both events.

Item	Income	Expense
Festival	-\$ 39,329.77	\$ 84,451.20
Concert	-\$ 71,031.00	\$ 98,168.66

Below is actual verse budget for the event management and in-kind support per Council resolution 198/2021:

Allocation	Budget	Actual	Difference
In-Kind Support	\$ 30,000.00	\$ 21,939.92	\$ 8,060.08
Event Management	\$ 40,000.00	\$ 31,150.70	\$ 8,849.30

The Henry Lawson Festival Committee have provided a summary of their budget against debit and credit between 1 January 2022 to 8 August 2022 on page 3 of the attached report.

POLICY/LEGAL IMPLICATIONS

This report was produced in compliance with Australian Accounting Standards Board.

FINANCIAL/RESOURCE IMPLICATIONS

Taking income and expenses in to account the Festival and Concert cost Council and the Committee \$72,259.09 to hold.

INTERNAL/EXTERNAL CONSULTATION

No consultation is required for this application.

CONCLUSION

This report was based on actual income and expenditure. Council and the Executive need to meet at the next Council workshop to adopt a financially sustainable budget for the 2023 Festival.

MOTION**RESOLUTION 228/22**

Moved: Cr Best

Seconded: Cr Diprose

That the late reports 11.5 and 11.6 be accepted.

CARRIED**11.5 COMMUNITY PROJECT SUPPORT APPLICATION - THE GRENFELL JOCKEY CLUB (INC)****File Number: C1.1.3****Author: Director Corporate Services****Authoriser: General Manager****Attachments: 1. Community Support Request****CSP Objective: Shire assets and services delivered effectively and efficiently****Precis: Community Support Request****Budget: \$ 400 to be sourced from Community Donation Budget****RECOMMENDATION**

That Council supports The Grenfell Jockey Club (Inc.) Loaded Dog Handicap event on the Saturday 24th September 2022 request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection.
- 2) One (1) large cool room hire.
- 3) \$200 donation.

RESOLUTION 229/22

Moved: Cr Parlett

Seconded: Cr Diprose

That Council supports The Grenfell Jockey Club (Inc.) Loaded Dog Handicap event on the Saturday 24th September 2022 request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection.
- 2) One (1) large cool room hire.
- 3) \$200 donation.

CARRIED

PURPOSE

The purpose of this report is to respond to Community Project Support Application – Large from the Grenfell Jockey Club (Inc.).

BACKGROUND

Weddin Shire Council is committed to the continued development of community capacity and sustainable communities through the provision of support to community organisations. The provision of community support by the Weddin Shire Council is based on a philosophy of partnership, whereby council provides opportunities for funding and in-kind assistance to encourage, engage and support groups within the community to make a positive and on-going contribution to economic, social, cultural, recreational and environmental outcomes that are in line with the Weddin Shire Community Strategic Plan.

The allocation of funds to community support will be in accordance with Council's budget priorities and the objectives of Council's Strategic and Operational Plans. The amount of funding made available each year will be determined by Council in its annual budget process. This allocated amount to community support is capped each Financial Year. Council may determine not to use the entire budgeted allocation within a Financial Year. Nothing in this policy prohibits Council from considering financial assistance or in-kind support outside the scope of this policy. Council will consider each case on its merits and any assistance provided will be without precedent.

ISSUES AND COMMENTS

Grenfell Jockey Club Races are an annual community event with six races and thousands of dollars in prize money to be won. Council have donated \$200 per year since 1996.

The annual Henry Lawson Loaded Dog (named after Grenfell's favourite son) and Grenfell Cup Day is usually held on the third Saturday in September each year. Attendance is approximately 350 people, attracting locals and visitors from away. This in turn fills our accommodation and eateries. An economic stimulus for our town. The races are looked forward to by the community and may see it a last chance to relax and catch up with family and friends before the busy harvest season starts.



POLICY/LLEGAL IMPLICATIONS

The request is being treated through the Policy for Community Project Support process due to the nature of this request. The request was received through Council's record management system on 10 August 2022 leading to the late tabling of this report.

FINANCIAL/RESOURCE IMPLICATIONS

The request is approximately \$400 in actual costs for employee costs and the donation. The donations budget year to date can be viewed below.

DONATIONS 2023 FINANCIAL YEAR				
Organisation	Event	Request	Resolution	Amount
Caragabal Country Club	Caragabal Sheep Races	1 x Barrier Mesh	210/2022	\$ 32.00
Caragabal Country Club	Caragabal Sheep Races	1 x Cool	210/2022	\$ -
Weddin Mountain Muster	Trail Ride Event	Multiple items	Pending	\$ 2,500.00
Total				\$ 2,532.00
Budget				\$ 15,000.00
Budget Remaining				\$ 12,468.00

INTERNAL/EXTERNAL CONSULTATION

No consultation is required for this application.

CONCLUSION

The application meets requirements of the Community Project Support Policy and should be supported by Council.

The Grenfell Jockey Club (Inc)



ABN 20 050 285017

PRESIDENT: Andrew Hooper

TREASURER: Barbara Jones

SECRETARY: Terry Carroll
e-mail: carrollt@tpg.com.au

PO Box 45
Grenfell NSW 2810

Phone/Fax: 02 63 431574
Mobile: 0407 213 033

Ms Noreen Vu
General Manager
Weddin Shire Council
Camp Street
GRENFELL 2810

Dear Noreen,

The running of the Henry Lawson "Loaded Dog" Handicap is set down for Saturday September 24.

Council has assisted in past years by provision of litter-bins and sponsorship. Would Council continue this or similar assistance for 2022?

The Jockey Club has hired from Council their large cool room to use on the day for past meetings and Council generously reimbursed us the hire charges. The Club is again seeking use of this cool room and checking on its availability?

Any assistance the Council could offer in the charge for the day would be greatly appreciated.

Yours sincerely,

Terry Carroll
Secretary
August 01 2022

WEDDIN SHIRE COUNCIL

10 AUG 2022

REG No 001611

FILE No CH3/2123

NOTE	DCS
ATTEND	DCS
REPORT	
REPLY	
COPY	

11.6 COMMUNITY PROJECT SUPPORT APPLICATION - THE GRENFELL RUGBY LEAGUE CLUB

File Number: C1.1.3
Author: Director Corporate Services
Authoriser: General Manager
Attachments: 1. Community Support Request - GRLC
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Community Support Request
Budget: \$ 300 to be sourced from Community Donation Budget

RECOMMENDATION

That Council supports The Grenfell Rugby League Club event on the Saturday 4th September 2022 request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection.
- 2) The use of the toilets at the Soccer and Cricket field.
- 3) The use Council Land Lot 133 DP 1081488 at the Stan McCabe Dr for the use of temporary car parking subject to the Director Infrastructure Services final approval before the event to ensure the surface is suitable.
- 4) 300 metres of barrier tape.
- 5) That the Director of Corporate Services write the Grenfell Rugby League Club denying the request for two staff members during the event, signage, and confirm that the toilets will be well stocked for the event.

RESOLUTION 230/22

Moved: Cr Diprose
Seconded: Cr Best

That Council supports The Grenfell Rugby League Club event on the Saturday 4th September 2022 request for:

- 1) Twenty (20) wheelie bins, bin liners, and garbage collection.
- 2) The use of the toilets at the Soccer and Cricket field.
- 3) The use of Council Land Lot 133 DP 1081488 at the Stan McCabe Dr for the use of temporary car parking subject to the Director Infrastructure Services final approval before the event to ensure the surface is suitable.
- 4) 300 metres of barrier tape.
- 5) That the Director of Corporate Services write the Grenfell Rugby League Club denying the request for two staff members during the event, signage, and confirm that the toilets will be well stocked for the event.

CARRIED

PURPOSE

The purpose of this report is to respond to Community Support Request from the Grenfell Rugby League Club.

BACKGROUND

Weddin Shire Council is committed to the continued development of community capacity and sustainable communities through the provision of support to community organisations. The provision of community support by the Weddin Shire Council is based on a philosophy of partnership, whereby council provides opportunities for funding and in-kind assistance to encourage, engage and support groups within the community to make a positive and on-going contribution to economic, social, cultural, recreational and environmental outcomes that are in line with the Weddin Shire Community Strategic Plan.

The allocation of funds to community support will be in accordance with Council's budget priorities and the objectives of Council's Strategic and Operational Plans. The amount of funding made available each year will be determined by Council in its annual budget process. This allocated amount to community support is capped each Financial Year. Council may determine not to use the entire budgeted allocation within a Financial Year. Nothing in this policy prohibits Council from considering financial assistance or in-kind support outside the scope of this policy. Council will consider each case on its merits and any assistance provided will be without precedent.

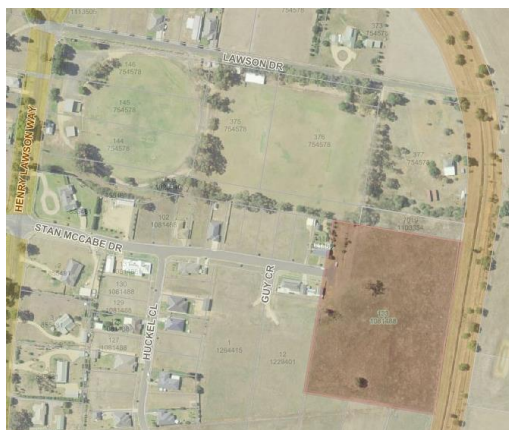
ISSUES AND COMMENTS

The Grenfell Rugby League Football Club will be hosting the Grand Finals of the Woodbridge Cup at Lawson Oval on Sunday 4th September. Gates will open at 9.00am and there will be 3 matches with the final presentations wrapping up about 4.30pm. The Club estimate a crowd of 1500-2500 depending on the teams involved and the weather conditions.

The Club are requesting;

- 20 Garbage Bins for the day.
- Use of the 4 Portaloos if council is willing to waiver the normal hiring fee.
- Use of the toilets situated at the north-eastern side of the ground next to the cricket practice nets.
- Due to the size of the expected crowd would council be able to check on the toilets during the day to see if they need re-stocking and /or cleaning.
- Use the council land situated at the end of Stan McCabe Drive for parking, weather permitting.
- Parking signs to direct vehicles to the above-mentioned parking area.
- Barrier rope that has the coloured triangles attached to it. We would need a total of about 300 metres of this.

Council Engineers have review the application and the event does not require a traffic management plan. The Council land to be used as for temporary parking can be seen below in red.



POLICY/LEGAL IMPLICATIONS

The request is being treated through the Policy for Community Project Support process due to the nature of this request. The application was received on 18 August 2022 and due to the date of the intended event, the agenda item has been tabled late.

FINANCIAL/RESOURCE IMPLICATIONS

The request is approximately \$300 in actual costs for employee costs and the donation. The donations budget year to date can be viewed below.

DONATIONS 2023 FINANCIAL YEAR				
Organisation	Event	Request	Resolution	Amount
Caragabal Country Club	Caragabal Sheep Races	1 x Barrier Mesh	210/2022	\$ 32.00
Caragabal Country Club	Caragabal Sheep Races	1 x Cool	210/2022	\$ -
Weddin Mountain Muster	Trail Ride Event	Multiple items	Pending	\$ 2,500.00
The Jockey Club Inc	Race Meeting	Multiple items	Pending	\$ 400.00
Total				\$ 2,932.00
Budget				\$ 15,000.00
Budget Remaining				\$ 12,068.00

INTERNAL/EXTERNAL CONSULTATION

No consultation is required for this application.

