



# **MINUTES**

## **Ordinary Council Meeting Thursday, 15 December 2022**

**Date: Thursday, 15 December 2022**

**Time: 8:00am**

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

**Order Of Business**

<b>1</b>	<b>Opening</b> .....	<b>4</b>
<b>2</b>	<b>Acknowledgement of Country</b> .....	<b>4</b>
<b>3</b>	<b>Attendance and Applications for Leave</b> .....	<b>4</b>
<b>4</b>	<b>Confirmation of Minutes</b> .....	<b>5</b>
<b>5</b>	<b>Disclosures of Interest</b> .....	<b>5</b>
<b>6</b>	<b>Public Forum</b> .....	<b>5</b>
<b>7</b>	<b>Mayoral Reports/Minutes</b> .....	<b>6</b>
7.1	MAYORAL MINUTE - DECLARATION OF STATEWIDE ROAD EMERGENCY.....	6
7.2	MAYORAL MINUTE - GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE .....	8
<b>8</b>	<b>Motions/Questions with Notice</b> .....	<b>11</b>
8.1	Notice of Motion - The Maurice 'Mo' Simpson Memorial Board .....	11
8.2	Notice of Motion - That Council review the current LG Hub System to assess its suitability to meet current and future demands. ....	13
8.3	Notice of Motion - FEE WAIVER FOR SHOP OWNERS IN THE MAIN STREET .....	15
8.4	Notice of Motion - Links to Meeting Minutes and Links to Webcasts .....	19
<b>9</b>	<b>Correspondence</b> .....	<b>23</b>
	Nil	
<b>10</b>	<b>General Manager Reports</b> .....	<b>24</b>
10.1	DRAFT MODEL COUNCILLOR AND STAFF INTERACTION POLICY .....	24
<b>11</b>	<b>Corporate Services Reports</b> .....	<b>26</b>
11.1	DRAFT 2021/22 ANNUAL FINANCIAL STATEMENTS.....	26
11.2	ACCESS TO INFORMATION POLICY .....	29
11.3	STATEMENT OF BANK BALANCES .....	31
11.4	COMMUNITY SUPPORT APPLICATION CARGO TO GRENFELL WALK .....	32
11.5	COMMUNITY PROJECT SUPPORT APPLICATION LACHLAN & WESTERN REGIONAL HEALTH SERVICES .....	34
11.6	WEDDIN COMMUNITY NATIVE NURSERY.....	37
11.7	IMPROVING MOBILE COVERAGE IN WEDDIN SHIRE COUNCIL .....	39
11.8	REQUEST FROM GRENFELL JUNIOR RUGBY LEAGUE FOOTBALL CLUB.....	42
<b>12</b>	<b>Infrastructure Services Reports</b> .....	<b>44</b>
12.1	INFRASTRUCTURE WORKS REPORT .....	44
<b>13</b>	<b>Environmental Services Reports</b> .....	<b>53</b>

13.1	NAMING OF GRENFELL DOG PARK.....	53
13.2	DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES & COMPLYING DEVELOPMENT CERTIFICATES .....	56
13.3	DEVELOPMENT APPLICATION 37/2022 - RURAL INDUSTRY (GRAIN SILOS AND ASSOCIATED CONVEYORS) .....	58
<b>14</b>	<b>Delegate(s) Reports .....</b>	<b>83</b>
14.1	REPORT - COUNTRY MAYOR'S MEETING   18 NOVEMBER 2022 .....	83
<b>15</b>	<b>Minutes of Committee Meetings .....</b>	<b>84</b>
15.1	Minutes of the Bogolong Dam Precinct Committee Meeting held 6 December 2022 .....	84
15.2	MINUTES OF THE HERITAGE COMMITTEE MEETING HELD 7 DECEMBER 2022 .....	85
<b>16</b>	<b>Closed Council .....</b>	<b>86</b>
	Nil	
<b>17</b>	<b>Return to Open Council .....</b>	<b>86</b>
<b>18</b>	<b>Report on Closed Council .....</b>	<b>86</b>
<b>19</b>	<b>Closure.....</b>	<b>87</b>

**MINUTES OF WEDDIN SHIRE COUNCIL  
ORDINARY MEETING  
HELD AT THE COUNCIL CHAMBERS, CNR CAMP & WEDDIN STREETS, GRENFELL  
NSW 2810  
ON THURSDAY, 15 DECEMBER 2022 AT 8:00AM**

## **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.

Meeting commenced at 8:17AM.

## **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.

Mayor asked all to stand for one minute silence in memory of former Mayor and Councillor, Mr Maurice 'Mo' Simpson.

## **3 ATTENDANCE AND APPLICATIONS FOR LEAVE**

### **ATTENDANCE**

#### **PRESENT:**

Cr Craig Bembrick (Mayor), Cr Paul Best (Deputy Mayor), Cr Jason Kenah, Cr Michelle Cook, , Cr Glenda Howell, Cr Stuart McKellar, Cr Warwick Frame.

#### **IN ATTENDANCE:**

Ms Noreen Vu (General Manager), Mr Michael Chalmers (Director Corporate Services), Mr Luke Sheehan (Director Environmental Services), Ms Linda Woods (A/g Director Infrastructure Services).

#### **APOLOGIES**

Cr Phillip Diprose, Cr Jan Parlett

#### **MOTION**

Moved: Cr Best

Seconded: Cr McKellar

#### **LEAVE OF ABSENCE**

Nil

#### **LEAVE OF ABSENCE APPLICATION**

Nil

#### **4 CONFIRMATION OF MINUTES**

##### **RESOLUTION 306/22**

Moved: Cr Frame

Seconded: Cr McKellar

That Minutes of the Ordinary Council Meeting held 17 November 2022 be taken as read and CONFIRMED.

**CARRIED**

---

#### **5 DISCLOSURES OF INTEREST**

- 7.2 – Mayoral Minute – General Manager’s Performance Review Committee - General Manager, Noreen Vu
- 8.3 – Notice of Motion – Fee waiver for shop owners in the Main Street - Cr Paul Best

#### **6 PUBLIC FORUM**

Nil

**7 MAYORAL REPORTS/MINUTES****7.1 MAYORAL MINUTE - DECLARATION OF STATEWIDE ROAD EMERGENCY****File Number: C2.2.7****Attachment: Nil****CSP Objective: Shire assets and services delivered effectively and efficiently****Budget: Nil****RECOMMENDATION**

That:

1. Weddin Shire Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.
2. The Mayor writes to Prime Minister Anthony Albanese and the NSW Premier Dominic Perrottet echoing the sentiments expressed in this Mayoral Minute to declare a Statewide Road Emergency.

**RESOLUTION 307/22**

Moved: Cr Bembrick

Seconded: Cr Best

That:

1. Weddin Shire Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.
2. The Mayor writes to Prime Minister Anthony Albanese and the NSW Premier Dominic Perrottet echoing the sentiments expressed in this Mayoral Minute to declare a Statewide Road Emergency.

**CARRIED**

Councillors,

We are all well aware the Weddin Shire has been hit by a seemingly relentless wave of flood events in the past 12 months.

And we are not alone. A total of 126 of New South Wales' 128 local government areas have had natural disaster declarations within the last 12 months, according to the President of Local Government NSW, Darriea Turley.

On the third of November 2022, Local Government NSW declared a Statewide Roads Emergency.

The declaration – and urgent call for the NSW and Federal governments to increase their existing road funding commitments in the wake of the floods – comes on the back of an estimated \$2.5 billion in road damages and a collapse of the local and regional road network.

I call on Weddin Shire Council to show our support for this move and whole-heartedly endorse the Local Government NSW declaration of Statewide Road Emergency.

The declaration has already been publicly supported by our peak regional body, the Country Mayors Association of New South Wales.

As part of the Statewide Roads Emergency, LGA NSW and Country Mayors Association of NSW are calling for:

- An acceleration and significant increase in funding for the \$1.1 billion Fixing Local Roads and Fixing Country Bridges program from the New South Wales Government
- A boost to Road Block Grant funding to compensate for the damage to the regional road network from the Federal Government
- New funding to provide councils with plant machinery and skilled workers to expedite road repairs from the Federal Government.

We have faced, and may continue to face, an unprecedented and unrelenting series of natural disasters that has seen residents and business owners cleaning up again and again, people isolated, workers unable to get to work, and students unable to get to training or school.

Add to this our very real and immediate concern for our primary producers.

This latest rain event has hit at a critical time. Winter crops are ready to be harvested and the window for planting summer crops, for those that do, only lasts a short period of time.

Livestock are ready to go to sale and once crops are able to be harvested this will also be reliant on the roads network.

The local and regional road network is critically-enabling infrastructure. It is absolutely vital to our primary producers, and the key to keeping affordable food on the table across New South Wales and beyond.

Our road network, and the road network of shires across the state, have disastrous damage. We are facing a task that is beyond the reasonable scope of any local government authority. We face an unprecedented disaster that requires an unprecedented response.

The focus on the road hierarchy is important, however our primary producers are suffering because of the limited resourcing, the continued wet weather and forecasted wet summer means our unsealed road networks are in disrepair. We need a call to action now on ways that the State and Federal governments can assist all local councils across the state to ensure that the unsealed road networks are not forgotten.

We need help. Our community needs help. Other regional and rural communities across the state and beyond need help. We desperately need our leaders to lead.

We need to support our peak bodies in their declaration of Statewide Road Emergency.

This is an emergency, and it is time to seek help, and by supporting this Mayoral Minute you are endorsing that I write to the Prime Minister of Australian Anthony Albanese and the Premier of New South Wales Dominic Perrottet pleading for immediate action.

Mayor Craig Bembrick

**7.2 MAYORAL MINUTE - GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE**

**File Number:**

**Attachments:** 1. **GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE (To be adopted)**

**CSP Objective:** **Democratic and engaged community supported by efficient internal systems**

**Budget:** **Nil.**

General Manager Noreen Vu left the room at 8:24AM.

**RECOMMENDATION**

That Council:

1. Nominate a Cr\_\_\_\_\_ (Councillor nominated by Council).
2. Endorses the General Manager Performance Review Committee Charter.
3. Delegate the Council Committee the task of conducting the Performance Review, reporting the findings and recommendations of those reviews to Council.
4. Note the General Manager's request for a mid-term performance review on 8 February 2023.

---

Cr Parlett nominated

Cr Kenah nominated – seconded by Cr McKellar

Vote undertaken by show of hands:

3 x votes counted for Cr Kenah

4 x votes counted for Cr Parlett

---

**RESOLUTION 308/22**

Moved: Cr Bembrick

Seconded: Cr McKellar

That Council:

1. Nominate Cr Parlett (Councillor nominated by Council).
2. Endorses the General Manager Performance Review Committee Charter.
3. Delegate the Council Committee the task of conducting the Performance Review, reporting the findings and recommendations of those reviews to Council.
4. Note the General Manager's request for a mid-term performance review on 8 February 2023

**.CARRIED**

---

General Manager Noreen Vu entered the room at 8:30AM.

Councillors,

The purpose of this Mayoral Minute is to establish a Performance Review Panel of Councillors to undertake the performance review of our General Manager, Noreen Vu. The review process can occur at least annually, noting that our General Manager has been here for almost six months.

Following the Local Government elections in December 2021, and the appointment of Council's new General Manager in July 2022, membership of the General Manager's Performance Review Panel has not yet been determined.

The Office of Local Government (OLG) Guidelines for the Appointment and Oversight of the General Managers (2022) states that the panel should consist of:

1. The Mayor
2. The Deputy Mayor
3. A Councillor nominated by Council, and
4. A Councillor nominated by the General Manager.