CONCLUSION

Due to the late nature of the application the following aspects of the request should be denied;

- Two staff members, one for litter control and one for toilet maintenance. This was a verbal request and the Club were trying to submit a formal Community Support Application but at the time of writing this report the request had not been received. This request should be denied due to the late nature and any availability outdoor staff have for overtime is set aside for roads maintenance and major capital projects.

- Car parking signage. Council does not stock car parking signage.

The remainder of the requests meets the requirements of a Community support application and should be supported.

From:
To:
Subject:
Date:

ATTENTION: The General Manager

Dear Madam

The Grenfell Rugby League Football Club will be hosting the Grand Finals of the Woodbridge Cup at Lawson Oval on Sunday 4th September. Gates will open at 9.00am and there will be 3 matches with the final presentations wrapping up about 4.30pm. We estimate the crowd on the day to be 1500-2500 depending on the teams involved and the weather conditions. We advised the council of the day and booked the ground on the 19/7/22 and subsequently had a meeting with council representatives at the ground on the 26/7/22. We were advised at that meeting that any special requests from council in relation to the day would need to be in writing. Therefore, after two subsequent committee meetings we have come up with the following requests:

- 1 An additional 20 Garbage Bins for the day.
- 2 Use of the 4 Portaloos if council is willing to waiver the normal hiring fee.
- 3 Use of the toilets situated at the north-eastern side of the ground next to the cricket practice nets.
- 4 Due to the size of the expected crowd would council be able to check on the toilets during the day to see if they need re-stocking and /or cleaning.
- 5 Use the council land situated at the end of Stan McCabe Drive for parking, weather permitting.
- 6 Parking signs to direct vehicles to the above-mentioned parking area.
- 7 Barrier rope that has the coloured triangles attached to it. We would need a total of about 300 metres of this.

The Committee of the Grenfell Goannas would like to thank the Weddin Shire Council for their past and continued support of their club and for the opportunity to make the above requests.

Kind Regards

Gary Holmes



Grenfell Commodities Pty. Ltd.
Head Office
PH 02 6343 2110
Fax 02 6343 1910
gary@grenfellcomm.com.au
www.grenfellcomm.com.au

12 INFRASTRUCTURE SERVICES REPORTS

Cr J Parlett declared a conflict of interest in Item 12.1 (detailed in Item 5).

Cr P Best declared a conflict of interest in Item 12.1 (detailed in Item 5).

Cr C Bembrick declared a conflict of interest in Item 12.1 (detailed in Item 5).

12.1 MAIN STREET UPGRADE - TREES

File Number: P2.3.18, T3.6.103

Author: Team Leader - Infrastructure

Authoriser: General Manager

Attachments: Nil

CSP Objective: Sustainable natural, agricultural and built environments

Precis: Utilise tree species purchased for Main Street Project

Budget: To be sourced from Operational budget

Cr Parlett left the room at 5:16 pm

Cr Best left the room at 5:17 pm.

Cr Bembrick left the room at 5:17 pm.

Cr Diprose was nominated to take the chair.

RECOMMENDATION

That Council:

1. Rescind Council report resolution 163/22 bullet points two (2) and three (3).
2. Repurpose the two (2) Autumn Blaze trees and the One (1) Ornamental Pear to be planted at the Grenfell Cemetery.
3. Plant two (2) Tristaniopsis Laurina 'Luscious' are planted in Short Street in front of the Community Services centre.
4. Plant one (1) Magnolia Grandiflora 'Little Gem' is planted in the rose garden at Taylor Park

RESOLUTION 231/22

Moved: Cr Kenah

Seconded: Cr Frame

That Council:

1. Rescind Council report resolution. 163/22 bullet points two (2) and three (3).
2. Repurpose the two (2) Autumn Blaze trees and the One (1) Ornamental Pear to be planted at the Grenfell Cemetery.
3. Plant two (2) Tristaniopsis Laurina 'Luscious' are planted in Short Street in front of the Community Services centre.
4. Plant one (1) Magnolia Grandiflora 'Little Gem' is planted in the rose garden at Taylor Park

CARRIED

Cr Bembrick entered the room at 5:21 pm.

Cr Best entered the room at 5:21 pm.

Cr Parlett entered the room at 5:21 pm.

PURPOSE

The purpose of this report is to propose new planting locations for trees purchased originally for the Main Street Renewal Project.

BACKGROUND

At the May 2022 Council meeting it was resolved:

RESOLUTION 163/22

Moved: Cr McKellar

Seconded: Cr Kenah

That Council repurpose the 58 trees originally purchased for the Grenfell Main Street Renewal project to the following locations:

- 1. Twenty-one (21) Autumn Blaze and Thirty-four (34) Ornamental Pear trees be planted at the Grenfell Cemetery*
- 2. Two (2) Autumn Blaze trees to replace trees removed on Short St in front of the HACC Centre*
- 3. One (1) Ornamental Pear be planted as a centre piece in the rose garden at Taylor Park*

ISSUES AND COMMENTS

Following the May 2022 Ordinary Meeting, further analysis of the tree species purchases has determined that the planting of Autumn Blaze trees in Short Street in front of the Community Service Centre and the planting of the Ornamental Pear as a centre piece in the rose garden at Taylor Park is not recommended due to their deciduous nature and have the potential to create a trip / slip hazard for the public in a high pedestrian area. The trees also have a reasonably wide spread root system that can cause damage to the pavement and existing buildings.

Therefore it is recommended that Council rescinds resolution 2 of Resolution 163/22 - Two (2) Autumn Blaze trees to replace trees removed on Shirt St in front of the Community Service Centre and Rescind resolution 3 of Resolution 163/22 - One (1) Ornamental Pear be planted as a centre piece in the rose garden at Taylor Park.

The variety of tree species that is recommended in front of the Community Service Centre is the 'Tristanopsis Laurina 'Luscious' these are an evergreen Australian native tree used frequently as a street tree. The root system is far less aggressive and with the installation of root barrier when planting will protect the surrounding infrastructure and they don't drop foliage.

The variety of tree species that is recommended for the centre piece in the rose garden at Taylor Park is the Magnolia Grandiflora 'Little Gem', as it is an evergreen tree variety, doesn't drop its foliage, the canopy will not shade out the existing roses, preventing them from growth and proper structure development and their root systems are far less aggressive.



Tristaniopsis Laurina 'Luscious'



Tristaniopsis Laurina 'Luscious'



Magnolia Grandiflora 'Little Gem'

POLICY/LEGAL IMPLICATIONS

There are no directly policy or legal implications arising from this report.

FINANCIAL/RESOURCE IMPLICATIONS

The three (3) trees to be planted will be charged to the relevant operational budgets. The cost per tree including labour is \$566.70.

INTERNAL/EXTERNAL CONSULTATION

Internal consultation has taken place to determine that the species should be repurposed and planted due to the biology of the species, maintenance and safety.

CONCLUSION

It is proposed that the two (2) Autumn Blaze trees and one (1) Ornamental Pear are planted at the Grenfell Cemetery in line with the recently adopted Cemetery Master Plan concept design.

Two (2) Tristaniopsis Laurina 'Luscious' are planted in Short Street in front of the Community Service Centre.

One (1) Magnolia Grandiflora 'Little Gem' is planted in the rose garden at Taylor Park.

12.2 TERMS OF REFERENCE FOR THE FLOOD MANAGEMENT ADVISORY COMMITTEE

File Number: C2.6.27
Author: Team Leader - Infrastructure
Authoriser: General Manager
CSP Objective: Sustainable natural, agricultural and built environments
Precis: Establishment of a Flood Management Advisory Committee
Budget: Nil

RECOMMENDATION

That:

1. Council removes the Floodplain Committee from its list of Section 355 Committees.
2. Council establish a Flood Management Advisory Committee.
3. Council elect the Flood Management Advisory Committee Councillor representative positions to be Cr _____ and Cr _____.
4. Council note the Draft Terms of Reference for the Flood Management Advisory Committee to be presented at the first committee meeting.
5. Council's General Manager to appoint staff members to be the Director of Infrastructure and Director of Environmental Services.

RESOLUTION 232/22

Moved: Cr Diprose
Seconded: Cr Best

That:

1. Council removes the Floodplain Committee from its list of Section 355 Committees.
2. Council establish a Flood Management Advisory Committee.
3. Council elect the Flood Management Advisory Committee Councillor representative positions to be Cr Cook and Cr Frame.
4. Council note the Draft Terms of Reference for the Flood Management Advisory Committee to be presented at the first committee meeting.
5. Council's General Manager to appoint staff members to be the Director of Infrastructure and Director of Environmental Services.

CARRIED

PURPOSE

The purpose of this report is to establish a Flood Management Advisory Committee.

BACKGROUND

The Floodplain Risk and Management project presents many engineering complexities which require careful planning and contingencies. It is hoped by forming a Committee, Council can work with relevant agencies, peak bodies and Councillors to consider any relevant matters advise Council and the community of its findings and any project proceedings.

Resolution 212/22 (5) endorsed that:

Council Officers to prepare a draft Terms of Reference for the Floodplain Risk Management Committee and provide this information to Council at its August 2022 meeting with the intention to call for committee members.

The formation of the Committee is to ensure Council meets its obligations under:

- Part 8A(2)(e) of the *Local Government Act 1993* (the Act):-

“ Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.”

- Part 8A(3) of the Act:-

*“ **Community participation** - Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.”*

ISSUES AND COMMENTS

The Flood Management Advisory Committee is a vital committee to assist in the development and implementation of Floodplain Management Plans.

Council will note that a review of Council's 355 committees was undertaken in 2020 by a consultant and looked at the Floodplain Committee and the review noted:

Flood Management Committees as they are now referenced assist in the development and implementation of Floodplain Management Plans.

The NSW Floodplain Development Manual and the Flood Prone Land Policy guides Council in managing flood risk. The Manual supports the policy and guides the Council for the purposes of Section 733 of the Local Government Act 1993.

Membership composition and the prescribed role of the Committee are fully described in the Manual. Whilst the Management Committee does not have any formal powers, it has an important advisory role.

This Committee is not a Section 355 Committee.

Recommendation

The Committee is statutory Committee that should be named the “Flood Management Advisory Committee” and not a Section 355 Committee.

The Committee should be removed from the Section 355 Register.

A new Charter for the statutory Committee needs to be prepared that accurately reflects its statutory purpose.

As a result of these findings and in light of the recent work that has been undertaken in the floodplain management plans and studies, we are now recommending the removal of the

Floodplain Committee from the Section 355 Committees list and that a new statutory Committee referred to as the Floodplain Management Advisory Committee be established.

The Draft Terms of Reference is a starting reference for relevant agencies, peak body and Council to meet and establish.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial or resourcing implications arising from this report. Council will be managing this Floodplain Management Advisory Committee within its operational resourcing. Meetings will be held on an as needs basis.

INTERNAL/EXTERNAL CONSULTATION

Council will be required to call for nominations by the relevant agencies and peakbody to nominate representatives.

The elected Committee will take part in meetings as required, with various project management representatives where they will be armed with the relevant project information and answer any queries directed to them.

CONCLUSION

It is recommended that Council establish a Flood Management Advisory Committee in line with the review of Council's Section 355 Committees and allow for the Draft Terms of Reference to be circulated to the relevant agencies and peakbody to call for representatives.

[Cr J Parlett declared a conflict of interest in Item 12.3 \(detailed in Item 5\).](#)

[Cr P Best declared a conflict of interest in Item 12.3 \(detailed in Item 5\).](#)

[Cr C Bembrick declared a conflict of interest in Item 12.3 \(detailed in Item 5\).](#)

12.3 GRENFELL MAIN STREET RENEWAL - AUGUST UPDATE

File Number: P2.3.18

Author: General Manager

Authoriser: General Manager

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: August Update to the Grenfell Community on the status of the Main Street Renewal Project

Budget: \$ - to be sourced from -

[Cr Bembrick](#)

[Cr Best](#)

[Cr Parlett](#)

[Remained out of the room for this item.](#)

PURPOSE

The purpose of this report to inform the community on the status of the Grenfell Main Street Renewal project.

BACKGROUND

The Grenfell Main Street Project has presented a number of challenging problems since its commencement in December 2020. Council and the community have received a number of briefings which included project summary status, upcoming activities and budgetary expenditure.

At the 26 May 2022 Council meeting, it was reported that the project was at 48% complete. Council has faced many engineering difficulties with the project. The most notable includes the geotechnical conditions of the underlying subgrade at the bottom end of the Main Street. It was anecdotally stated that the Main Street was constructed on a former creek. The previous geotechnical investigations were also undertaken in drier conditions and recent wet weather activities has compounded and uncovered the current issues. The need to rectify the issues that presented once the project commenced has pushed back the project timeline, and taken a large portion of the budget which was not originally planned.

The Grenfell Main Street Project August Update includes information on recent meetings and discussions.

ISSUES AND COMMENTS

Public Works Advisory Engagement

Council Officers met with the Public Works Advisory (PWA) on Thursday 14 July 2022 and 28 July 2022 regarding the Main Street. Further to the update provided last month, Council is now in receipt of a Proposal from PWA which will be considered in the Closed session.

Safety Works

Following the safety and risk assessment workshop with PWA, Council Officers are seeking quotations for safety options to remove the water filled barriers which Council currently hires. Business owners and community may have also seen staff working on hand rail installations at the corner of the roundabout to facilitate the removal of the water filled barriers at these locations. The handrail concept was undertaken at the advice and consultation of PWA.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications with this report.

FINANCIAL/RESOURCE IMPLICATIONS

There were no direct works undertaken for the Main Street works that has impacted on the Budget (Fully Grant Funded) of \$3,323,503.00 for this reporting period.

INTERNAL/EXTERNAL CONSULTATION

New updates on the Main Street Project are being advertised through the Council news section in the Grenfell Record. Starting from September, the General Manager will be sitting down at the Grenfell Hub on the first Monday of the month to allow for public engagement in a less former capacity and allow for members of the public and business owners to pop in and be updated.

The dates will include for 2022:

- Monday 5 September
- Monday 10 October (to factor in long weekend)
- Monday 7 November
- Monday 5 December.

CONCLUSION

Council is looking forward to working collaboratively with Public Works Advisory.

12.4 DRAFT POLICY PRESSURE SEWER SYSTEM

File Number:	C2.4.15
Author:	Team Leader - Infrastructure
Authoriser:	General Manager
Attachments:	1. Draft Policy for the Pressure Sewer System 2. PSS - Agreement with Property Owner Pressure Sewer System - final draft 3. PSS - Pressure Sewer Guide Weddin Shire Council final draft
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	A Draft Policy for the Pressure Sewer System
Budget:	\$213,000 – sourced from the Sewer fund

RECOMMENDATION

That

1. Council place the draft Policy for Pressure Sewer System, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. Council Officers write to affected landowners regarding the draft Policy for Pressure Sewer System, inviting them to make submissions.
3. Council request the Director of Infrastructure Services to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition and submission period for Council's further consideration and adoption of the Policy for the Pressure Sewer System (with or without changes) at its October 2022 Ordinary Meeting.
4. In the event of no submissions being received within the prescribed number of days, Council formally adopt the Policy for the Pressure Sewer System, without any changes, as a policy of Council.
5. Council notes the Pressure Sewer System Form and Pressure Sewer System Guideline, which are supporting documentation to the draft local policy.
6. Council notes that the Pressure Sewer System Guideline will also be placed on public exhibition to support the draft Policy.

RESOLUTION 233/22

Moved: Cr Best

Seconded: Cr Parlett

That:

1. Council place the draft Policy for Pressure Sewer System, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.

2. Council Officers write to affected landowners regarding the draft Policy for Pressure Sewer System, inviting them to make submissions.
3. Council request the Director of Infrastructure Services to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition and submission period for Council's further consideration and adoption of the Policy for the Pressure Sewer System (with or without changes) at its October 2022 Ordinary Meeting.
4. In the event of no submissions being received within the prescribed number of days, Council formally adopt the Policy for the Pressure Sewer System, without any changes, as a policy of Council.
5. Council notes the Pressure Sewer System Form and Pressure Sewer System Guideline, which are supporting documentation to the draft local policy.
6. Council notes that the Pressure Sewer System Guideline will also be placed on public exhibition to support the draft Policy.

CARRIED

PURPOSE

The purpose of this report is to present the draft Policy for the Pressure Sewer System (PSS) to Council for consideration including: PSS Property Owner's guide to responsibilities and maintenance; Agreement for the Provision of Pressure Sewerage Service as referenced in the draft Policy.

BACKGROUND

This is a new policy to enable the lot owners at the Industrial Estate on Phil Aston Place to connect to the Council sewerage treatment plant. Council considered the concept at its 21 July 2022 meeting and Council resolution 213/22 (2) recommended that Council Officers develop a draft policy for public exhibition.

ISSUES AND COMMENTS

There are few considerations to be conveyed to the property owners with regard to:

- Responsibilities for capital, maintenance and operating cost to the property owner:**

The capital, operating and maintenance cost is to be borne by the Industrial Estate property owner as the Council will be supplying and installing the pressure main. As in gravity sewer scheme the property owner is responsible for the house service line up to their property boundary, which is all assets on their property up to the Council sewer main.

In the PSS, the property owner is to be responsible for the pump well, pump and up to and including the Boundary kit on their property. Pipeline from the Boundary Kit to the Pressure main isolating valve will also be the responsibility of the property owner.

The average cost to the property owner per property is approximately \$18,000. Whereas the average cost for the Council work per property is approximately \$24,000.

The ongoing property owner operating cost for the power supply to the pump is very small and averages approximately \$100 per year. The pump units have a service life of approximately ten (10) years and do not normally require routine maintenance. However, pumps can fail if sewage disposal safe guards by the pump supplier is not followed by the customer.

- **Future replacement cost of pump units:**

Depending on the customer (property owner) following the manufactures recommendation for the use of the pump, the pump may need replacement every ten (10) years at an approximate cost of \$4,500. This will be an ongoing cost every ten (10) years to the customer (property owner).

- **Service charges to be imposed by the Council on the customer:**

The Council needs to impose similar service charges for sewer connection as imposed on the gravity sewer system as the Council is responsible for the treatment of the sewage discharged by the customer (property owner) into the PSS. This requirement is stated in the proposed draft 'Agreement for provision of Pressure Sewerage Services'.

POLICY/LEGAL IMPLICATIONS

The Policy refers to a draft "PSS Property Owner's guide to responsibilities and maintenance" which sets out the business rules for the proposed Industrial Estate land development works that require servicing through pressure collection system. Compliance with this guideline is the responsibility of the property owner. Non-compliance could lead to environmental harm and potential fines by EPA as well as service interruption to the property owner.

The guideline contains details of the servicing requirements, design, construction quality and audit process for the proposed development as well as compliance with relevant legislations and approvals to carry out the proposed work. The property owner to submit relevant documentation to Council to confirm compliance with Council requirements. Non-compliance could result in delays obtaining connection to Council PSS.

The Policy also refers to an "Agreement for the Provision of Pressure Sewerage Service" which the property owner agrees to enter with the Council to be able to connect to the PSS. The agreement details the responsibilities of the property owner for the installation, maintenance and operation of the PSS on their property and the relevant charges and cost to be incurred by the property owner. Failure to sign this agreement will also result in property owner not able to connect to Council PSS.

FINANCIAL/RESOURCE IMPLICATIONS

A high-level cost estimate has been prepared for the PSS scheme which includes a total cost breakdown for both Council and customer (property owner). The total capital cost of the scheme is approximately \$375,000 with a \$213,000 cost to Council and \$162,000 total cost to customer (\$18,000 per customer) for the nine properties.

The potential cost to arise from the PSS for Council is the ongoing maintenance by flushing the pressure main on needs basis to clear blockages. The maintenance of two (2) sewer manholes will also be required by applying a protective coating every ten (10) years (costing approximately \$6,000 for the two (2) manholes) due to gas build up as a result of the pressure main discharge into the manhole.

INTERNAL/EXTERNAL CONSULTATION

Consultation has also been ongoing with the Industrial Estate customers with regard to the provision of sewerage service to their properties. Details of the proposed PSS property Owner's guide to responsibilities and maintenance, proposed "Agreement for the Provision of Pressure Sewerage Services" and this Policy needs to be communicated with property owners to be well informed of their responsibilities.

CONCLUSION

Council's draft policy for the Policy for the Pressure Sewer System will allow for agreements to be put in place with Lot Owners at their request in order to provide connection to the Council sewer system. It is recommended that the draft policy including "PPS Property Owner's guide to responsibilities and maintenance" and the proposed "Agreement for the Provision of Pressure Sewerage Services", as attached to this report, be placed on public exhibition prior to its adoption by Council.

13 ENVIRONMENTAL SERVICES REPORTS**13.1 DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES**

File Number:	T5
Author:	Executive Assistant to the Director Environmental Services
Authoriser:	Director Environmental Services
Attachments:	Nil
CSP Objective:	Sustainable natural, agricultural and built environments
Precis:	List of development application, construction certificate and complying development applications determined during the period 1 July to 31 July 2022.
Budget:	Nil

BACKGROUND

Under s. 4.16 of the *Environmental Planning and Assessment Act 1979*, under delegated authority Council Officers can exercise the power to determine development applications and post consent certificates such as construction certificates and complying development certificates. The following provides a list of the development applications, complying development applications and construction certificate applications determined within the Weddin Shire during the month of July 2022.