An independent person with relevant local government skills and experience will be invited to act as Facilitator on the Panel as a non-voting member. During the recruitment process, Mr Christian Morris (LG NSW) was also engaged to undertake the performance review for the General Manager in her first year.

Council should delegate the task of performance reviews of the General Manager to this Panel including discussions about performance, any actions that should be taken and the determination of the new performance agreement. Councillors not involved on the Panel will be provided opportunities to give feedback and input prior to the Panel convening their meetings.

In summary Council's requirements are to:

- Ensure that performance is reviewed at least annually.
- Establish a Performance Review Panel, comprising of the Mayor, Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.
- Ensure that panel members are trained in performance management of General Managers.
- Delegate the role of conducting the performance review, reporting findings and recommendations to Council and developing the Performance Agreement, to the Panel.
- Ensure that all Councillors are notified of the relevant dates for the review and that those not on the panel can contribute by providing feedback to the Mayor.
- Ensure that statutory requirements under s223 under the Local Government Act (1993) to monitor performance of the General Manager are adhered to. The Mayor also has statutory requirements under s226 under the Local Government Act, to lead the performance review.

The General Manager has requested that a Performance Review be undertaken on Wednesday 8 February 2023 which suits the availability of Mr Morris. As a new General Manager, I think we should be supportive in providing constructive and respectful feedback. Under the Local Government NSW Performance Agreement, feedback can occur mid-term and/or annually. This will align with the mid-term feedback process.

**8 MOTIONS/QUESTIONS WITH NOTICE****8.1 NOTICE OF MOTION - THE MAURICE 'MO' SIMPSON MEMORIAL BOARD****File Number:****Mover:** Cr Stuart McKellar**Attachments:** 1. NOTICE OF MOTION - THE MAURICE 'MO' SIMPSON MEMORIAL BOARD**CSP Objective:** Culturally rich, vibrant and inclusive community**Budget:** \$3,000 from the Councillor Operations Vote**MOTION**

That Council:

1. In honour of the recent passing of Maurice 'Mo' Simpson, endorses the commemoration of the life of this extraordinary man through the establishment of the Maurice 'Mo' Simpson Honour Board.
2. Endorses that the Maurice 'Mo' Simpson Honour Board will contain the names of Mayors who have served, serving and will serve the Weddin Shire Council.
3. Endorses that the Maurice 'Mo' Simpson Honour Board will be hung in the Weddin Shire Council Chambers.
4. Endorses that the Simpson family and friends are welcomed to the Weddin Shire Council Chambers for an unveiling of the Honour Board.

**RESOLUTION 309/22**

Moved: Cr McKellar

Seconded: Cr Best

That Council:

1. In honour of the recent passing of Maurice 'Mo' Simpson, endorses the commemoration of the life of this extraordinary man through the establishment of the Maurice 'Mo' Simpson Honour Board.
2. Endorses that the Maurice 'Mo' Simpson Honour Board will contain the names of Mayors who have served, serving and will serve the Weddin Shire Council.
3. Endorses that the Maurice 'Mo' Simpson Honour Board will be hung in the Weddin Shire Council Chambers.
4. Endorses that the Simpson family and friends are welcomed to the Weddin Shire Council Chambers for an unveiling of the Honour Board.

**CARRIED**

**SUPPORTING COMMENTS**

We are all hurting for such a loss. Mo Simpson provided 17 years' total service to the Weddin Shire Council. He was elected as Councillor in September 1995 then elected as Mayor in September 1999, serving as Mayor for 13 years. He was a role model Mayor and by having an Honour Board hung within the Weddin Shire Council Chambers will serve as a reminder to Councillors both current and future of the legendary man that served our community and a friend to all.

**SOURCE OF FUNDING**

\$3,000 from the Councillor Operations Vote to allow for the Board to be created and delivered.

**STAFF COMMENTS****FINANCIAL/RESOURCING IMPLICATIONS**

The Councillor Operations Vote will allow for a purchase of the Honour Board. Preliminary discussions with a couple of suppliers, suggest that an honour board with 90 names on timber is approximately \$2,000 (does not include delivery).

**CONCLUDING COMMENTS**

The Maurice "Mo" Simpson Honour Board will be a sincere and respectful gesture.

**8.2 NOTICE OF MOTION - THAT COUNCIL REVIEW THE CURRENT LG HUB SYSTEM TO ASSESS ITS SUITABILITY TO MEET CURRENT AND FUTURE DEMANDS.****File Number:****Mover:** Cr Jan Parlett**Attachments:** 1. NOTICE OF MOTION - THAT COUNCIL REVIEW THE CURRENT LG HUB SYSTEM TO ASSESS ITS SUITABILITY TO MEET CURRENT AND FUTURE DEMANDS**CSP Objective:** Shire assets and services delivered effectively and efficiently**Budget:** Nil**MOTION****THAT COUNCIL REVIEW THE CURRENT LG HUB SYSTEM TO ASSESS ITS SUITABILITY TO MEET CURRENT AND FUTURE DEMANDS****DEFERRED TO FEBRUARY 2023 MEETING****SUPPORTING COMMENTS**

The current LG Hub system has obvious 'glitches' with some Councillors regularly not having access to monthly Agendas and requiring paper copies for meetings. This creates inconvenience to Councillors as they do not have the required information in time for considered decision making. This creates additional work for staff, and additional cost for considerable printing of documents.

It might be beneficial to be using a system that is being used by most of the Central NSW Joint Organisation councils. If we look to installing a system that is favoured by most councils within the region, this would be helpful when staff are appointed from other councils, as they may be familiar with a universal system

Our 'old' system gave Councillors more access to documents and storage. Councillors did not experience the problems with access to information they are now having. While change is inevitable with technology, one would expect we would be improving our system and aligning with what councils in our region offer that does not create problems with access to information.

**FUNDING SOURCE**

An appropriate starting point is the convening of a (say, one hour) session early in 2023 within our normal monthly workshops where all councillors can outline the specific challenges they are experiencing with the LG Hub system and any other suggestions they may have. Thus, the initial activity will be within our existing baseline budget and we can progress from there.

## **STAFF COMMENTS**

### **BACKGROUND**

InfoCouncil is a compilation software that is used amongst the majority of Councils in NSW. A survey of Councils across the Central NSW Joint Organisation (CNSWJO) found that nine of the ten Councils utilise InfoCouncil. Often the platform recommended with InfoCouncil is LG Hub (Big Tin Can). A survey of Councils across the CNSWJO found that there were a variety of platforms that Councils were using to distribute papers to the Councillors. Of the nine other Councils the following provides a summary of software utilised:

- LG Hub (Big Tin Can) – Orange, Forbes (2023), Cowra, Lachlan and Parkes (2023).
- Own developed portal – Blayney, Oberon and Bathurst
- One Drive combined with PDF Expert - Cabonne

This means within the CNSWJO, there are six of the ten councils currently utilising LG Hub. In addition, further enquiries were placed with CNSWJO and Central Tablelands Water on their mechanism to distribute papers:

- CNSWJO – Hightail however noting that Hightail only provides links to the paper and is not a portal whereby you can pull up previous information.
- Email (mostly) or PDF Expert (for large file exchanges) – Central Tablelands Water

### **FINANCIAL/RESOURCING IMPLICATIONS**

Council does not have the technical expertise or financial resourcing to look at building its own portal and the upkeep of a such a tool. Suggestions from the CNSWJO Councils based on their own experiences with LG Hub included:

- Engaging with LG Hub to come and provide Councillors training. Past experiences showed that Councillors were able to overcome the integration and implementation glitches.
- User issues due to the country of origin reverting to the US which can lock Councillors out. Past experiences showed that Councillors needed to select the right country of origin before logging on to ensure its accessibility.
- Cookies in the web browser limiting accessibility with a suggestion of clearing the Cookies on a regular basis.

The cost of implementing LG Hub is \$7,700 per annum.

### **CONCLUDING COMMENTS**

Councillors need to be supported with the tools to assist them in their role as elected officials. Council Officers do not have an opinion on the platform on which the Councillors wish to use, so long as it is user friendly, accessible and does not create any additional workload for Council Officers to utilise. Council Officers are supportive of electronic distribution of Council Business Papers over paper based. It is recommended that Council consider an alternative recommendation in looking at engaging with LG Hub first with training and trialling it for a further six months. In the meantime Council staff can also investigate potential platform options to come back to Council early next year.

**8.3 NOTICE OF MOTION - FEE WAIVER FOR SHOP OWNERS IN THE MAIN STREET**

**File Number:**

**Mover:** Cr Jason Kenah

**Attachments:** 1. NOTICE OF MOTION - FEE WAIVER FOR SHOP OWNERS IN THE MAIN STREET

**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)

**Budget:** Approximately \$1,000 across 2022-23 and 2023-24 period

Cr Best left the room at 8:32AM.

**MOTION**

**That Council:**

1. Waives the payment of the 'application fee' as defined under the Policy for Footpath Restaurants and Street Trading and its reference in Council's 2022-23 Fees and Charges for businesses in the Main Street, Grenfell for the 2023-23 and 2023-24 period, and
2. the waiver of payment is in line with s. 610E of the Local Government Act 1993, and
3. the fee waiver is publically notified in accordance with the provisions of s. 610E and s. 610F of the Local Government Act 1993.
4. Following the public notice of the fee waiver, that Council's General Manager write to all business owners on Main Street, Grenfell of the news and include the application form.

---

**RESOLUTION 310/22**

**Moved:** Cr Kenah

**Seconded:** Cr Cook

**That Council:**

1. Waives the payment of the 'application fee' as defined under the Policy for Footpath Restaurants and Street Trading and its reference in Council's 2022-23 Fees and Charges for businesses in the Main Street, Grenfell for the 2023-23 and 2023-24 period, and
2. the waiver of payment is in line with s. 610E of the Local Government Act 1993, and
3. the fee waiver is publically notified in accordance with the provisions of s. 610E and s. 610F of the Local Government Act 1993.
4. Following the public notice of the fee waiver, that Council's General Manager write to all business owners on Main Street, Grenfell of the news and include the application form.

---

**CARRIED**

---

Cr Best entered the room at 8:37AM.

## **SUPPORTING COMMENTS**

The administration of the Policy for Footpath Restaurants and Street Trading is an important policy within our local government area to regulate the use of public assets and ensuring the safety for all of those involve. Street trading through tables and chairs and signage is a great way to promote our businesses in our Main Street, Grenfell. The Main Street Renewal Project has run into significant issues leading to a number of delays. This motion does not discredit the work that has recently been done to date.

Under the current policy, if endorsed by Council, the fee waiver does not forego the businesses' responsibilities to ensure that they still seek approval for a local approval as defined under s. 68 of the *Local Government Act 1993*. The s. 68 (local approval) will still be required by business owners and it will still be their responsibility to obtain this approval from Council. Ensuring public liability and safety is always important in our community. However, I would encourage that if this motion is endorsed by Council and following the formal processes required, that Council's General Manager proactively writes to all business owners to promote the free application process.

Ensuring compliance with the Policy is important in reducing risks to people working, enjoying and living near public assets.

### **SOURCE OF FUNDING:**

Application fee per business waiver. 'Loss of revenue' to be provided by staff report.

The administration must process these applications on an annual basis therefore this already forms part of the operational budget. The additional administration of the notification of the fee waiver if endorsed, should only be an additional five hours of work for staff to administer. I acknowledge that these requests from time to time add onto the workload of staff and would like to thank them for enacting our resolutions.