Development Applications Determined by Council

The undermentioned applications were received and determined subject to specified conditions, by the Director Environmental Services under delegated authority:

DA NO.	Applicant	Construction	Value (\$)	Address
14/2022	Andy's Design & Drafting	Two (2) Industrial Buildings	\$300,000	LOT: 25 DP: 1224552 11 Phil Aston Place GRENFELL NSW 2810
18/2022	Andy's Design & Drafting	Shed	\$30,000	LOT: 2 SEC: 27 DP: 758473 11 North Street GRENFELL NSW 2810
22/2022	Mr MJ Forde	Dwelling	\$501,700	LOT: 12 SEC: 25 DP: 758473 15A North Street GRENFELL NSW 2810
25/2022	Ms KA Irons	Shipping Container	\$6,000	LOT: 12 DP: 1051231 12 O'Brien Street GRENFELL NSW 2810
26/2022	Graincorp Ltd	Installation/Commissioning of Sample Stand building &	\$140,000	LOT: 20 DP: 1021581 Euroka Parish

DA NO.	Applicant	Construction	Value (\$)	Address
		Relocate existing stand		QUANDIALLA NSW 2721
27/2022	Ms M Zaragoza	Continued Use – Swimming Pool	\$1,900	LOT: 2 DP: 349576 56 Brundah Street GRENFELL NSW 2810

Complying Development Applications

There were no complying development certificate applications approved within the Shire in July 2022 by Council or any other Principal Certifiers.

CDC NO.	Applicant	Construction	Value (\$)	Address
Nil				

Construction Certificates

The undermentioned applications were received and determined by the Director Environmental Services under delegation:

CC NO.	Applicant	Construction	Address
13/2022	Mr WR Burstal	Dwelling	LOT: 101 DP: 1081488 12 Stan McCabe Drive GRENFELL NSW 2810
21/2022	Mr TJ Dun	Dwelling	LOT: 1224 & 1225 DP: 754578 1 Hilder Street GRENFELL NSW 2810
22/2022	Mr MJ Forde	Dwelling	LOT: 12 SEC: 25 DP: 758473 15A North Street GRENFELL NSW 2810

State Significant Development

SSD-13855453 for the development of a poultry breeding and rearing facility in Grenfell comprising of four farms and forty tunnel ventilated sheds, 8 manager residences and associated supporting infrastructure is still under assessment by the Department of Planning.

13.2 DEVELOPMENT APPLICATION 31/2022 - CONSOLIDATION OF THREE ALLOTMENTS AND CHANGE OF USE OF BUILDING TO DWELLING

File Number: T5.31.2022

Author: Director Environmental Services

Authoriser: General Manager

Attachments: 1. Statement of Environmental Effects
2. BASIX Certificate

CSP Objective: Sustainable natural, agricultural and built environments

Precis: Development Application No. 31/2022 proposes the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, and the change of use of an existing building currently located on Lot 11 DP 1277901 to a dwelling. The application also includes a request under clause 4.6 of the Weddin LEP 2011, for a reduction in the minimum lot size in the RU1 – Primary Production Zone to permit a dwelling house.

Budget: There are no budget implications associated with the determination of the development application

RECOMMENDATION

- 1. Council notes the Assessment Report contained within this report and the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979.**
- 2. Council approves the request under clause 4.6 of Weddin Local Environmental Plan 2011 for a reduction in the minimum lot size required in the RU1 – Primary Production Zone to permit a dwelling house from 400 hectares to 381.47 hectares, in this instance.**
- 3. Development Application No. 31/2022, being for the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, and the change of use of an existing building currently located on Lot 11 DP 1277901 to a dwelling, be approved subject to the recommended conditions listed in Appendix A to the Assessment Report and signed under delegated authority by the Director Environmental Services.**
- 4. That the General Manager registers this planning decision in line with s. 375A of the Local Government Act 1993 and the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.**

RESOLUTION 234/22

Moved: Cr Parlett

Seconded: Cr Kenah

1. Council notes the Assessment Report contained within this report and the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979.
2. Council approves the request under clause 4.6 of Weddin Local Environmental Plan 2011 for a reduction in the minimum lot size required in the RU1 – Primary Production Zone to permit a dwelling house from 400 hectares to 381.47 hectares, in this instance.
3. Development Application No. 31/2022, being for the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, and the change of use of an existing building currently located on Lot 11 DP 1277901 to a dwelling, be approved subject to the recommended conditions listed in Appendix A to the Assessment Report and signed under delegated authority by the Director Environmental Services.
4. That the General Manager registers this planning decision in line with s. 375A of the Local Government Act 1993 and the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.

CARRIED

Voted FOR: Cr Craig Bembrick (Mayor), Cr Paul Best (Deputy Mayor), Cr Jason Kenah, Cr Michelle Cook, Cr Phillip Diprose, Cr Glenda Howell, Cr Warwick Frame, Cr Jan Parlett
Voted AGAINST: -
Voted ABSTAIN: -
ABSENT Cr Stuart McKellar

ASSESSMENT REPORT

INTRODUCTION

Development Application No. 31/2022 proposes the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, and the change of use of an existing building currently located on Lot 11 DP 1277901 to a dwelling.

The Development Application includes a request development standard variation under clause 4.6, Exceptions to development standards, of the Weddin Local Environmental Plan 2011, for a reduction in the minimum lot size in the RU1 – Primary Production Zone to permit a dwelling house from 400 hectares to 381.47 hectares.

A copy of the proposed consolidation plan along with details of the building proposed to be used as a dwelling are included in the Statement of Environmental Effects (SEE), which is included in the attachments to this report. The application was lodged by Susie McClelland.

DESCRIPTION OF SITE

The development site is freehold land comprising of three (3) separate allotments, being Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536. The site is located approximately 17 Kilometres south of the township of Grenfell on Henry Lawson Way. The site zoned RU1

– Primary Production under Weddin Local Environmental Plan 2011 (‘Weddin LEP’). A map showing the location of the development site in relation to the surrounding locality is provided in Figure 1 below.

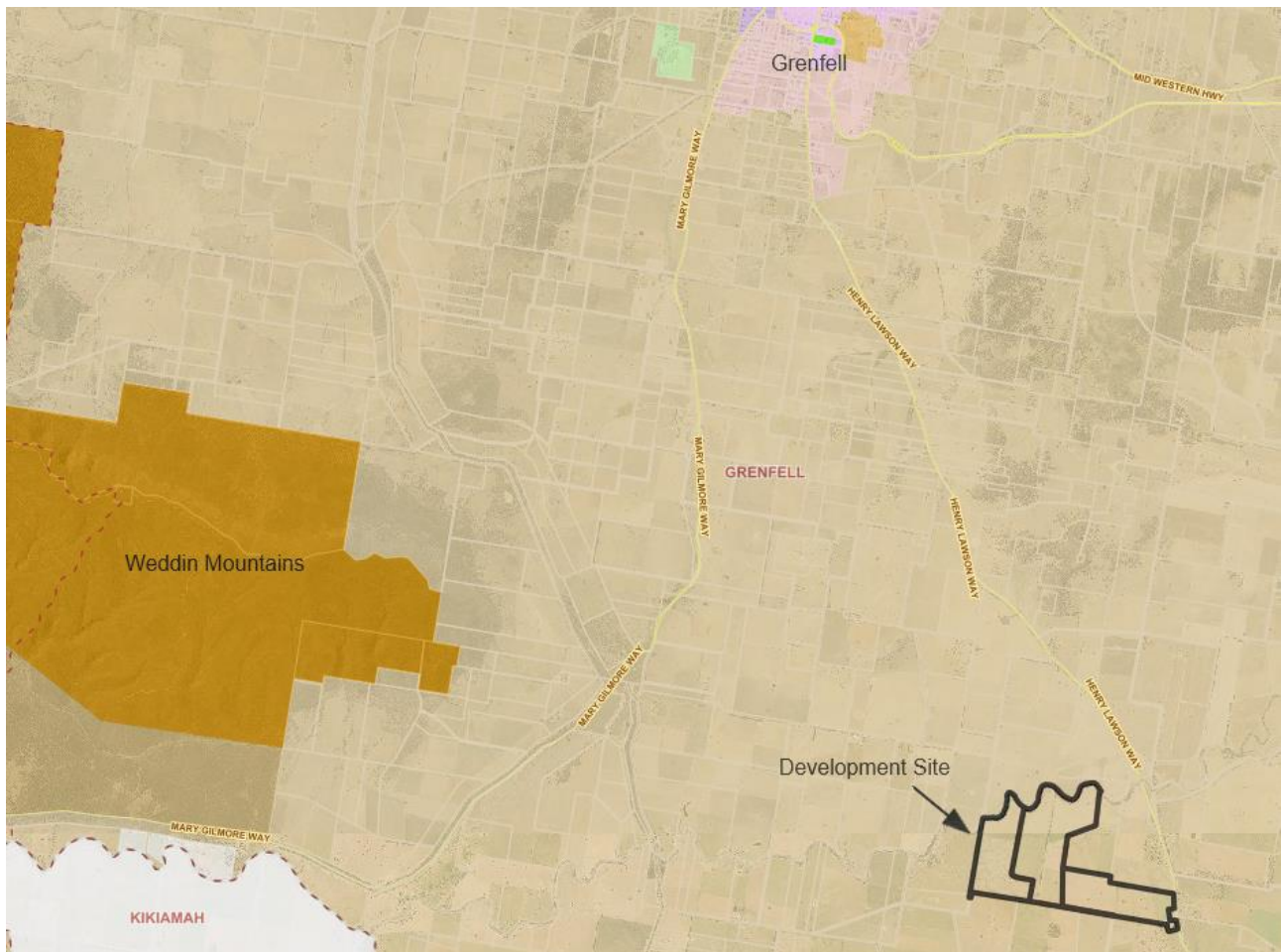


Figure 1. Locality Plan

The development site has a combined land area of 381.47 hectares and is primarily used for agricultural purposes. The site has vehicular access to Henry Lawson Way and is bordered by Tygong Creek to the north. Lot 11 DP 866536 and Lot 2 DP 1245594 are both vacant of any buildings while Lot 11 DP 1277901 contains a number of agricultural buildings including the building intended to be used as a dwelling, all of which are located in the south-east portion of the allotment. Figure 2 below provides an aerial photo indicating the three (3) allotments which form the development site.

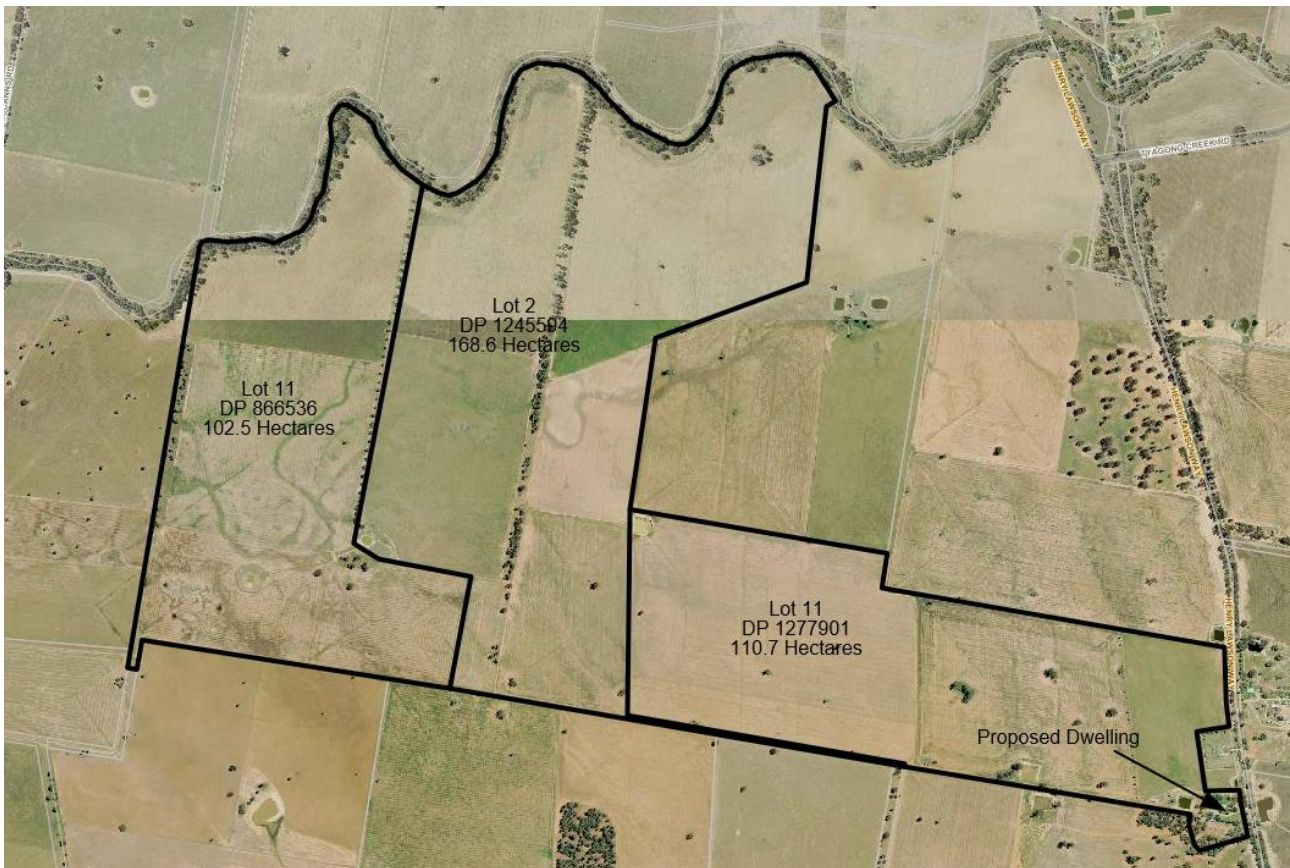


Figure 2. Aerial photo of development site.

BACKGROUND

Lot 11 DP 1277901 historically formed part of a larger allotment, being Lot 122 DP 869557 and contained a dwelling. In 2008 the then owners of the property subdivided Lot 122 to create two (2) separate allotments, each being less than the 400 hectare minimum lot size. In order to comply with the requirements Clause 4.2 of the Weddin LEP 2011, which only permits a subdivision in the primary production zone less than the minimum lot size if there are no dwellings on the allotment, the developer included the following restriction on the titles of the new allotments:

Terms of restrictions on the use of land thirdly referred to in abovementioned plans

1. *No dwelling entitlement is maintained on the burdened Lots and the existing dwelling located on the burdened Lot has been designated as a non-habitable dwelling and will be maintained so as to preclude human occupation.*
2. *The authority having the right to release vary or modify this restriction is Weddin Shire Council.*

Subsequently, the existing dwelling was designated as non-habitable and required to be maintained so as to preclude human occupation.

A further subdivision was completed in 2021 as part of Development Consent 19/2021 to create the current Lot 11 DP 1277901. This subdivision was for agricultural purposes only and was approved subject to a condition which required the restriction on the title mentioned above to remain in force. Hence the building on Lot 11 DP 1277901 currently remains a non-habitable building which is not permitted to be used as a dwelling.

DESCRIPTION OF PROPOSAL

Development Application 31/2022 proposes the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, to create an allotment having a total area of 381.47 hectares. The application further proposes the removal of the restriction on the use of the building currently located on Lot 11 DP 1277901 in order to allow the building to be used as a dwelling.

As the consolidated allotment will have a land area less than the 400 hectare minimum lot size for the RU1 Primary Production zone, the development application includes a request under clause 4.6 of the Weddin LEP 2011 to vary development standard 4.2B(3)(a) of the LEP which states:

Clause 4.2B(3)

Development consent must not be granted for the erection of a dwelling house on land in a zone to which this clause applies unless the land is—

(a) a lot that is at least the minimum lot size specified for that land by the Lot Size Map

The consolidation of allotments does not fall within the definition of development under the *Environmental Planning and Assessment Act 1979*, and therefore does not need development consent. However, the applicant has included the proposed land consolidation in the development application in order support the proposed change of use of the existing building to a dwelling leading to the clause 4.6 variation request.

The proposed plan of consolidation and clause 4.6 request are included in the Statement of Environmental Effects (Attachment 1), along with details and photos of the proposed dwelling.

ENVIRONMENTAL IMPACT ASSESSMENT

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 31/2022:

S4.15(1)(a)(i) Any Environmental Planning Instrument

Weddin Local Environmental Plan 2011

The development site is zoned RU1 Primary Production under the provisions of Weddin LEP 2011. Dwelling houses are permissible in the RU1 zone with consent. As mentioned above the consolidation of land does not need development consent, but can be approved as part of the subject development application.

Clause 2.3

Clause 2.3(2) of the Weddin Local Environmental Plan 2011 requires that *“The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone”*. The objectives of the RU1 Primary Production zone are as follows:

Zone RU1 Primary Production

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The development site is largely used for broad acre farming including cropping and grazing. The proposed development will not have any significant impact on the sustainable farming operations currently undertaken on the site. It is assessed that the land consolidation and change of use of the existing building back to its historical use as a dwelling will only positively impact on the ability of the land owners to undertake a diverse range of primary industry enterprises on the site.

The development will not create the fragmentation or alienation of resource lands, and will in fact create one (1) large rural allotment totalling 381.47 hectares instead of three (3) smaller allotments. The proposed dwelling was historically used as a dwelling prior to its change of use in 2008. It is assessed that there will be no significant land use conflicts created by returning the subject building back to its original use as a dwelling.

It is assessed that the proposed development is consistent with the RU1 Primary Production zone objectives.

Clause 4.2B

Clause 4.2B outlines that:

- Development consent must not be granted for the erection of a dwelling house on land in the RU1 zone unless the land is –*
- a) a lot that is at least the minimum lot size;*
 - b) a lot created under an environmental planning instrument before the commencement of the current LEP and on which the erection of a dwelling house was permissible;*
 - c) a lot resulting from the subdivision for which development consent was granted before the commencement of the current LEP and on which the erection of a dwelling house was permissible if the plan of subdivision had been registered before the commencement of the LEP; or*
 - d) an existing holding.*

The proposed consolidated allotments will not achieve the minimum lot size for the RU1 Primary Production zone (400 hectares) in order to permit the erection of a dwelling house. As discussed previously in this report, the allotment on which the proposed dwelling house is located was created as part of a rural subdivision for agricultural purposes only. An assessment has also identified that the development site is not an existing holding as defined in the Weddin LEP 2011.

Due to the proposed consolidated allotments being less than the minimum lot size for the RU1 zone, the applicant has lodged a request under clause 4.6 of the Weddin LEP 2011 seeking a variation to minimum lot size requirements of clause 4.2B. An assessment of this variation request is outlined below.

Clause 4.6

The applicant has submitted a request under clause 4.6 of the Weddin LEP 2011 for a variation to the minimum lot size requirement of clause 4.2B(3)(a) in order to change the use of an existing building back to its original use as a dwelling.

An extract of clause 4.6 of the Weddin LEP 2011 is provided below –

4.6 Exceptions to development standards

(1) *The objectives of this clause are as follows—*

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

(4) *Development consent must not be granted for development that contravenes a development standard unless—*

(a) *the consent authority is satisfied that—*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) *the concurrence of the Planning Secretary has been obtained.*

(5) *In deciding whether to grant concurrence, the Planning Secretary must consider—*

- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) *the public benefit of maintaining the development standard, and*
- (c) *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

(6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—*

- (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
- (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

Note— *When this Plan was made, it did not include Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone E2 Environmental Conservation or Zone E4 Environmental Living.*

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would

contravene any of the following—

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4,

(caa) clause 5.5.

The applicant has submitted a written request which provides justification for the variation of development standard 4.2B(3)(a). A copy of the applicant's request is contained in Annexure A of the submitted SEE, which is included in the attachments to this report.

This request outlines the applicants reasoning why compliance with the development standard is unreasonable or unnecessary in the circumstances of this case, and why there is sufficient environmental planning ground to justify contravening the development standard. It is assessed that the applicant's written request satisfies the requirements of clause 4.6(3).

The request seeks to vary the minimum lot size required for the erection of a dwelling in the RU1- Primary Production Zone from 400 hectares to 381.47 hectares. This represents a reduction of 18.53 hectares or 4.63%. It is noted that the applicants SEE and variation request states that the proposed consolidated allotments will have a total area of 384.8 hectares, however a review of the Valuer General's Certificate of Land Value for each of the subject allotments confirms that the size will be 381.47 hectares.

It is assessed that the clause 4.6 variation request is consistent with the objectives of clause 4.2 and the objectives for development within the RU1 zone due to the following:

- The proposed dwelling was historically used as a dwelling, prior to the land on which the building is located being subdivided in 2008 for agricultural purposes;
- The proposed consolidated allotment will have a total land area of 384.8 hectares which is only a 4.63% departure from the minimum lot size of 400 hectares for the RU1 Primary Production zone;
- The proposed consolidated allotments will create a lot which is greater in size than the original lot which contained the previous dwelling prior to it being subdivided in 2008;
- The proposed dwelling is located in an area on the allotment which contains existing infrastructure including water supply, electricity, telecommunications, an onsite effluent management system and vehicular access, and will therefore not fragment agricultural land or create any additional land use conflicts;
- The proposal will enable an existing building which is suitable for use as a dwelling to be utilised rather than requiring a new dwelling to be constructed on another parts of the owners farm;

- The request does not proposed the contravening of a development standard for complying development or a development standard associated with a BASIX certificate;
- Requiring the land owners to consolidate an additional larger agricultural allotment to make up the 18.53 hectare shortfall is considered unreasonable and unnecessary in the circumstances;
- In this case there are sufficient environmental planning grounds to justify the minor variation to the minimum lot size.

Based on the above assessment the clause 4.6 variation request from the application is supported in this instance.

Clause 5.16

The objective of clause 5.16 is to “*minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones, particularly between residential land uses and other rural land uses.*”

As the proposed development involves a dwelling house in the RU1 Primary Production zone clause 5.16 requires Council to consider the following matters –

- (a) the existing uses and approved uses of land in the vicinity of the development,*
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).*

The development site is located within a rural area of the Shire which is predominantly used for broad acre farming. As discussed previously in this report, the proposed dwelling was historically used as a dwelling prior to 2008. It is assessed that the proposed dwelling will not have any significant impact on farming operations in the surrounding area. The area immediately surrounding the proposed dwelling contains scattered trees, a number of buildings and infrastructure including electricity lines, and would not be suitable for broad acre farming. The land immediately adjoining the location of the proposed dwelling to the north is a small parcel of land on which a dwelling is already located.

Clause 6.1

Clause 6.1 applies to land identified as High Biodiversity Sensitivity and Moderate Biodiversity Sensitivity on the Natural Resource – Biodiversity Map. A number of areas of the development site are mapped as High Biodiversity Sensitivity as shown in Figure 3 below.