## **STAFF COMMENTS**

### **BACKGROUND**

The Policy Footpath and Restaurants and Street Trading was first adopted by Council in June 2006. The purpose of the policy is to:

1. To promote the regulated use of public assets with the aim of promoting and consolidating the viability of existing commercial areas within the Shire.
2. To inject vitality, amenity and ambience into the street environment through the expansion of permitted activities on public land.
3. To protect existing levels of public amenity and safety from the adverse impact of street trading activities by adequately addressing potential risk management issues.
4. To maintain equity in the regulation of restricted public land usage by promoting both fairness and certainty to street traders and existing business and house owners within the Shire.
5. Protect the financial interest of ratepayers by charging a reasonable fee to administer the

commercial use of public assets.

As a section 68 approval under the *Local Government Act 1993* is referred to as a local approval.

### **FINANCIAL/RESOURCING IMPLICATIONS**

In the past the Section 68 local approvals were granted for a period of 5 years, however the fees and charges sets out a per annum charge. In addition, the policy sets out a different public liability insurance cap versus what is stated on Council's Fees and Charges.

Based on the strategic intent of section 68 approvals, it would be encouraged that the policy is revised to consider a shorter time period of approval to ensure that applicants have the right public liability insurance in place without the overburden of administration for business owners. A suggested revision of a two-year period will allow Council to review public liability insurance and compliance that meets public safety and a charge that covers a two-year period rather than annually. This can be amended in the revision of the policy in 2023.

Notwithstanding that, a current audit of businesses shows that a number of approvals have expired or due to expire. A desktop audit has determined that there are approximately 13 businesses that have sought previous approvals with Council. The current fees and charges for this function are:

- \$30.00 per annum for signage
- \$40.00 per annum for set of table and chairs.

In relation to this Notice of Motion, based on the 13 businesses having a sign and a set of table and chairs, this would equate to approximately \$910 of administration fees.

However, there are five businesses with valid approvals and therefore the annual waiver will be less this total. The fee waiver across the 2022-23 and 2023-24 periods should be supported as it has negligible impact on Council's operating budget.

### **CONCLUDING COMMENTS**

The community and business owners need to be supported with policies that address public safety and amenity provisions. The fee waiver will not relinquish the individual businesses who require the correct local approvals to operate. It will still be the responsibility of the local businesses in the Main Street to provide their applications to Council. Council Officers are in support of being proactive and contacting the local businesses on the fee waiver and assisting them, wherever possible, to ensure they have the correct approvals in place. Approved street trading activities such as tables and signage ensures unobstructed clearways and reduces the hazard risks to members of the community.

Thank you to Cr Kenah for the acknowledgement of Council Officers enacting the council resolutions.

**8.4 NOTICE OF MOTION - LINKS TO MEETING MINUTES AND LINKS TO WEBCASTS**

**File Number:**

**Mover:** Cr Phillip Diprose

**Attachments:** 1. NOTICE OF MOTION - LINKS TO MEETING MINUTES AND LINKS TO MEETING WEBCASTS

**CSP Objective:** Democratic and engaged community supported by efficient internal systems

**Budget:** Sourced from within existing operational budgets and staff capabilities.

**MOTION**

We hereby give notice of the following motions, for discussion as separate items, at Council's next meeting:

“that Council:

1. Reinstate to the new website the Council meeting minutes going back to 2007
2. Include links to individual Council meeting audio visual webcasts on Council's website adjacent to the respective meeting Minutes”

**DEFERRED TO FEBRUARY 2023 MEETING****SUPPORTING COMMENTS**

Our previous website contained soft copies of minutes from Council meetings going back to 2007. At the time the new website was proposed late last year Councillors were assured that these would be carried forward/not be deleted. At this point in time only the documents for the current calendar year are on the website. Whilst we recognise that having documents on the website going back as far as 2007 most likely exceeds relevant requirements the file sizes are small and it is good for the community to have ready access to them online.

Including the hyperlinks as proposed creates a 'one stop place' for the community to access all of the relevant publicly available information specific to a particular meeting and is consistent with paragraph 5.36 of our Code of Meeting Practice. Below is a screen print from Council's website showing what's in place for our October 2022 meeting. We are simply proposing that when the Minutes of a meeting are uploaded an extra step is taken to also include a link to the meeting recording.

## 20 October 2022 Ordinary Meeting

A Ordinary Council Meeting will be held on Thursday 20 October 2022.

### Time

05:00 PM

### Location

Council Chambers, Camp Street GRENFELL NSW, 2810 [View Map](#)

### Agenda

 [Download PDF](#) (24MB)

### Minutes

 [Download PDF](#) (1MB)

\_\_\_\_\_  
Date: Cllr Phillip Diprose

\_\_\_\_\_  
Date: Cllr Warwick Frame

### FUNDING SOURCE

The work involved is not material and can be done from within existing operational budgets and staff capabilities.

## **STAFF COMMENTS**

### **BACKGROUND**

Council Elected Officials should be supported with the tools and resourcing to support their role as Councillors. The Council Meeting Minutes and links to the webcast have previously been discussed with the General Manager.

The General Manger sought a quotation on 23 November 2022 to continue the implementation of existing information and roll out of new information on the new website platform prior to the submission of this Notice of Motion. This forms an operational matter, one of which is already in action.

However, notwithstanding that, the motion highlighted Council needs to review its Records Management Policy.

### **FINANCIAL/RESOURCE IMPLICATIONS**

Council is not operationally resourced to undertake the function of uploading 14 years' worth of Council Minutes to Council's website. Uploading of previous meeting minutes to 2007 (approximately uploading 170+ documents) will take a professional up to 25 hours. Uploading content onto a website requires coding and script writing. This will be carried out by a contractor to the value of \$1,500. This will also include coding the website links to the last 12 months of webcasting on Council's website. There are more efficiencies in terms of time and costs in outsourcing this to a qualified professional.

Council's previous meeting minutes are also able to be access through the Government Information (Public Access) Act 2009.

#### **Commentary from the General Manager**

The Notice of Motion has highlighted to me that Council's Record Management Policy needs to be updated to support our strategic and operational needs. In reviewing and developing the revised policy the following needs to be considered:

- Council's Business Paper and Minutes need to be shared as Open Access Information as defined under the Government Information (Public Access) Act 2009. Minutes are archived at the Council Chambers and Archives, that date back before 2007.
- Council's website only has a certain storage capacity. Operating rules need to apply on when the information can be removed off Council's website and archived in accordance with the NSW State Archives and Records process. It was suggested by other Councils, adding in time limits or data limits in the Records Management Policy for it to be available online to avoid adding to operational costs such as data storage.
- Council is exploring webcasting options that move away from Facebook and therefore this may also further limit the storage capacity on the website.
- In line NSW State Archives and Records guidance on webcasting of Council meetings and clause 236 of the *Local Government (General) Regulation 2021*:

*“The disposal action for this class is to retain until administrative or reference use ceases. Councils are advised to conduct a risk assessment to determine the appropriate retention period for retaining the recordings of Council meetings on the website or other streaming platforms. This will be based on how long after a meeting the recordings are being accessed so this may not be able to be determined until a certain period of time after the practice of webcasting has been initiated. Councils are advised to include a statement advising users of how long the webcasts will be available.”*

- Council’s Facebook page currently has all webcasts online which highlights a lack of good governance. It is advisable that the Records Management Policy includes provisions on the 12-month retention of webcasts online.
- Despite the above, the Records Management Policy may want to make provision for archiving webcasts on Council’s Server for a set period of time after it is removed from the Council website (or Facebook) and this can be determined next year. Retrieval of such records from archives will then form a GIPA request process.
- Cyber risk in all of the instances above will need to be taken into consideration. Council is not resourced to undertake a cyber-risk incident response plan, however, noting that this has been something that General Managers have flagged as a priority with the Central NSW Joint Organisation. Reducing the amount of data online can reduce the severity of a cyber-risk incident.
- Council should note changes to the recordkeeping policy framework in New South Wales were recently passed by Parliament.
- The changes effectively result in the provisions of the current State Records Act 1998 being administered by two new statutory bodies, the State Records Authority of NSW (State Records NSW) and Museums of History NSW (MHNSW) both of which will be established as of 31 December 2022 pursuant to the recently created Museums of History NSW Act 2022 and an amended State Records Act. The Agency service team at the newly formed Museums of History NSW are responsible for supporting all NSW Government Public Offices in implementing the changes to the State Records Act under Part 4: Entitlement to control (transfer) and Part 6: Public access to State Records. There is a 12-month transition period in place before these changes come into effect on 1 January 2024.
- In the interim, a revised Records Management Policy to address some short to medium term concerns is achievable in our business as usual approach.

### **CONCLUDING COMMENTS**

The Notice of Motion of providing accessibility to council meeting minutes dating back to 2007 is already in the process of being actioned. This will also include links to the last 12 months of webcasting.

**9 CORRESPONDENCE**

Nil

**10 GENERAL MANAGER REPORTS****10.1 DRAFT MODEL COUNCILLOR AND STAFF INTERACTION POLICY****File Number:****Author:** General Manager**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Democratic and engaged community supported by efficient internal systems**Precis:** To provide an updated Councillor and Staff Interaction Policy**Budget:** Nil**RECOMMENDATION**

That Council:

1. Place the draft Model Councillor and Staff Interaction Policy, as attached to the report, on public exhibition for a period of 42 days for the purpose of inviting submissions from the community.
2. Request the General Manager 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 Model Councillor and Staff Interaction Policy (with or without changes) at its February 2023 Ordinary Meeting.
3. In the event of no submissions being received within the prescribed number of days, Council formally adopt the Model Councillor and Staff Interaction Policy, without any changes as a local policy of Council.

**RESOLUTION 311/22**

Moved: Cr McKellar

Seconded: Cr Frame

That Council:

1. Place the draft Model Councillor and Staff Interaction Policy, as attached to the report, on public exhibition for a period of 42 days for the purpose of inviting submissions from the community.
2. Request the General Manager 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 Model Councillor and Staff Interaction Policy (with or without changes) at its February 2023 Ordinary Meeting.
3. In the event of no submissions being received within the prescribed number of days, Council formally adopt the Model Councillor and Staff Interaction Policy, without any changes as a local policy of Council.

**CARRIED**

## **PURPOSE**

To provide Council with an updated Councillor and Staff Interaction Policy which now aligns to the Office of Local Government's model policy.

## **BACKGROUND**

The Councillor and Staff Interaction Policy provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice, authorised by staff.

## **ISSUES AND COMMENTS**

Council has been supported with the Policy 15.8.1 – Interaction between Councillors and Staff since it was adopted on 19 December 2019. The Office of Local Government released a Model policy in 2021 and this version is now provided to Council as a draft. The intention will be that it supersedes the previous policy.

The Policy complements and should be read in conjunction with Council's Code of Conduct and Procedures. 1.3 The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

## **POLICY/LEGAL IMPLICATIONS**

The Draft Policy has been created using the Office of Local Government's Model Policy. At the time of development Model Policy, Office of Local Government analysed other existing policies and determined this as the "best of breed" approach. Once adopted, this policy will become a local policy and supersede the 15.8.1 – Policy Interaction between Councillors and Staff.

## **FINANCIAL/RESOURCE IMPLICATIONS**

There are no direct financial or resourcing implications associated with this report.

## **INTERNAL/EXTERNAL CONSULTATION**

The Office of Local Government has analysed and consulted with councils in developing its standard model policy. As with all Council policies, the draft Model Councillor and Staff Interaction Policy will be placed on public exhibition for a period of 42 days in accordance with s. 160 of the Local Government Act 1993 to invite submissions from the community, and to factor in the Christmas and New Year period.

## **CONCLUSION**

The Councillor and Staff Interaction Policy provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice, authorised by staff. The draft will be placed on public exhibition for a period of 42 days in accordance with s. 160 of the Local Government act 1993 to invite submissions from the community.

**11 CORPORATE SERVICES REPORTS****11.1 DRAFT 2021/22 ANNUAL FINANCIAL STATEMENTS**

**File Number:** A1.6  
**Author:** Director Corporate Services  
**Authoriser:** General Manager  
**Attachments:** 1. SUMMARY OF ANNUAL FINANCIAL STATEMENTS 2021-22  
**CSP Objective:** Democratic and engaged community supported by efficient internal systems  
**Precis:** Statutory Report  
**Budget:** \$ Nil to be sourced from

**RECOMMENDATION**

That:

1. The statement in accordance with Section 413(2)(c) of the *Local Government Act 1993*, Clause 215 of the Local Government (General) Regulation 2021, for the General Purpose Financial Statements for the year ending 30 June 2022 be made;
2. The statement in requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2022 be made;
3. The statement be signed by the Mayor, Deputy Mayor, General Manager, and Responsible Accounting Officer;
4. The General Purpose Financial Statements, Special Purpose Financial Statements, and Special Schedules be referred for audit;
5. Council reaffirms its position on the non-recognition of Rural Fire Service assets in the Financial Statements;
6. Council notes that the audit opinion to be issue by the Audit Office of NSW will be a qualified opinion for the non-recognition of Rural Fire Service assets in the Financial Statements;
7. All statements present fairly the operating result and the financial position for the year and Council is not aware of any matter that would render the statements false or misleading in any way.

---

Updated financial income statement tabled at meeting

---

**RESOLUTION 312/22**

Moved: Cr McKellar  
Seconded: Cr Frame

That:

1. The statement in accordance with Section 413(2)(c) of the *Local Government Act 1993*, Clause 215 of the Local Government (General) Regulation 2021, for the General Purpose Financial Statements for the year ending 30 June 2022 be made;

2. The statement in requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2022 be made;
3. The statement be signed by the Mayor, Deputy Mayor, General Manager, and Responsible Accounting Officer;
4. The General Purpose Financial Statements, Special Purpose Financial Statements, and Special Schedules be referred for audit;
5. Council reaffirms its position on the non-recognition of Rural Fire Service assets in the Financial Statements;
6. Council notes that the audit opinion to be issue by the Audit Office of NSW will be a qualified opinion for the non-recognition of Rural Fire Service assets in the Financial Statements;
7. All statements present fairly the operating result and the financial position for the year and Council is not aware of any matter that would render the statements false or misleading in any way.

**CARRIED**

---

## **PURPOSE**

Council is required to formally resolve to refer all accounts to the Audit Office of NSW for the 2021/22 Financial Audit. Council has prepared a draft set of Annual Financial Statements for the 2021/22 period. This paper seeks approval for the statements to be referred to audit. A summary of the Draft Statements is attached.

## **BACKGROUND**

A preliminary audit was conducted in June 2022 and auditing of the Annual Financial Statements has commenced on 5 December 2022. The drafts set of statements was sent to the Audit Office of NSW 30 November 2022.

All statements have been compared to comply with the requirements of the Local Government Act 1993, the Australian Accounting Standards, and the Local Government Code of Accounting Practice and Financial Reporting.

At the July 2022 Meeting Council (203/22) resolved not to recognise the “Red Fleet” the Rural Fire Service (RFS) assets on the balance sheet. This position will result in a qualified audit opinion for the non-recognition of RFS assets. A position paper has been written to avoid this but the outcome won’t be known until audit completion.

## **ISSUES AND COMMENTS**

Although this report seeks a resolution to submit the draft Annual Financial Statements to the auditors, due to their availability the audit will have commenced prior to the council meeting. The auditors have not raised any concerns but Council will need the resolution before the statements can be signed off on.

## **POLICY/LEGAL IMPLICATIONS**

There are no direct policy or legal implications. However, noting that the resolution is required before the Mayor, Deputy Mayor, General Manager, and Responsible Accounting Officer are able to sign off.

**FINANCIAL/RESOURCE IMPLICATIONS**

There are no financial or resource implications for this report.

**INTERNAL/EXTERNAL CONSULTATION**

Once the Annual Financial Statements have been signed off on by the Audit Office of NSW. The Annual Financial Statements be placed on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.

**CONCLUSION**

The draft set of Annual Financial Statements for 2021/22 period has been prepared. This paper seeks approval for the statements to be referred to audit. A summary of the Draft Statements is attached and that the recommendation be resolved by Council.

**11.2 ACCESS TO INFORMATION POLICY**

<b>File Number:</b>	<b>C2.4</b>
<b>Author:</b>	<b>Director Corporate Services</b>
<b>Authoriser:</b>	<b>General Manager</b>
<b>Attachments:</b>	<b>1. ACCESS TO INFORMATION POLICY (To be adopted)</b>
<b>CSP Objective:</b>	<b>Democratic and engaged community supported by efficient internal systems</b>
<b>Precis:</b>	<b>The Access to Information Policy is required to be adopted</b>
<b>Budget:</b>	<b>Nil</b>

**RECOMMENDATION**

That Council adopt the Access to Information Policy as a new policy of Council.

**RESOLUTION 313/22**

Moved: Cr Best

Seconded: Cr McKellar

That Council adopt the Access to Information Policy as a new policy of Council.

**CARRIED**

**PURPOSE**

The purpose of this report is to provide Council with the public submissions from the Draft Access to Information Policy being on public exhibition and to adopt the policy.

**BACKGROUND**

At the October Council Meeting Council resolved (272/2022) to place the Draft Access to Information Policy, on Public Exhibition for a period of 28 days for the purpose of inviting submissions from the community.

No submission was received.

**ISSUES AND COMMENTS**

As the policy is a new policy, the practice is to bring the Policy back to Council for formal adoption.

**POLICY/LEGAL IMPLICATIONS**

Once adopted by Council, the Access to Information Policy will be a new Policy of Council.

**FINANCIAL/RESOURCE IMPLICATIONS**

There are no direct financial implications arising from this report.

**INTERNAL/EXTERNAL CONSULTATION**

The draft policy was on public exhibition for a period greater than 28 days for the purpose of inviting submissions from the community. No submissions were received.

**CONCLUSION**

The Access to Information Policy be adopted as recommended.

<b>11.3 STATEMENT OF BANK BALANCES</b>
--

**File Number:****Author:** Team Leader - Finance**Authoriser:** Director Corporate Services**Attachments:** Nil**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)**Precis:** Statement of Bank Balances as at 30/11/2022**Budget:** \$ NIL

Bank Account Westpac	\$1,374,063.96
Short Term Deposits CBA	<u>\$11,000,000.00</u>
Total	<u>\$12,374,063.96</u>

**CERTIFICATE OF RECONCILIATION**

I certify that the Cashbook for each Bank Account has been reconciled with the appropriate Bank Statement as at 30 November 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.

**11.4 COMMUNITY SUPPORT APPLICATION CARGO TO GRENFELL WALK**

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

**RECOMMENDATION**

That Council:

1. Reject the Community Support Application for two (2) traffic controllers and Portaloo toilet and
2. Endorses the offer of a \$500 donation towards the event in its place.

**RESOLUTION 314/22**

Moved: Cr Frame

Seconded: Cr Howell

That Council:

1. Reject the Community Support Application for two (2) traffic controllers.
2. Agree to offer a Portaloo toilet for use and at their own towing and placement within the Weddin Shire Boundary Area only.
3. Endorses the offer of a \$500 donation towards the event in its place.

**CARRIED**

**PURPOSE**

To provide Council information on the Cargo to Grenfell Walk Community Support Application.

**BACKGROUND**

The C2G Walk is a 96km fundraiser walk that takes place in the Central West, NSW over three days in the second week of March. The walk is from Cargo to Canowindra to Gooloogong then concluding at Grenfell. This initiative was created with the purpose to assist people suffering from mental health-related issues through a community-driven environment dedicated to bringing essential programs, courses and workshops to the Region.

Council has previously supported the walk however noting that Weddin Shire Council is the only Council that provides in-kind support amongst the three Council areas that this walk crosses over. At the March 2022 Council resolved (86/2022) to review that position.

The event organisers have requested two Traffic Controllers with two vehicles for the three full days. As well as a Portaloo toilet for the three days.

### ISSUES AND COMMENTS

The issue for the March 2023 walk is that Council will not have staff available for the event. Council's main priority is the repair of the damaged road network caused from recent natural disasters and the work will continue well into the next calendar year. The Council's resources are small and having two qualified traffic controllers will cause major delays to project.

Council's 2022 support included \$3,816 in-kind support.

### POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications.

### FINANCIAL/RESOURCE IMPLICATIONS

The previous event cost Council \$3,305 in employee costs and plant hire.

<b>DONATIONS 2023 FINANCIAL YEAR</b>				
<b>Organisation</b>	<b>Event</b>	<b>Request</b>	<b>Resolution</b>	<b>Amount</b>
Caragabal Country Club	Caragabal Sheep Races	1 x Barrier Mesh	210/2022	\$ 32.00
Caragabal Country Club	Caragabal Sheep Races	1 x Coolroom	210/2022	\$ -
Weddin Mountain Muster	Trail Ride Event	Multiple items	225/2022	\$ 2,500.00
The Jockey Club Inc	Race Meeting	Multiple items	229/2022	\$ 400.00
Grenfell Gunyah Craft Shop	Nil	Rates	258/2022	\$ 446.20
Grenfell P.A.H&I Association inc	Nil	Rates	258/2022	\$ 950.00
Grenfell RSL Sub-Branch	Remembrance Day	Traffic Control	277/2022	\$ 1,000.00
Criterion Hotel	December Markets	Multiple items	278/2022	\$ 500.00
Cargo to Grenfell	Walk	Multiple items		\$ 500.00
			<b>Total</b>	\$ 6,328.20
			<b>Budget</b>	\$ 15,000.00
			<b>Budget Remaining</b>	\$ 8,671.80

### INTERNAL/EXTERNAL CONSULTATION

No consultation is required.

### CONCLUSION

The Cargo to Grenfell walk is a worthy cause, however Council cannot continue to be the only Council that contribute to the event given the limited resources. A path forward for the 2023 event would be to offer a \$500 donation towards the event and review again next year.

**11.5 COMMUNITY PROJECT SUPPORT APPLICATION LACHLAN & WESTERN REGIONAL HEALTH SERVICES**

**File Number:** C1.1.3  
**Author:** Director Corporate Services  
**Authoriser:** General Manager  
**Attachments:** 1. CSA LWRHS  
**CSP Objective:** Shire assets and services delivered effectively and efficiently  
**Precis:** Community Project Support Application  
**Budget:** \$ 1000 to be sourced from Community Donation Budget

**RECOMMENDATION**

That Council endorse the Community Support Application and donate \$1,000 requested to the Lachlan and Western Regional Services Inc.

**RESOLUTION 315/22**

Moved: Cr Kenah  
Seconded: Cr Howell

That Council endorse the Community Support Application and donate \$1,000 requested to the Lachlan and Western Regional Services Inc.

**.CARRIED**

**PURPOSE**

The purpose of this report is to respond to Community Project Support Application from Lachlan and Western Regional Services Inc for their youth podcast.