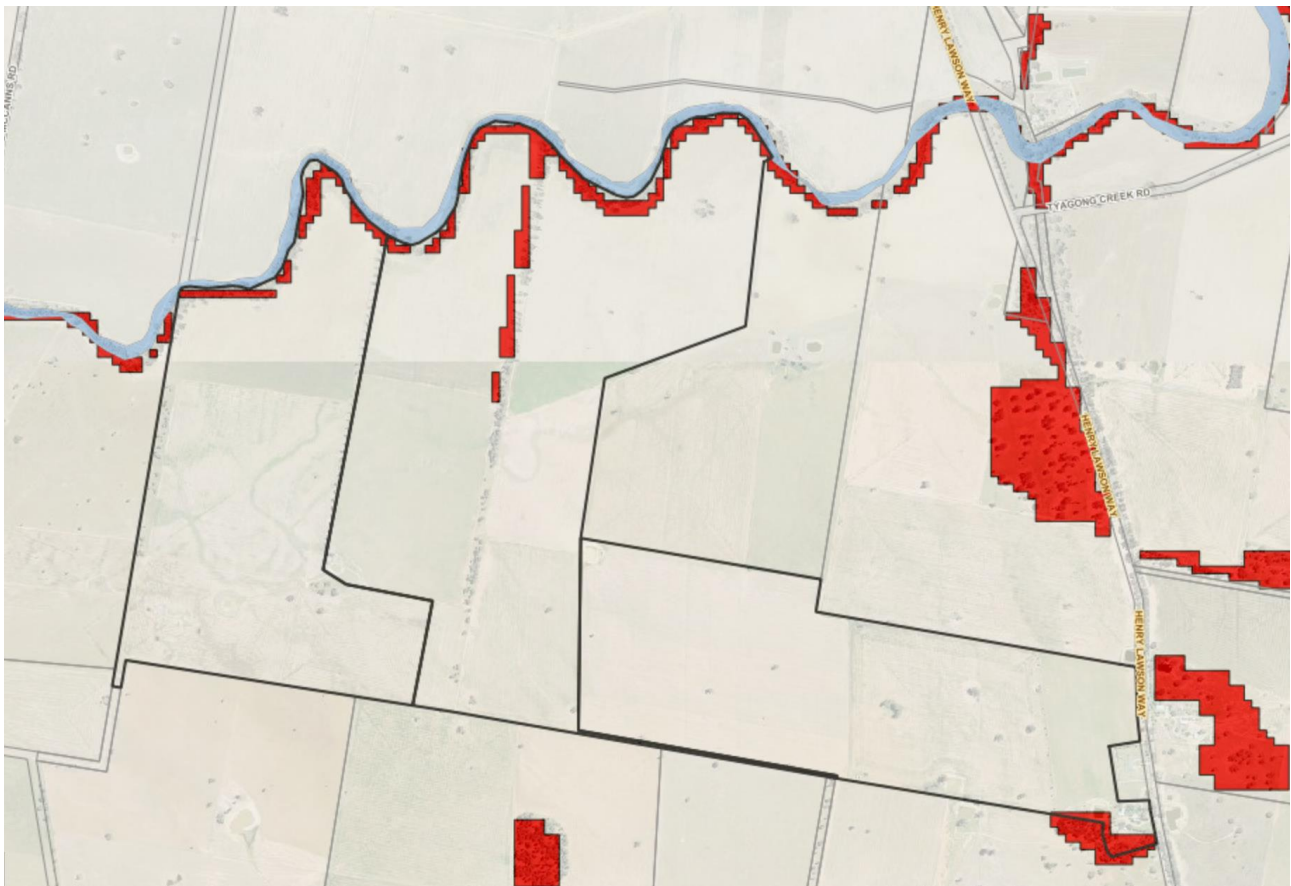


Figure 3. Map showing High Biodiversity Sensitivity areas of the development site

Prior to determining a development application for development on land to which clause 6.1 applies, Council must consider any adverse impacts of the proposed development on the following:

- (a) *native ecological communities,*
- (b) *the habitat of any threatened species, populations or ecological community,*
- (c) *regionally significant species of fauna or flora or habitat,*
- (d) *habitat elements providing connectivity.*

Development consent must not be granted to development on land to which clause 6.1 applies unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development is for the consolidation of three (3) rural allotments and the change of use of an existing building back to its original use as a dwelling. The development site is mainly used for broad acre farming and does not contain any regionally significant species of fauna, flora or habitat. The site has historically been extensively cleared of natural vegetation, with the exception of a number of pockets of natural flora. The proposed development does not propose the removal of any further trees or natural habitat.

Having considered the requirements of clause 6.1 of the Weddin LEP 2011, it is assessed that the proposed development will not have any significant adverse environmental impact.

Clause 6.2

The development site is not identified as Wetlands on the Natural Resources – Wetlands Map forming part of the Weddin LEP 2011 and therefore the requirements of clause 6.2 do not apply to the proposed development.

Clause 6.3

The development site is not identified as Groundwater Vulnerability on the Natural Resources – Groundwater Map and therefore the requirements of clause 6.3 do not apply to the proposed development.

Clause 6.4

The northern boundary of the development site is bordered by Tygong Creek which is identified as a Watercourse on the Natural Resources – Water Map contained in the Weddin LEP 2011. Before determining a development application for development on land to which clause 6.4 applies, Council must consider whether or not the development—

- (a) will cause any adverse impact on the following—*
 - (i) the water quality and flows within a watercourse,*
 - (ii) the aquatic and riparian species, habitats and ecosystems,*
 - (iii) the stability of the bed, shore and banks of a watercourse,*
 - (iv) the free passage of fish and other aquatic organisms within or along a watercourse,*
 - (v) any future rehabilitation of a waterway and riparian areas, and*
- (b) will increase water extraction from a watercourse.*

Development consent must not be granted to development on land to which clause 6.3 applies unless Council is satisfied that—

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development only includes the consolidated of three (3) rural allotments which are currently used for broad acre farming and the change of use of an existing building back to its original use as a dwelling. It is assessed that the development as proposed will not have any adverse environmental impacts in relation to watercourses in the area.

Clause 6.6

Clause 6.6 of the Weddin LEP 2011 describes that development consent must not be granted to development unless Council is:

- satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—*
 - (a) the supply of water,*
 - (b) the supply of electricity,*
 - (c) the disposal and management of sewage,*
 - (d) stormwater drainage or on-site conservation,*

(e) *suitable road access.*

The proposed dwelling was historically used as a dwelling until 2008. The building is already serviced by rainwater tanks and is connected to electricity mains. The building is serviced by an on-site effluent management system which is assessed as being appropriate to continue to service the proposed dwelling. Storm water from the proposed dwelling is already diverted to onsite rainwater tanks and there is sufficient space available on the site to adequately dispose of any storm water overflow from these tanks. The development site is also serviced by an existing vehicular access from Henry Lawson Way which considered suitable to service the proposed development.

State Environmental Planning Policies

The following State Environmental Planning Policies are considered relevant to Council's assessment of the development proposal:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 of the SEPP requires Council to assess if the development site is core Koala habitat and if the proposed development will have any impact on that habitat. There is no evidence to suggest that the development site is core Koala habitat. The land is and historically been used for broad acre farming. The land is extensively cleared, with the development application not proposing the removal of any additional trees. It is assessed that the proposed development will not impact any Koala habitat.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposed dwelling is a BASIX affected building as defined under the Environmental Planning and Assessment Act 1979 and therefore the requirements of SEPP (Building Sustainability Index: BASIX) 2004 applies to this aspect of the proposal. The applicant has submitted a BASIX certificate for the proposed dwelling and therefore the requirements of SEPP have been satisfied.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed development is not identified as being either exempt or complying development in accordance with the SEPP. The application has lodged a development application for the proposed development. Therefore the requirements of SEPP (Exempt and Complying Development Codes) 2008 do not apply.

State Environmental Planning Policy (Housing) 2021

The proposed development includes the change of use of an existing building to a dwelling, however there are no requirements under the SEPP which apply to the proposal.

State Environmental Planning Policy (Industry and Employment) 2021

An assessment of the proposed development has revealed that there are no applicable requirements under SEPP (Industry and Employment) 2021 that apply to the development. State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

The proposed development does not propose a residential flat development and therefore the requirements of SEPP No. 65 – Design Quality of Residential Flat Development, do not apply.

State Environmental Planning Policy (Planning Systems) 2021

The proposed development is not assessed as being State Significant or Regionally Significant development and therefore the requirements of the SEPP are not applicable.

State Environmental Planning Policy (Precincts-Regional) 2021

An assessment of SEPP (Precincts-Regional) 2021 has identified that there are no part of the SEPP which apply to the proposed development.

State Environmental Planning Policy (Primary Production) 2021

The proposed development does not include State Significant Agricultural Land and does not propose a farm dam or other small scale and low risk artificial waterbodies. It is assessed that there are no requirements under the SEPP which would apply to the proposed development.

State Environmental Planning Policy (Resilience and Hazards) 2021

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

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

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

State Environmental Planning Policy (Resources and Energy) 2021

There are no requirements within the SEPP which are applicable to the proposed development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposed development is not within or immediately adjacent to an easement for electricity purposes or an electricity substation, and is not within 5 metres of an exposed overhead electricity power line. Therefore the application is not required to be referred to the electricity supply authority.

The proposed development is not classified as a traffic-generating development under Schedule 3 and therefore was not required to be referred to Transport for NSW under the provisions of the SEPP. It is intended to utilise the existing vehicular access to the development site to service the proposed dwelling. It is assessed that the existing access arrangement is suitable to service the proposed development.

S4.15 (1) (a) (ii) Any draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments that apply to the development.

S4.15 (1) (a) (iii) Any Development Control Plan (DCP)

Weddin Shire Development Control Plan 2014

Chapter 9 – Rural Development

Clause 9.5 of the DCP outlines the minimum lot size for a dwelling entitlement as being 400 hectares. As discussed above, the applicant has submitted a requested under clause 4.6 of the Weddin LEP for a variation to the minimum lot size to 381.47 hectares.

Clause 9.7 stipulates that new developments should have a minimum setback distance of 150 metres from allotment boundaries. The proposed dwelling is located approximately 40 metres from the northern boundary and 100 metres from the southern boundary and parts of the western boundary of the proposed consolidated allotment.

As discussed previously the proposed dwelling was historically used as a dwelling until 2008 and the building is already serviced by power, water supply, an onsite effluent management system, telecommunications and vehicular access which is consistent with the requirements of clause 9.11 and 9.12. The land immediately surrounding the proposed dwelling contains scattered trees, gardens along with a number of farm buildings which will be utilised by the owners of the site. The land immediately adjoining the proposed dwelling to the north is a small 2 hectare allotment of land which already contains a dwelling.

It is assessed that the location of the proposed dwelling is appropriate and will not unduly impact on agricultural activities in the surrounding area or create land use conflict.

Chapter 15 – Public Consultation

The development application was not required to be advertised or notified in accordance with the requirements of Chapter 15 of Weddin DCP 2014. The proposed dwelling was historically used as a dwelling until 2008 and therefore will not create any additional impacts on adjoining agricultural land in the vicinity.