**BACKGROUND**

Lachlan and Western Regional Services Inc would like to work alongside community members to provide a means for our youth to engage with activities, services, and opportunities in our towns and villages. The goal of this project is to create an online media platform (podcast and social media page) where youth can connect with the project. The podcast will showcase interviews with local participants about various topics ranging from general questions to specific interviews about business, study, future prospects, and hobbies.

The podcast will also include information about mental health and support services in each episode and act as a connectable to professional assistance for those in need.

Ideally, we aim to provide an insight into how youth can become involved in existing community-run projects and clubs to promote interconnectedness and expand the net of support for youth in our area.

Lachlan and Western Regional Services will have funding cease for the Weddin LGA as of June 2023.

This project will be set out in a way that if successful, could be taken into the hands of volunteers for ongoing youth engagement in our community.

Their goal is to have 15 episodes released before the end of June 2023, one episode per fortnight, with a pilot episode released in November.

### ISSUES AND COMMENTS

December 31st 2022 is the cut-off for submissions for the Children and Young People Wellbeing Recovery Initiative grant (\$10,000 - \$50 000), which could be of great benefit to the Weddin Shire. Through the application process they have stated, "we hope that this podcast may also contribute to grant applications, and potentially inspire the creation of a youth centre OR expanding existing clubs, organisations, or businesses to support their own youth program and offer local supports and extracurricular/leisure activities to our kids."

Participation in the podcast is voluntary and the interviews for segments can be tweaked to suit individual preference if any questions seem uncomfortable or irrelevant to the specific participant.

The \$1000 grant will go towards hardware such as a portable microphone and software for podcast editing, which can be used by the community post June 2023 to continue with the project. Through the application process they have stated, "we also plan to have a launch party and to purchase prizes for the kids involved to encourage participation. Ideally, we hope to bolster and support existing clubs and organisations within the Weddin Shire to increase their capacity and youth reach, and will cater for 'meet and greet' events such as showcase days to promote interest. The \$1000 grant would also contribute to these events in the form of catering and community transport where necessary."

### POLICY/LEGAL IMPLICATIONS

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

### FINANCIAL/RESOURCE IMPLICATIONS

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 Coolroom	210/2022	\$ -
Weddin Mountain Muster	Trail Ride Event	Multiple items	225/2022	\$ 2,500.00
The Jockey Club Inc	Race Meeting	Multiple items	229/2022	\$ 400.00
Grenfell Gunyah Craft Shop	Nil	Rates	258/2022	\$ 446.20
Grenfell P.A.H&I Association inc	Nil	Rates	258/2022	\$ 950.00
Grenfell RSL Sub-Branch	Remembrance Day	Traffic Control	277/2022	\$ 1,000.00
Criterion Hotel	December Markets	Multiple items	278/2022	\$ 500.00
Cargo to Grenfell	Walk	Multiple items		\$ 500.00
Lachlan & Western Regional Services	Nil	Donation		\$ 1,000.00
			<b>Total</b>	\$ 7,328.20
			<b>Budget</b>	\$ 15,000.00
			<b>Budget Remaining</b>	\$ 7,671.80

**INTERNAL/EXTERNAL CONSULTATION**

No consultation is required for this application, however noting that that the Lachlan and Western Regional Services met with the General Manager to discuss the concept prior to submitting this application.

**CONCLUSION**

The application meets the criteria for Community Support Application and is worthwhile cause that will provide a benefit to the community, in particular the youth.

**11.6 WEDDIN COMMUNITY NATIVE NURSERY**

**File Number:** C1.1.3  
**Author:** Director Corporate Services  
**Authoriser:** General Manager  
**Attachments:** 1. Donation Request  
**CSP Objective:** Shire assets and services delivered effectively and efficiently  
**Precis:** Donation Request  
**Budget:** \$ 298.75 to be sourced from Community Donation Budget

**RECOMMENDATION**

That Council donate \$298.75 to the Weddin Community Native Nursery.

**RESOLUTION 316/22**

Moved: Cr Best

Seconded: Cr Kenah

That Council donate \$298.75 to the Weddin Community Native Nursery.

**CARRIED**

**PURPOSE**

The purpose of this report is to respond to a rates donation request from Weddin Community Native Nursery (WCNN).

**BACKGROUND**

The WCNN have requested and received a donation for their rates for the last two financial years.

The WCNN was established in 2012 specialising in propagating native plants of the Weddin Shire; with a secondary goal of preserving for future generations threatened species within the shire.

WCNN is a not-for-profit organisation managed by volunteers and is a sub-committee of Weddin Landcare Steering Committee.

Volunteers collect seed from across the shire. At the nursery the seed is cleaned and propagated. Propagation is also done from cuttings and divisions.

The rates donation is traditionally 25% of the rates levied for the WCNN it will be \$298.75.

**ISSUES AND COMMENTS**

There are no direct issues or comments arising from this report.

**POLICY/LEGAL IMPLICATIONS**

There are no direct policy or legal implications noting that the application process aligns with the Community Project Support policy.

**FINANCIAL/RESOURCE IMPLICATIONS**

<b>DONATIONS 2023 FINANCIAL YEAR</b>				
<b>Organisation</b>	<b>Event</b>	<b>Request</b>	<b>Resolution</b>	<b>Amount</b>
Caragabal Country Club	Caragabal Sheep Races	1 x Barrier Mesh	210/2022	\$ 32.00
Caragabal Country Club	Caragabal Sheep Races	1 x Coolroom	210/2022	\$ -
Weddin Mountain Muster	Trail Ride Event	Multiple items	225/2022	\$ 2,500.00
The Jockey Club Inc	Race Meeting	Multiple items	229/2022	\$ 400.00
Grenfell Gunyah Craft Shop	Nil	Rates	258/2022	\$ 446.20
Grenfell P.A.H&I Association inc	Nil	Rates	258/2022	\$ 950.00
Grenfell RSL Sub-Branch	Remembrance Day	Traffic Control	277/2022	\$ 1,000.00
Criterion Hotel	December Markets	Multiple items	278/2022	\$ 500.00
Cargo to Grenfell	Walk	Multiple items		\$ 500.00
Lachlan & Western Regional Services	Nil	Donation		\$ 1,000.00
WCNN	Nil	Donation		\$ 298.75
			<b>Total</b>	\$ 7,626.95
			<b>Budget</b>	\$ 15,000.00
			<b>Budget Remaining</b>	\$ 7,373.05

**INTERNAL/EXTERNAL CONSULTATION**

No consultation is required for this application.

**CONCLUSION**

That Council make the donation as requested and donate the value of \$298.75 to the WCNN.

**11.7 IMPROVING MOBILE COVERAGE IN WEDDIN SHIRE COUNCIL**

**File Number:**

**Author:** Director Corporate Services

**Authoriser:** General Manager

**Attachments:** 1. Document from Department of Regional NSW\_06 December 2022 re Improving mobile coverage in Weddin Shire Council

**CSP Objective:** Innovation in service delivery (healthy, safe and educated community)

**Precis:** To provide Council information on how to improve mobile coverage in Weddin Shire Council

**Budget:** Nil

**RECOMMENDATION**

That Council:

1. Agree in principle to the Department of Regional NSW (DRNSW) Regional Digital Connectivity (RDC) team undertake procurement on behalf of Council to identify mobile carrier/s to deliver a network sharing solution.
2. Delegate the General Manager to execute the agreement between Weddin Shire Council and the DRNSW RDC team.
3. Note, if Council endorses DRNSW RDC team to undertake procurement activity, Council will be consulted and is under no obligation to proceed with a proposed solution.
4. Endorse the nominated projects of:
  - a) \$650,000 to deliver network sharing in Weddin Shire Council
  - b) \$150,000 Starling Internet Subsidy
  - c) \$50,000 Education and Marketing campaign to deliver the projects.
5. Resolve that this resolution will supersede 457/2021.

An updated paper was tabled at the meeting which included an updated recommendation.

**RESOLUTION 317/22**

Moved: Cr McKellar

Seconded: Cr Best

That Council:

1. Agree in principle to the Department of Regional NSW (DRNSW) Regional Digital Connectivity (RDC) team undertake procurement on behalf of Council to identify mobile carrier/s to deliver a network sharing solution.
2. Delegate the General Manager to execute the agreement between Weddin Shire Council and the DRNSW RDC team.

3. Note, if Council endorses DRNSW RDC team to undertake procurement activity, Council will be consulted and is under no obligation to proceed with a proposed solution.
4. Endorse the nominated projects of:
  - a) \$650,000 to deliver network sharing in Weddin Shire Council
  - b) \$150,000 Low Earth Orbit Internet Subsidy c) \$50,000 Education and Marketing campaign to deliver the projects.
5. Resolve that this resolution will supersede 457/2021.

**CARRIED**

---

## **PURPOSE**

To seek Council's endorsement to proceed with DRNSW RDC team to improve mobile coverage in Weddin Shire, noting that this report now replaces the previous tabled report.

## **BACKGROUND**

In late 2019 Weddin Shire Council was awarded \$1,000,000 under the Regional Growth Funds Drought Stimulus Package. This funding was announced in unusual circumstances. While Council has been advocating strongly since 2017 on matters relating to digital connectivity, Council never submitted a funding application to the Drought Stimulus Package specifically proposing how funding would be used to address digital connectivity. The funding announcement was unprompted. The State Government elected to form a Project Control Group with members from various State Government departments and Weddin Shire Council. The Project Control Group engaged a consultant to develop a strategy with projects and actions on how the funding could be spent, originally around Agtech and mobile coverage. The strategy was funded from the \$1,000,000, as such only \$850,000 remains.

During the strategy's preparation there were significant advancements in digital connectivity as the availability of Low Earth Orbiting satellites shifted from an emerging technology into a transformative reality in the space of a few months with the availability of Starlink in southern NSW from mid 2021. Concurrently Telstra and Optus redefined their business goals in Australia to focus on 5G in the highly profitable high population density areas of the state and set about reframing expectations about service delivery in low population density regional and remote areas, highlighting the existence of market failure.

The strategy did not pivot in response to these transformative shifts in the regional connectivity landscape. As a result, the strategy was deemed to not meet the tenacious expectations of Weddin Shire Council to deliver meaningful change to the Shire's agricultural communities in the 0-4-year timeline. The strategy's short-term focus on improving 'community access' via 'hubs', and developing 'trail sites' in Grenfell, the only town in the Weddin Shire that already had excellent fixed internet and mobile coverage, was not considered sufficiently transformative. In addition, the strategies projects had significant ongoing resource implications to Council. As yet the remaining funding has not been released to Council and this proposal does not involve releasing funds to Weddin, they will instead administer the project on our behalf. As such Regional NSW have approached Council (Attachment A) to identify a better procurement solution for the unexpended fund.

## **ISSUES AND COMMENTS**

The Regional NSW Digital Connectivity team has approached Council on an opportunity to identify mobile carrier/s to deliver a network sharing solution in the Weddin Local

Government Area and provide better coverage and roaming opportunities for residents. This activity can be incorporated into some existing procurement activities the Department has planned for the regional digital connectivity program early next year.

Council had received late correspondence from the Department of Regional NSW and was holding a meeting on the afternoon of 8 December 2022. In order to give Council, the best opportunity to understand the project, a holding report was provided to Council with preliminary information. This report now replaces the previous report.

The DRNSW RDC team have undertaken a number of similar projects and bring a high level of expertise that Council does not currently have. This will include negotiating with the telecommunication carriers to co-locate and/or having mobile sharing coverage abilities, meaning that the customer can hop onto any service available in the area.

### **POLICY/LEGAL IMPLICATIONS**

There are no direct policy or legal implications arising from this report, noting that Department of Regional NSW have stated we can share this information.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There will be no direct financial implications to Council, however noting that there may be a commitment of the still unreleased Weddin Shire grant funds from the Drought Stimulus Package to contribute towards this project. The funding attributed to the Starlink will still proceed as normal. We note that during the Council Mobile Hubs, there was a strong interest from our villages in the use of Starlink.

### **INTERNAL/EXTERNAL CONSULTATION**

Council Officers met with the Department of Regional NSW, the Regional Digital Connectivity team to discuss the proposal on 8 December 2022.

### **CONCLUSION**

Residents in the Weddin Shire Council area have faced many issues relating to mobile coverage and reliability of fixed internet services. The Department of Regional NSW has approved Council regarding improving mobile coverage and looking at ways to share networks across the region.

Although there has been a shift from the original Agtech focus, to improve mobile coverage, and the proposal provides a different alignment and approach to the Council's original intentions, the state government is committed to delivering this approach. This approach will still deliver benefits which align with councils integrated planning and will deliver meaningful improvements to residents of Weddin Shire.

Council should proceed with this approach to:

1. Deliver benefits to the community
2. Finalise a long outstanding grant and
3. Improve and build up our relationship with Regional NSW.

**11.8 REQUEST FROM GRENFELL JUNIOR RUGBY LEAGUE FOOTBALL CLUB**

<b>File Number:</b>	<b>C1.4.1</b>
<b>Author:</b>	<b>Director Corporate Services</b>
<b>Authoriser:</b>	<b>Director Corporate Services</b>
<b>Attachments:</b>	<b>1. Request to waiver oval hire fees - Grenfell Junior Rugby League Football Club</b>
<b>CSP Objective:</b>	<b>Shire assets and services delivered effectively and efficiently</b>
<b>Precis:</b>	<b>The Grenfell Junior Rugby League Football Club have sought a request to waiver the oval hire fee</b>
<b>Budget:</b>	<b>To be confirmed - \$640</b>

**RECOMMENDATION**

That Council approve the request.

---

An updated paper was tabled to council.

---

**RESOLUTION 318/22**

Moved: Cr Best

Seconded: Cr Kenah

That Council approve the request

**.CARRIED**

---

**PURPOSE**

The purpose of this report is to respond to a request to waive fees for Junior Rugby League Football Club for their upcoming League tag season.

**BACKGROUND**

The club charges minimal fees to participants purely to cover insurance and basic running costs, which includes the power bill for overhead lighting.

This year the club is adding the option for children as young as 8 years old to be able to play and we cater from that age up to players in their mid-60's.

The Summer League Tag Competition is a great social night out with last year having just over 100 participants enjoying fun and fitness in our community.

GJRL are committed to maintaining the oval to the highest standards to ensure the safety of all our participants and to limit any upkeep by council during the period of our competition.

**ISSUES AND COMMENTS**

Council have previously made the decision to waive hire fees for the use of Lawson Oval to give back to the community given the previous years of community and fundraising events that were cancelled due to COVID.

**POLICY/LEGAL IMPLICATIONS**

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

**FINANCIAL/RESOURCE IMPLICATIONS**

There are no material financial implications from this report.

**INTERNAL/EXTERNAL CONSULTATION**

No consultation is required for this application.

**CONCLUSION**

The request should be supported and the club should be informed that the waiving of fees will only be for the one season.

**12 INFRASTRUCTURE SERVICES REPORTS****12.1 INFRASTRUCTURE WORKS REPORT**

**File Number:** C2.8.16  
**Author:** Acting Director Infrastructure Services  
**Authoriser:** General Manager  
**Attachments:** Nil  
**CSP Objective:** Shire assets and services delivered effectively and efficiently  
**Precis:** Infrastructure works program update  
**Budget:** NIL

**EXECUTIVE SUMMARY**

The following information is provided to update Councillors and the community on matters associated with Construction and Maintenance of Roads, Parks and Gardens, Sewerage, and Plant for the month of November and into the New Year.

**RECOMMENDATION**

That Council:

1. Receive and note the information provided on works completed and works planned for November into the New Year.

**RESOLUTION 319/22**

Moved: Cr Frame

Seconded: Cr McKellar

That Council:

1. Receive and note the information provided on works completed and works planned for November into the New Year.

**CARRIED**

**NATURAL DISASTERS**

Due to the rain event on Monday 31 November 2022, a large number of roads suffered extra damage including Peaks Creek Road and sections of Adelargo Road.

The first 5.5 km of Peaks Creek Road suffered extensive damage that made the road impassable other than to 4x4 vehicles and a tractor.

Large sections of Peaks Creek Road were washed away and 85% of road base was lost, culverts had road base and sub grade washed away exposing a number of culverts that needed to be made safe.

It was ten (10) days later when the roadway had dried enough to get plant onto the road, emergency work was started, and work will be claimed under the most recent Event claim for both emergency work and repair works.

After waiting ten (10) days for the road to dry out enough, Council staff and contractors still had issues with plant getting bogged (grader on three (3) occasions with the roller twice),

but was able to do enough repairs to get the road open again. Residents have been very grateful and understanding.



Emergency work that was completed on Kangaroo Road from the previous storm event again suffered damage at two (2) culverts where the road base was washed away. Repairs were again completed to enable farmers access to/from their properties. There is still more emergency work to be completed as time and resources permits.

Council will be engaging Contractors to remove timber and debris from against bridges and culvert structures next week.

Other roads reinspected after the latest storm event are listed below as all of these roads suffered various degrees of damage which will be added to the claim:

- Adams Lane North
- Abbots Lane
- Bald Hill Road
- Barkers Road

- Beazleys Lane
- Bogolong Dam Road
- Back Piney Range Road
- Campbell's Lane
- Dunkleys Road
- Gibraltar Rocks Road
- Goodes Road
- Hancock Williams Road
- Hancock Flinns Road
- Holy Camp Road
- landra Road
- Kangaroooby Road
- Major West Road
- Morans Road
- McDonalds Road
- Melyra Street, Grenfell
- Memory Street, Grenfell
- North Street, Grenfell
- Oloughlins Lane
- Pinnacle Road Culvert
- Sandy Creek Road
- South Street Grenfell
- West Street Grenfell
- Yambira Road

Council also has a number of roads that we are unable to access due to being under water and will be inspected when conditions allow.

These include

- Marsden –Morangarell Road (Horror Stretch)
- Caragabal – Bimbi Road
- Bewleys Lane

## **STATE ROADS**

Following the flooding emergency on the Newell Highway between Marsden and the Forbes Council boundary, this section of road has been closed and remains closed to through traffic.

24 hr traffic control and detour is currently in place at the Newell Highway/Mid Western Highway intersection.

In addition, due to the flooding emergency at Lignum Creek, the Mid Western Highway between Marsden and Grenfell was also closed for a period of about two (2) weeks.

During the road closure period Transport for NSW (TfNSW) carried out extensive asphalt overlay work at Lignum Creek to raise the level of the road slightly.

TfNSW also required that Council carry out extensive bitumen patching work on the closed section of Mid Western Highway during the road closure period.

Mid Western Highway is now open all the way to the Cowra Shire Council boundary.

## **MAJOR WORKS**

### **Pullabooka Road Rehabilitation**

Project under Fixing Local Roads Round One. The project involves works along a road length of 11km and Council received funding for \$3.9M.

Work is currently on target for completion by mid-March 2023.

- 75% of the road rehabilitation works have been completed.
- The remaining works are on hold due to inclement weather and flooding.
- Minor seal correction work is planned for December 2022.

### **New Forbes Road Rehabilitation**

Project under Fixing Local Roads Round Two (2). The project involves works along a road length of 16km and Council received funding for \$4.3M.

Work is currently on target for completion by end May 2023.

- The tree removal work has been completed.
- Council is undertaking drainage works which currently includes culvert extensions.
- Council has started Table Drain construction work.

### **Greenethorpe Road Rehabilitation**

Project under Fixing Local Roads Round Three (3). The project involves the road length of 7.1km and Council received funding for \$2.9M.

- Council is currently undertaking the project procurement works. Tree removal Contractor has been engaged. Work is expected to start in December 2022.
- Gravel Crushing Tender has closed. Tender evaluation process is underway. Successful Contractor is expected to be engaged mid-January 2023.

### **Back Piney Range Road Culvert Replacement**

- 80% finished backfill around wingwalls required by Contractor, works halted due to weather.
- Council is in the process of updating the design and construct culvert top slab which will be more resilient to severe weather conditions.

### **Hancock-Flinns Road Culvert Replacement**

- 80% finished backfill around wingwalls required by Contractor, works halted due to weather.
- Council is the process of updating the design and construct culvert top slab which will be more resilient to severe weather conditions.

### **Arramagong Road Culvert Replacement**

- The creek bed is full of water.
- Council is planning to commence the construction next year.

**Heathcotes Lane Culvert Replacement**

- The whole road is under water due to recent flooding.
- Culvert works are on hold due to water.

**Adelargo Road Culvert Replacement**

- The creek bed is full of water.
- Culvert works are on hold due to water.

**Weddin Shire Road Entry Signs**

- Approval has been received from TfNSW for installing signs at roadside of state roads.
- Contractor has completed the Geotechnical investigation.
- Construction will start from January 2023.

**Railway Walking Track**

- Discussion ongoing with the designer to change the track location of stage-2.

**Caragabal Shared Pathway**

Council has received approval from ARTC and TfNSW for the design and for the crossing location of the shared pathway over the railway corridor. Council is now working with ARTC and TfNSW with the required documentation and is now at the stage of being able to seek tenders for the construction.

**Grenfell Cemetery Amenities**

The Grenfell Cemetery Amenities Building to date:

- Expressions of interest sought from plan drawers
- Plan drawer appointed
- Draft plans provided
- Final plan
- Submission of Development Application
- Development Application approved
- Expressions of interest sought from Structural Engineers
- Expression of interest sought from consultants for soil test and waste water report
- Appointment of Structural Engineer
- Appointment of Consultant for soil test and Waste Water Report
- Structural Plans received
- Soil Classification and Waste
- Water Report received
- Submission of Construction Certificate application
- Submission of Section 68 application
- Expressions of interests sought from local builders
- Construction Certificate approval received
- Section 68 approval received
- Quotes sought from builders
- Expressions of interests sought for grave survey of the site (this has been held up by the current inclement weather).

**FOOTPATH /KERB AND GUTTER WORKS****Third Street Quandialla**

- Procurement process ongoing to select suitable construction contractor for kerb & gutter replacement.

### **ROAD MAINTENANCE WORKS**

Road maintenance works including pothole patching, vegetation management, gravel road maintenance and signage works have been undertaken in the past few months.