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

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

S4.15(1)(a)(iv) The EP & A Regulations

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

- Clause 61 – The proposal does not involve the demolition of a building and the land is not subject to a subdivision order or the Dark Sky Planning Guideline. The application does not propose a manor house or multi dwelling housing and therefore the requirements to consider the *Low Rise Housing Diversity Design Guide for Development Applications* does not apply. There are no other matters under clause 61 which apply to the development.
- Clause 62 – The proposal does involve the change of a building use therefore it must be considered whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use. As the building was previously used as a dwelling, it is assessed the fire protection and structural capacity of the building will be appropriate for its use as a class 1a dwelling subject to hard-wired smoke alarms being installed in the dwelling in accordance with the requirements of the Building Code of Australia. A condition has been included in the recommendation requiring compliance with this requirement.
- Clause 63 – The proposal does not involve the erection of a temporary structure and therefore there are no matters under clause 63 which are relevant to the proposed development.
- Clause 64 – The proposal does not involve the rebuilding or alteration of an existing building and therefore the requirements of clause 64 do not apply to the development.

S4.15(1)(b) The likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

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

Context and Setting

The development site is located in a rural area of the Shire approximately 17 Kilometres south of the township of Grenfell on Henry Lawson Way. The site is zoned RU1 – Primary Production under Weddin Local Environmental Plan 2011 and is mainly used for broad acre agriculture including cropping and grazing.

The development site consists of three (3) separate allotments ranging in size from 102.5 hectares to 168.6 hectares. Two (2) of the allotments are vacant of any buildings, with the third allotment containing a number of agricultural buildings and the proposed dwelling. The proposed dwelling was historically used as a dwelling prior to 2008 and is consistent with other farm dwellings in the area.

It is assessed that the proposed development is consistent with the character and setting of the area.

Access, Transport and Traffic

The development site is serviced by an existing vehicular access from Henry Lawson Way. The proposed development will not significantly increase traffic to the site or surrounding area. The existing access arrangement will provide legal access to the consolidated allotments and is considered suitable to service the proposed dwelling and associated agricultural land.

Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality. The development will enable a building to be returned to its original use as a dwelling and will provide housing for the owners and operators of the development site.

Heritage

The development site is not located within a heritage conservation area and does not contain any items of environmental heritage listed in schedule 5 of the Weddin Local Environmental Plan 2011. The proposed development does not propose any building works to the existing building. It is assessed that the proposed development will not impact on any heritage items in the vicinity.

Other Land Resources

The land does not contain any recorded mineral deposits and the proposal will not negatively impact any water catchment areas. The northern boundary of the development site is bordered by Tygong Creek which is identified as a watercourse on the Natural Resources – Water Map contained in the Weddin LEP 2011. The proposed development will not have any impact on this watercourse.

Water, Sewerage and Stormwater

The proposed dwelling is serviced by an existing on-site water supply and onsite effluent management system. It is assessed that these existing facilities are suitable for the use of the dwelling. Stormwater from the dwelling is currently diverted to rainwater tanks and there is sufficient area on the site to dispose of stormwater overflow from these tanks. The proposed land consolidation will not impact on these facilities.

Soils

The application will not have a negative impact on soils in the locality.

Air and Microclimate

The land consolidation and change of use will not generate any additional dust on the site. Due to the location of the proposed dwelling, it is unlikely that dust from surrounding agricultural land will severely impact upon occupants of this building.

Flora and Fauna

The development does not propose any earthworks or the removal of any trees or natural vegetation. It is assessed that the proposal will not create any additional impacts on flora and fauna in the area.

Waste

The proposal will not create any construction waste. General household waste from the proposed dwelling can be appropriately recycled or disposed of to Councils waste management facility.

Energy

The proposed development will not significantly increase energy usage on the site. The proposed dwelling is a BASIX affected building and the applicant has submitted a BASIX certificate satisfying the associated energy efficiency requirements.

Noise and Vibration

The proposed development will not significantly increase noise or vibration above what is already produced via the agricultural activities currently undertaken on the site. It is not anticipated that surrounding agricultural activities will create unreasonable noise and vibration impacts for the occupants of the proposed dwelling.

Natural Hazards

The land is not mapped as bushfire prone or flood prone. There are no other identified natural hazards affecting the development site.

Technological Hazards

There are no identified technological hazards relating to the proposed development.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

The proposed development will not result in any negative social or economic impacts. The development will provide additional housing for the owners and operators of the farming enterprise and provide a positive economic impact to the locality.

Site Design and Internal Design

The proposed land consolidation is considered suitable for the area. It will create a single allotment of land with a land area of 381.47 hectares. This will not impact on the current agricultural activities undertaken on the site. The proposed dwelling was historically used as dwelling and has been sited in the same area for many years without any resulting land use conflict.

Construction

The development does not proposed any construction works to the dwelling. A condition has been included in the recommendation requiring the installation of hard-wired smoke alarms to service the dwelling in accordance with the standards adopted by the Building Code of Australia.

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. The development site will continue to be mainly used for agricultural purposes. The proposed dwelling will only change the use of an existing building which was historically used as a dwelling.

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

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality. It is considered that the proposed development will not create adverse impacts within its local setting. It is further assessed that the development will not unduly impact upon any existing services.

The application includes a request under clause 4.6 of the Weddin LEP 2011 to vary the development standards relating to the minimum lot size required for the erection of a dwelling in the RU1- Primary Production Zone from 400 hectares to 381.47 hectares. It has been assessed that the variation is reasonable and justified in the circumstances.

The site is not constrained by natural features and is considered suitable for the development subject to the imposition of appropriate conditions of consent.

Public Consultation

The Development Application was not required to be notified in accordance with Council's Development Control Plan 2014.

Public Authority Consultation:

Prior to the lodgement of the development application, Council consulted with the Department of Planning regarding the need to refer the proposed 4.6 variation request to the Department for concurrence. The Department advised that the application did not require concurrence under clause 4.6(4)(b) of the Weddin LEP 2011 as the proposed consolidated allotment was within 10% of the minimum lot size for the RU1 Primary Production zone.

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

Community Interest

The proposed development has been considered in terms of the context and setting of the locality in previous sections to this report. The proposed development will not impose any identified adverse economic or social impacts on the local community.

SECTION 7.11 & 7.12 CONTRIBUTIONS

Council does not have a Section 7.11 or Section 7.12 Contributions Policy and therefore such contributions are not applicable to the proposed development.

CONCLUSION

Development Application No. 31/2022 proposes the consolidation of Lot 11 DP 1277901, Lot 2 DP 1245594 and Lot 11 DP 866536, and the change of use of an existing building currently located on Lot 11 DP 1277901 to a dwelling. The application also includes a request under clause 4.6 of the Weddin LEP 2011, for a reduction in the minimum lot size in the RU1 – Primary Production Zone to permit a dwelling house.

The application is supported by a SEE, BASIX certificate and a written request seeking to contravene development standard 4.2B(3)(a) as it relates to the minimum lot size for the erection of a dwelling. The supporting information provides sufficient information to allow the assessment of the proposal and it has been assessed that the development standard variation is reasonable and justified in the circumstances.

Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council should not refuse the clause 4.6 variation request and development application. Accordingly, a recommendation of conditional approval is listed in the recommendation subject to the conditions listed in **Appendix A**.

APPENDIX A – SCHEDULE OF PROPOSED CONDITIONS OF DEVELOPMENT CONSENT

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Weddin Shire Council Reference
BASIX Certificate	Certificate No. 1327933S	Stamped No. 31/2022
Statement of Environmental Effects and Plan of Consolidation	SBM Planning Pty Ltd Dated June 2022	Stamped No. 31/2022

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The person acting on the consent shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2, Subdivision 1 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

3. The person acting on the consent is to submit to Weddin Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.

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

4. The person acting on the consent shall include on the final plan of subdivision any and all necessary easements required over access, water, electricity and telecommunications mains.
5. The person acting on the consent is to lodge with the Principal Certifier a Subdivision Certificate Application together with the final land consolidation plan for signature. All necessary information to support the certificates release and the necessary fee is required to be included with the Subdivision Certificate Application.

CONDITIONS TO BE COMPLIED WITH PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

6. The person acting on the consent must not commence occupation or use of the dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
7. Prior to the issue of any Occupation Certificate for the dwelling, all smoke alarms within the entire building are to be upgraded where necessary to comply with the requirements of part 3.7.5 of the Building Code of Australia and Australian standard 3786-2014.
8. Prior to the issue of an Occupation Certificate, the final land consolidation plan must be registered with Land Registry Service and a copy of the information notice provided to the Principal Certifier appointed for the subject development.

ADVICE

Aboriginal Heritage

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

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810443.

13.3 RESCINDING OF COUNCIL RESOLUTION 217/22 IN ORDER TO CHANGE FUNDING SOURCE

File Number: T1.8.28/U1.12.50

Author: Director Environmental Services

Authoriser: Director Environmental Services

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: It is proposed to rescind Council resolution 217/22 in order to change the funding source for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant.

Budget: \$194.137.50 (excluding GST) to be sourced from the Federal Assistance Grant's or other suitable funding.

RECOMMENDATION

That:

1. Council rescind resolution number 217/22 due to the proposed change in funding source.
2. Council note the report presented to the July 2022 Council meeting on the open request for tender process undertaken through the CNSWJO eProcure Portal for the supply and installation of solar PV systems at a number of identified Council facilities.
3. Council accept and sign a contract with Solar Professionals for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant, with funding to be allocated from the Federal Assistance Grant's or other suitable funding.
4. The General Manager be delegated the authority to sign the contract.

RESOLUTION 235/22

Moved: Cr Diprose

Seconded: Cr Kenah

That:

1. Council rescind resolution number 217/22 due to the proposed change in funding source.
2. Council note the report presented to the July 2022 Council meeting on the open request for tender process undertaken through the CNSWJO eProcure Portal for the supply and installation of solar PV systems at a number of identified Council facilities.
3. Council accept and sign a contract with Solar Professionals for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant, with funding to be allocated from the Federal Assistance Grant's or other suitable funding.

-
4. The General Manager be delegated the authority to sign the contract.
-

CARRIED

PURPOSE

The purpose of this report is to rescind resolution 217/22 as far as it relates to the specific grant funding allocated for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant.

BACKGROUND

Council at its meeting held on 21 July 2022 considered a report on the tender evaluation for the supply and installation of PV solar systems at a number of identified Councils Facilities.

As a result it was resolved that:

1. Council note the report on the open request for tender process undertaken through the CNSWJO eProcure Portal for the supply and installation of solar PV systems at a number of identified Council facilities.
2. Council accept and sign a contract with Solar Professionals for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant, subject to approval of Local Roads and Community Infrastructure Round 3 funding allocation.
3. Council authorises the General Manager be delegated the authority to sign the contract.

ISSUES AND COMMENTS

Council has recently been advised by the Local Roads and Community Infrastructure Funding Body that it was unsuccessful with the solar component of the Round 3 grant application, as it did not fall within the funding criteria.

Due to the significant role that PV solar will have on reducing electricity costs for the operation of high energy use Council's sites, it is considered important that Council continue with the solar project. For this reason, it is now proposed that funding for the project be allocated from the Federal Assistance Grants or other suitable funding opportunities. As the FAG's are not restricted in the type of projects that they can be allocated to, Council is able to allocate funding from this program to the solar project and offset this by reallocated suitable projects from the FAG's to the LRCI Round 3 program.