### **Maintenance Grading**

<b>Roads</b>	<b>Commencement</b>	<b>Completion</b>	<b>Comment</b>
Brundah Halls Road	07/11/2022	22/11/2022	
Dunkleys Road	15/11/2022	22/11/2022	
Morans Road	25/11/2022	30/11/2022	
Peaks Creek Road	25/11/2022	30/11/2022	
Gibraltar Rocks Road	25/11/2022	26/11/2022	
McKays Lane	25/11/2022	26/11/2022	
Forbes Road	02/12/2022	07/12/2022	
Driftway Road	06/12/2022	07/12/2022	
Greenethorpe-Wirega Road	28/11/2022		60% finished, halted due to weather
Campbell's Lane	07/12/2022		Commenced
Grimms Lane	08/12/2022		

### **Maintenance Grading – Works Planned: 9 December 2022 – 10 February 2023**

- Eves Lane
- Lynches Lane
- Taylors Road
- Nealons Lane
- Gannons Lane
- Gaults Lane
- Kerrs Lane
- Barrs lane
- Adams Lane
- Stock Route Road

### **Slashing**

- Holy Camp Road - Completed
- Eualdrie Road - Completed

### **Slashing - Works Planned: 9 December 2022 – 10 February 2023**

- Henry Lawson Way (Young Road)
- Mary Gilmore Way
- Bimbi Road
- Tyagong Road
- Tyagong Hall Road
- landra Road

- Gerrybang Road
- Sandy Creek Road
- Back Pine Range Road
- Pinnacle Road
- Mortray Road
- Piney Range Hall Road
- Deaths Lane

### **Gravel Re-sheeting**

At this present time there is no re-sheeting happening due to the weather.

### **PARKS AND RECREATION**

The Parks and Gardens team are carrying out routine maintenance such as mowing, whipper snipping, tree trimming within sporting fields and the open space network.

#### **Park Maintenance**

- Caught up on all mowing in parks and garden areas
- Mowed neglected areas at cemetery
- Sprinkler maintenance and repairs to all parks & garden, cemeteries
- Weed checks for cat heads.

#### **Oval Maintenance**

- Mowing and whipper snipping
- Prepare grounds for cricket season
- Weed checks for cat heads.

#### **Town Maintenance**

- Plant trees at cemetery
- Plant trees for Rose St Island
- Prepare garden bed for planting
- Keeping on top of weeds around town
- Trim back trees at Caragabal & Quandialla
- Mowing, whipper snipping, and gardening at Quandialla, Caragabal and Greenethorpe
- Trim back low hanging branches around town.

#### **Garden Island Planting**

Weeding and planting has taken place on the island on Dagmar and Camp Streets.

### **Parks and Gardens - 9 December 2022 – 10 February 2023**

- Replant trees at Forbes Street Memorial Ave
- Plant native's at Memorial Ave island beds
- Plant trees at cemetery
- Trees for Rose Street Island
- Town parks and garden areas
- Maintain overgrown grass areas around structures at O'Briens Hill

### **PLANT REPORT**

<b>Plant Report</b>			
<b>Plant Number</b>	<b>Plant Description</b>	<b>Fault</b>	<b>Repairs</b>
3229	Daihatsu	Break Down	Re-wire fuel pump wiring
4116	Mower	Blades Replace	Service Repair oil leaks and starter solenoid
4117	Mower	Blades Replace	Service repair deck bearings and pulleys
4103	Tractor	Full Service	
2099	Hilux	Full Service	
3965	Garbage Truck	Full Service	
6038	Bfo	Fire Truck	Emu Creek repairs
2101	Hilux	Full Service	Engine fault codes - Toyota Hilux
4109	Roller	Park Brake Faults	
5215	Brush Cutter	Repairs	Whipper snipper repairs
3962	Tri Axle Tipper	Starter Motor	Replacement
4110	Toro Mower	Wear And Tear	Toro mower deck bearings Broken pulley throttle Solenoid broken
4109	Roller	Park Brake Faults	118h roller remove wiring harness for repair
4103	Tractor	Break Down	td 80 tractor - engine faults
4107	Patch Truck	Radiator Service	Patch truck - replace radiator Full service clear fault codes
5407	Traffic Lights	Faults	Traffic lights
4116	Toro Mower	Overheating	Toro mower deck bearings Broken pulley throttle Solenoid broken
3958	Western Star	Seat Repairs	Western Star
3964	Water Truck	Training	Operation of the machine x3 water truck
5257	Brush Cutter	Service	Whipper snipper repairs
5311	Mower	Tyres	mtd mower
5314	Slasher Mower	Blades Replace	slasher
5319	Air Blower	Tune Up	blower still
5355	Mower	Service Check Oil Leaks	gravely mower
5357	Mower	Service Check Oil Leaks	gravely mower
2100	Ute Hilux	Limp Mode	Hilux - water in engine

<b>Plant Report</b>			
<b>Plant Number</b>	<b>Plant Description</b>	<b>Fault</b>	<b>Repairs</b>
3959	Tri Axle Trailer	Brakes	Tri axle tipper - brake valves worn
4111	Roller	Steering	Multi pac roller repairs
4105	Grader	Batteries	120 grader remove and recharge
4112	Mower Iseki	Drive Belt	iseki mower
3961	Isuzu Tipper	Starter Motor	isuzu 155 npr
5215	Brush Cutter	Wont Start	husqvarna brush cutter
3956	Float Trailer	Tyres	float tyres
5343	Generator	Wont Start	honda generator service
1129	Toyota Kluger	Service Check Oil Leaks	toyota

**13 ENVIRONMENTAL SERVICES REPORTS****13.1 NAMING OF GRENFELL DOG PARK**

<b>File Number:</b>	<b>A4.4.1</b>
<b>Author:</b>	<b>Director Environmental Services</b>
<b>Authoriser:</b>	<b>General Manager</b>
<b>Attachments:</b>	<b>Nil</b>
<b>CSP Objective:</b>	<b>Culturally rich, vibrant and inclusive community</b>
<b>Precis:</b>	<b>Community consultation to name Grenfell Dog Park</b>
<b>Budget:</b>	<b>\$1500 Sourced from Council Existing Operational Budget</b>

**RECOMMENDATION**

That Council name the off leash dog park located on the Corner of West Street and South Street, the 'Grenfell Dog Park – In Memory of Amy Brown. A local Icon'.

**RESOLUTION 320/22**

Moved: Cr McKellar  
Seconded: Cr Howell

That Council name the off leash dog park located on the Corner of West Street and South Street, the 'Grenfell Dog Park – In Memory of Amy Brown. A local Icon'.

**CARRIED**

**PURPOSE**

The purpose of this report is to finalise a name for the newly constructed Grenfell off leash dog park.

**BACKGROUND**

Council recently completed the construction of a new off leash dog park on the corner of West Street and South Street, Grenfell. In August 2022, Council received correspondence from a member of the public suggesting that the facility needs to be given an official name.

Council at its Ordinary Meeting held on 20 October 2022 resolved to undertake community consultation for the naming of the facility, and upon completion of the community consultation period a further report be provided to Council including the full list of suggested names for Council's consideration and determination on the official name of the facility.

Community consultation was undertaken for a period of 21 days including on social media, Council website and in the local paper. The community was requested to suggest names for the facility.

**PROPOSED**

As a result of the community consultation process, the following names for the facility were suggested:

Suggested Name	Method of Submission
The Amy Brown Dog Park	Facebook
Grenfell Dog Park	Facebook
Puppyville	Facebook
The Dog Park	Facebook
The Loaded Dog Park	Facebook
Mirri Weedin Dog Park <i>Mirri – Wiradjuri for dog</i> <i>Weedin – Wiradjuri for sit, stay and remain</i>	Email
Sunny’s Side (small dog park) Second name (large dog park)	Mail
Tally Park (The Loaded Dog – Henry Lawson)	Email
Sunny’s Dog Park	Mail
Grenfell’s Doggie Domain	Mail

The most popular suggestion on social media were the ‘Amy Brown Dog Park’ and the ‘Grenfell Dog Park’. Amy Brown was a unique local icon of Grenfell and is well remembered for her dogs.

Based on the feedback received, it is recommended that Council name the facility the Grenfell Dog Park - In Memory of Amy Brown, a local icon. It is also suggested that a story board could be installed at the facility with pictures and stories of Amy Brown.

**POLICY/LEGAL IMPLICATIONS**

There are no policy or legal implications resulting from the proposed naming of the newly constructed off leash dog park.

**FINANCIAL/RESOURCE IMPLICATIONS**

It is anticipated that signage costs will be within a budget of \$1,500 which can be funded from the existing operational budget.

**INTERNAL/EXTERNAL CONSULTATION**

Community consultation was undertaken via advertising on social media, Council website to invite submissions and in the Grenfell Record.

**CONCLUSION**

Council recently completed the construction of a new off leash dog park on the corner of West Street and South Street, Grenfell. Community consultation was undertaken for a period of 21 days including on social media, Council website and in the local paper, requesting suggested names for the facility.

Based on feedback received from the community it is recommended that the facility be named 'The Grenfell Dog Park – In Memory of Amy Brown. A Local Icon'.

## 13.2 DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES & 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 application determined during the period 1 November to 30 November 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 November 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
19/2022 MOD	Mr K Lupis	Staged, 8 Lot Residential Subdivision	\$0	LOTS: 392, 393 & 394 DP: 754578 & LOT: 1 DP: 1178073 Murrays Lane GRENFELL NSW 2810
34/2022	Mrs RL Chown	Garage with Carport	\$20,289	LOT: 321 DP: 754578 153 Mary Gilmore Way GRENFELL NSW 2810
36/2022	Mr DH Troy	Shed	\$30,000	LOT: 10 DP: 513844 5 Dradys Lane GRENFELL NSW 2810
38/2022	Mr DG Keough	Shed Extension	\$15,000	LOT: 1 DP: 855481 16-18 Henry Lawson Way GRENFELL NSW 2810
40/2022	Mr PJ Grossman	Shed	\$19,362	LOT: 2 DP: 1052759 19 Star Street GRENFELL NSW 2810

### Complying Development Applications

The complying development certificate applications approved within the Shire in November 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
33/2018	Mr RC Grimm & Ms T Starr	Extensions/Additions to Dwelling	LOT: 219 DP: 754583 1035 Mary Gilmore Way GRENFELL NSW 2810
28/2022	Andy's Design & Drafting	Shed	LOT: 6 DP: 1072519 64 Quondong Road GRENFELL NSW 2810
40/2022	Mr PJ Grossman	Shed	LOT: 2 DP: 1052759 19 Star Street GRENFELL NSW 2810

**13.3 DEVELOPMENT APPLICATION 37/2022 - RURAL INDUSTRY (GRAIN SILOS AND ASSOCIATED CONVEYORS)**

**File Number:** DA 37.2022

**Author:** Director Environmental Services

**Authoriser:** Director Environmental Services

**Attachments:** 1. DA 37.2022 SEE, Site Plan & Elevation Plans  
2. DA 37.2022 Applicant Response to Submissions

**CSP Objective:** Sustainable natural, agricultural and built environments

**Precis:** Development Application No. 37/2022 proposes a Rural Industry development on Lot 26 DP 1224552, to be used in conjunction with and existing business located on an adjoining allotment. The application is referred to Council for determination as it includes a request to vary the front building line setback requirement of Weddin Shire Council DCP and three (3) submission were received as a result of the public consultation process.

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

**RECOMMENDATION**

That:

1. Council notes that 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 approve the request to vary the front building line setback from Phil Aston Place, Grenfell from 15 metres to 10 metres, in this instance.
3. Development Application No. 37/2022, being for a Rural Industry Development consisting of ten (10) grain silos and associated conveyors on Lot 26 DP 1224552, known as 7 Phil Aston Place, Grenfell to be used in conjunction with an existing grain handling business located on the adjoining Lot 2 DP 1142180, known as 10-12 Davies Place, Grenfell, be approved subject to the recommended conditions listed in Appendix A to the Assessment Report and by signed under delegated authority by the Director Environmental Services.
4. The General Manager register 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 321/22**

Moved: Cr McKellar

Seconded: Cr Best

That:

1. Council notes that 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 approve the request to vary the front building line setback from Phil Aston Place, Grenfell from 15 metres to 10 metres, in this instance.
3. Development Application No. 37/2022, being for a Rural Industry Development consisting of ten (10) grain silos and associated conveyors on Lot 26 DP 1224552,

---

known as 7 Phil Aston Place, Grenfell to be used in conjunction with an existing grain handling business located on the adjoining Lot 2 DP 1142180, known as 10-12 Davies Place, Grenfell, be approved subject to the recommended conditions listed in Appendix A to the Assessment Report and by signed under delegated authority by the Director Environmental Services.