POLICY/LEGAL IMPLICATIONS

The proposed installation of behind-the-meter solar at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewerage Treatment Plant is consistent with the Renewable Energy Action Plan adopted by Council.

FINANCIAL/RESOURCE IMPLICATIONS

The cost of the supply and installation of the solar systems can be fully funded from Councils Federal Assistance Grant's allocation.

The proposed contract with the Solar Professionals includes a three (3) year maintenance and cleaning program encompassing panel cleaning, electrical and mechanical testing, reporting and thermal imaging.

Further maintenance and cleaning cost will be incurred after the initial three (3) year period, but are not expected to outweigh the financial benefit of installing the solar systems.

CONCLUSION

Council has received confirmation that it was unsuccessful with the solar component of the Local Roads and Community Infrastructure Round 3 grant application. It is therefore proposed to rescind resolution 217/22 as far as it relates to the specific grant funding allocated for the supply and installation of solar PV systems at the Grenfell Aquatic Centre, the Hub, Council Depot and new Sewage Treatment Plant.

It is proposed that that funding for the solar project be allocated from the FAG's.

13.4 WEDDIN SHIRE SWIMMING POOL INSPECTION POLICY

File Number:	10.6.2
Author:	Director Environmental Services
Authoriser:	Director Environmental Services
Attachments:	1. Draft Weddin Shire Swimming Pool Inspection Policy
CSP Objective:	Innovation in service delivery (healthy, safe and educated community)
Precis:	The Weddin Shire Swimming Inspection Policy has been reviewed and updated
Budget:	The proposed policy does not require a specific budget allocation

RECOMMENDATION

That:

1. Council place the draft Weddin Shire Swimming Pool Inspection Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community, using the proposed community engagement strategy outlined in the report.
2. The Director of Environmental Services present a further report to Council with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the Policy, or in the event that no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a policy of Council.

RESOLUTION 236/22

Moved: Cr Best

Seconded: Cr Diprose

That:

1. Council place the draft Weddin Shire Swimming Pool Inspection Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community, using the proposed community engagement strategy outlined in the report.
2. The Director of Environmental Services present a further report to Council with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the Policy, or in the event that no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a policy of Council.

CARRIED

PURPOSE

The purpose of this report is to present the draft Weddin Shire Swimming Pool Inspection Policy to Council for consideration and request the draft policy to be placed on public exhibition inviting submissions from the community.

BACKGROUND

The Swimming Pools Amendment Act 2012 introduced a number of changes to the Swimming Pools Act 1992 (the Act). Under the changes provisions requiring mandatory pool inspections by a Council were inserted into the Act (s22B). Councils are required to develop and adopt a program for the inspection of swimming pools in their area to ensure they are compliant with the Act.

Weddin Shire Council adopted a Policy for Swimming Pool Barrier Inspection on 17 October 2013 (Policy 10.6.1). The policy was reviewed and amended by Council on 15 June 2017. The draft policy included in the **Attachment** to this report will supersede the previously adopted policy.

ISSUES AND COMMENTS

Council current Policy for Swimming Pool Barrier Inspections has been reviewed and a number of changes proposed to ensure that the policy is compliant with the requirements of the Act.

Clause 16 of the Swimming Pools Regulation 2018 states that Council must establish and implement a strategy for engagement with the local community when developing a program for the inspection of swimming pools in its area. The strategy must be based on social justice principles of equity, access, participation and rights. The local community is to be consulted in accordance with the strategy when developing an inspection program and including any review of such a program.

The following community engagement strategy is proposed as part of the public consultation process associated with the adoption of the review and updated policy:

1. Draft policy to be placed on public exhibition for a period of 28 days, inviting comments and submissions from the community;
2. Draft policy to be advertised via the following forums during the public exhibition period:
 - Councils website;
 - Social media;
 - The Grenfell Record;
 - Greenethorpe notice board;
 - Quandialla Idle Chatter newsletter; and
 - Copy made available at Councils Office Building.

POLICY/LEGAL IMPLICATIONS

The revised Weddin Shire Swimming Pool Inspection Policy will supersede the previous Policy for Swimming Pool Barrier Inspection adopted by Council on 15 June 2017.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications as a result of the modified policy.

INTERNAL/EXTERNAL CONSULTATION

As part of the review of the Swimming Pool Barrier Inspection policy, no external consultation was required.

CONCLUSION

Councils current Policy for Swimming Pool Barrier Inspections has been review and a number of changes proposed. The draft policy is proposed to be placed on public exhibition for a period of 28 days, for the purpose of inviting submissions from the community.

14 DELEGATE(S) REPORTS

Nil

15 MINUTES OF COMMITTEE MEETINGS**15.1 MINUTES OF THE HENRY LAWSON FESTIVAL HELD 29 JUNE & 20 JULY 2022**

File Number: C1.4.1
Author: General Manager
Authoriser: General Manager
Attachments:

1. Minutes HLF 29 June 2022
2. Minutes HLF 20 July 2022
3. Workshop Feedback
4. Survey Results
5. Ready Marketing Report

RECOMMENDATION

Except where otherwise dealt with, the Minutes of the Henry Lawson Festival held 29 June and 20 July 2022 be adopted as presented.

RESOLUTION 237/22

Moved: Cr Diprose
Seconded: Cr Parlett

Except where otherwise dealt with, the Minutes of the Henry Lawson Festival held 29 June and 20 July 2022 be adopted as presented.

CARRIED**INFORMATION**

The minutes of the Henry Lawson Festival Committee Meeting held on 29 June and 20 July 2022 as well as workshop feedback, survey results and the Ready Marketing report documents are attached.

15.2 MINUTES OF THE LEMC & RESCUE MEETING HELD 2 AUGUST 2022

File Number: E1.1.5
Author: Team Leader - Infrastructure
Authoriser: General Manager
Attachments: 1. MINUTES LEMC 2 August 2022
2. MINUTES Rescue 2 AUGUST 2022

RECOMMENDATION

Except where otherwise dealt with, the Minutes of the Local Emergency Management Committee and Rescue Committee Meeting held 2 August 2022 be adopted as presented.

RESOLUTION 238/22

Moved: Cr Best
Seconded: Cr Frame

Except where otherwise dealt with, the Minutes of the Local Emergency Management Committee and Rescue Committee Meeting held 2 August 2022 be adopted as presented.

CARRIED

INFORMATION

The minutes of the above meetings' are attached.

15.3 MINUTES OF THE HERITAGE COMMITTEE HELD 3 AUGUST 2022

File Number: C2.6.22
Author: Executive Assistant to the Director Environmental Services
Authoriser: Director Environmental Services
Attachments: 1. Minutes Heritage 3 August 2022

RECOMMENDATION

Except where otherwise dealt with, the Minutes of the Heritage Committee held 3 August 2022 be adopted as presented.

RESOLUTION 239/22

Moved: Cr Diprose
Seconded: Cr Kenah

Except where otherwise dealt with, the Minutes of the Heritage Committee held 3 August 2022 be adopted as presented.

CARRIED

HERITAGE COMMITTEE MEETING

The minutes of the Heritage Committee Meeting held on 3 August 2022 are attached.

15.4 MINUTES OF THE NOXIOUS WEEDS COMMITTEE HELD 8 AUGUST 2022

File Number: C2.6.13
Author: Acting Director Infrastructure Services
Authoriser: General Manager
Attachments: 1. Minutes Noxious Weeds Meeting 8 August 2022

RECOMMENDATION

Except where otherwise dealt with, the Minutes of the Noxious Weeds Committee held 8 August 2022 be adopted as presented.

RESOLUTION 240/22

Moved: Cr Diprose
Seconded: Cr Best

Except where otherwise dealt with, the Minutes of the Noxious Weeds Committee held 8 August 2022 be adopted as presented.

CARRIED

HEADING

The minutes of the Noxious Weeds Committee held 8 August 2022 are attached.

Motion

Moved: Cr Best

Seconded: Cr Frame

5.45 pm That Council take a 45 minute recess to allow Councillors and Senior Staff to join the Long Tan / Vietnam Veterans Commemorative Service.

6.30pm That Council resume.

16 CLOSED COUNCIL**RECOMMENDATION**

The meeting now be closed to the public under Section 10A(2) of the *Local Government Act 1993* to consider the items following because of their confidential nature:

16.1 PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

16.2 PURCHASE AND SALE OF PROPERTY

This matter is considered to be confidential under Section 10A(2) - d(ii) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

16.3 SPRAY SEAL TENDER - NEW FORBES ROAD

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

RESOLUTION 241/22

Moved: Cr Best

Seconded: Cr Frame

The meeting now be closed to the public under Section 10A(2) of the *Local Government Act 1993* to consider the items following because of their confidential nature:

16.1 PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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CARRIED

17 RETURN TO OPEN COUNCIL**RECOMMENDATION**

The meeting return to Open Council.

RESOLUTION 245/22

Moved: Cr Diprose

Seconded: Cr Best

The meeting return to Open Council.

CARRIED

18 REPORT ON CLOSED COUNCIL

Cr Parlett left the room at 6:33 pm.

Cr Best left the room at 6:33 pm.

Cr Bembrick left the room at 6:33 pm.

16.1 PUBLIC WORKS ADVISORY PROPOSAL FOR MAIN STREET UPGRADE AND BEAUTIFICATION**RESOLUTION 242/22**

Moved: Cr Kenah

Seconded: Cr Howell

That:

1. Council note the proposal submitted by Public Works Advisory for the Main Street Upgrade and Beautification for Project Management Services (FY20221273).
2. Following further discussions with Public Works Advisory, Council accept and sign the proposal and contract with Public Works Advisory up to the value of \$195,444 (ex GST), noting the value may decrease subject to de-scoping of certain items and the project being completed in a shorter timeframe.
3. Council authorises the General Manager be delegated the authority to sign the proposal and contract with PWA.

CARRIED

Cr Bembrick entered the room at 6:46 pm.

Cr Best entered the room at 6:46 pm.

Cr Parlett entered the room at 6:46 pm.

16.2 PURCHASE AND SALE OF PROPERTY

RESOLUTION 243/22

Moved: Cr Diprose
 Seconded: Cr Best

That:

- 1) Due to the confidential nature of the report that Council endorse the recommendation in the conclusion of this report with further information to be brought back to Council for determination.

CARRIED

CR COOK REQUESTED THAT THEIR VOTE AGAINST THE ABOVE MOTION BE RECORDED.

16.3 SPRAY SEAL TENDER - NEW FORBES ROAD

RESOLUTION 244/22

Moved: Cr Diprose
 Seconded: Cr Parlett

1. That Council accept the Unit Rate submitted by Downer Road Services in the sum of \$6.38 / m2 incl. GST for the Spray Sealing of New Forbes Road.
2. That Council accept the Unit Rate submitted by Boral Asphalt in the sum of \$6.68 / m2 incl. GST for the Spray Sealing of New Forbes Road.
3. That Council authorises the General Manager to enter into two (2) contracts as a result of the tenders being accepted by Council in accordance with s. 178 of the Local Government (General) Regulation 2021.

CARRIED

19 CLOSURE

The Meeting closed at 7.23.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 September 2022.

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CHAIRPERSON