4. The General Manager register 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**

---

**FOR:** Crs Bembrick, Best, Kenah, Cook, Howell, McKellar and Frame

**AGAINST:** Nil

---

## **ASSESSMENT REPORT**

### **INTRODUCTION**

Development Application No. 37/2022 proposes a Rural Industry Development consisting of grain silos and associated conveyors on Lot 26 DP 1224552, known as 7 Phil Aston Place, Grenfell. The development has been designed to be used in conjunction with an existing grain handling business located on the adjoining Lot 2 DP 1142180, known as 10-12 Davies Place, Grenfell.

The Development Application includes a request to vary the front building line setback requirement of clause 11.13.2 of the Weddin Development Control Plan (DCP) from 15 metres to 10 metres.

A copy of the proposed site plan, elevation plans and statement of environmental effects (SEE), are included in **Attachment 1** to this report. The application was lodged by Mrs Mary Ray with the consent of the owners of the land being Mr MJ & Mrs KA McCann.

### **DESCRIPTION OF SITE**

The development site is freehold land being Lot 26 DP 1224552. Lot 2 DP 1142180 also forms part of the development site as the proposed development will be used in conjunction with an existing development on this site. The development site is located within the Grenfell Industrial Estate and is zoned IN1 – General Industrial 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

Lot 26 DP 1224552 has an area of 9886.84m<sup>2</sup> and Lot 2 DP 1142180 has an area of 11076.3m<sup>2</sup>, giving a total combined area of 20963.14m<sup>2</sup>. Lot 2 contains an existing storage shed and existing grain silos, while Lot 26 is vacant. The site has vehicular access from both Davies Place and Phil Aston Place. An overhead power line and associated easement affects both the allotments.

**BACKGROUND**

The existing storage building located on Lot 2 was approved by Council as part of Development Consent 22/2005. The grain silos on Lot 2 were approved by Council as part of Development Consent 74/2007. A modification to Development Consent 74/2007 was approved in 2016 to extend the operating hours of the development during the harvest period.

**DESCRIPTION OF PROPOSAL**

Development Application 37/2022 proposes a Rural Industry comprising of ten (10) grain silos and associated conveyors on Lot 26 DP 1224552. The new development will be used in conjunction with an existing grain handling business located on adjoining land to the north, being Lot 2 DP 1142180, and therefore the applicant intends to consolidate the two (2) allotments.

The grain silos and associated infrastructure are proposed wholly on Lot 26 DP 1224552 with a setback 30 metres from the northern boundary, 20 metres from the eastern boundary, 46 metres from the southern boundary and 10 metres from the western boundary. The application includes a request to reduce the building line setback from Phil Aston Place from 15 metres to 10 metres.

The proposed development will be used to store grain obtained by the business mainly during the normal harvest period before on-selling to other companies. Smaller amounts of grain may be moved to the site outside of the normal harvest season, when required.

The existing business has vehicular access from Davies Place, which is a sealed road. Vehicular access is also provided to the new site from Phil Aston Place, which is also a sealed road.

Further details on the proposed development are included in the submitted plans and Statement of Environmental Effects which are included in **Attachment 1**.

## **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 37/2022:

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

#### **Weddin Local Environmental Plan 2011**

The development site is zoned IN1 General Industrial under the provisions of Weddin LEP 2011. Rural Industries are permissible in the IN1 zone with consent. 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, due to the proposed development being used in conjunction with the business on an adjoining allotment, a condition has been included in the recommendation requiring the two (2) allotments to be consolidated.

#### 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 IN1 General Industrial zone are as follows:

#### **Zone IN1 General Industrial**

##### **1 Objectives of zone**

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

The proposed development is an industrial land use and is an extension of the existing industrial business operating from the northern allotment of the site. The proposal encourages further on-site and off-site employment opportunities by expanding the current industrial business operating from the site. The development site is immediately surrounded by other industrial land and is unlikely to unduly impact on this land. The nature of the proposed development as explained in the SEE and supporting information means that the

development will have limited impacts outside the primary harvest period. Further to this a number of conditions are included in the recommendation to this report to limit impacts on nearby residential land uses. Further details in this regard are provided in the proceeding parts of this report.

It is assessed that the proposed development is consistent with the IN1 General Industrial zone objectives.

#### Clause 5.21 Flood Planning

Clause 5.21 states that:

*Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

*In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) the intended design and scale of buildings resulting from the development,*
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

The development site is identified as being within a flood planning area under Weddin LEP 2011, as shown in **Figure 2** below. A review of the Emu Creek Floodplain Risk Management Study and Plan 2012 reveals that the development site is located outside the mapped floodway and floodplain areas as shown in **Figure 3** below. However, the site is included within the flood planning area due to the 500mm freeboard level being added to the identified flood level in the surrounding area.

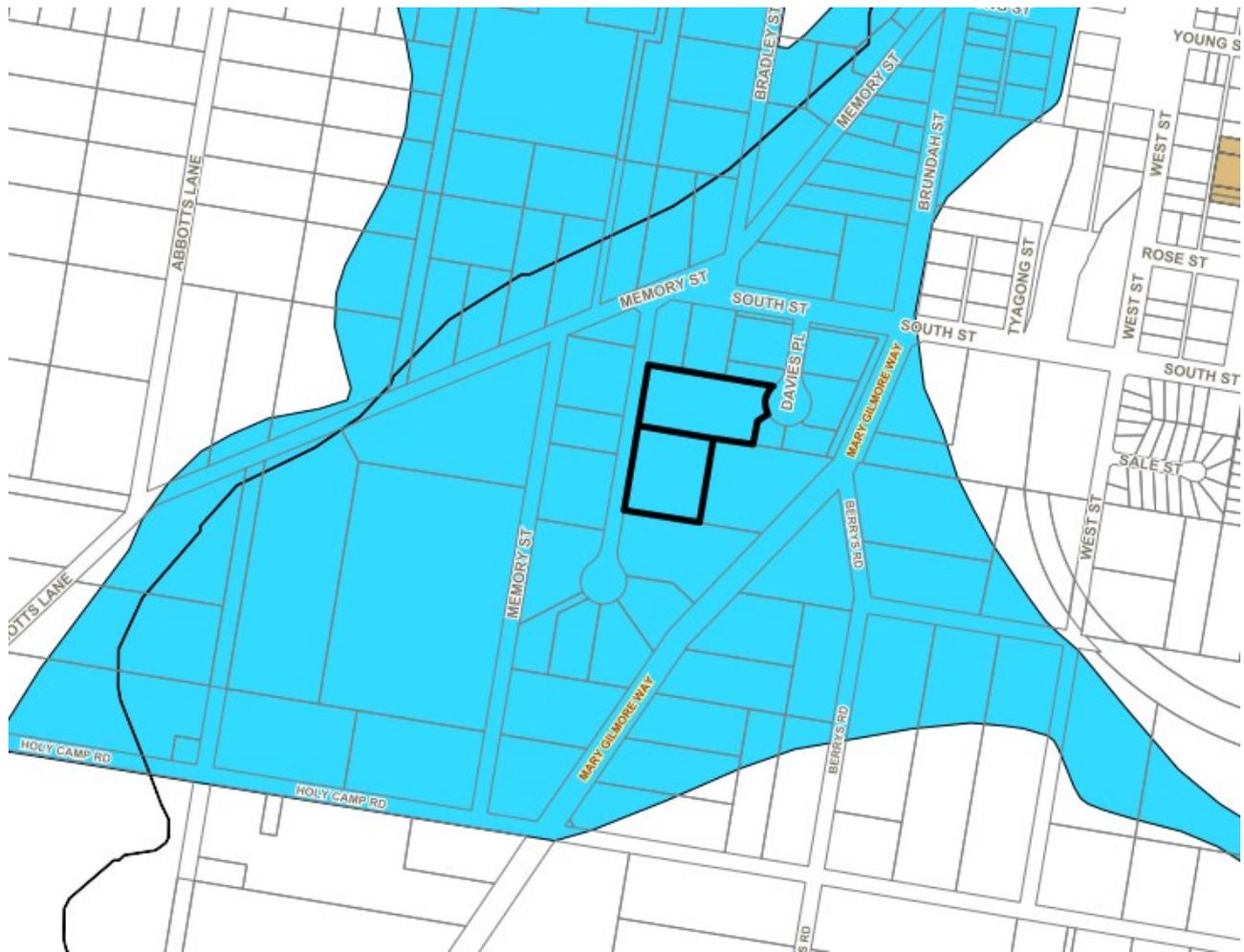


Figure 2. Weddin LEP Flood Planning Map



**Figure 3.** Emu Creek Floodplain Risk Management Study and Plan 2012 flood mapping.

It is assessed that given the development site is not within the identified floodway or floodplain, the proposal:

1. is compatible with the flood function and behavior of the land;
2. will not adversely affect flood behavior or increase the potential flood affectation of other properties in the area;
3. will not adversely affect the safe occupation and efficient evacuation of people;
4. will not create a risk to life in a flood event; and
5. will not adversely affect the environment or watercourses.

The proposed development is unlikely to impact on projected changes to flood behaviours as a result of climate change. The design of the proposed development is considered appropriate, given the land is not within the identified floodway or floodplain. Occupants of the site would be provided with sufficient notice to safely evacuate the area in the case of a flood event. It is unlikely that any buildings on the site would need to be modified, relocated, or removed as a result of the impacts of flooding.

Clause 6.6

Clause 6.6 of the Weddin LEP 2011 states that:

*Development consent must not be granted to development unless the consent authority 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 existing business is currently serviced by the reticulated water supply and electricity. The proposed development will significantly impact on these utilities or create additional demands on the disposal and management of sewage. Stormwater from the proposed development is capable of being managed via the existing stormwater system servicing the development site, and suitable road access is available to the property from both Davies Place and Phil Aston Place.

**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 extensively cleared, with the development application does not propose 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 development is not 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 do not apply.

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 applicant has lodged a development application for the proposed development and therefore the requirements of SEPP (Exempt and Complying Development Codes) 2008 do not apply.

State Environmental Planning Policy (Housing) 2021

The proposed development does not include any form of housing and therefore 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 new buildings are located outside the electricity easement affecting the land and are not within a distance which requires referral 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.

**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 4 – Flooding and Flood Affected Land*

The development site is identified as being within a flood planning area under Weddin LEP. As previously discussed in this report, an assessment has identified that the development site is located outside the mapped floodway and floodplain areas. The proposed development is not expected to impact on or be impact by flooding and therefore it is consistent with the requirements of Chapter 4 of the DCP.

*Chapter 11 – Industrial Development*

The proposed development is consistent with the requirements of chapter 11 of the DCP with the exception of clause 11.13.2. In this regard the application seeks a variation to this front building line setback from Phil Aston Place from 15 metres to 10 metres.

The initial application included 11 silos with a building line setback of 5 metres. The applicant has amended the application to reduce the number of silos to 10 in order to increase the building line setback to 10 metres. The reduce building line setback is assessed as being appropriate in this instance, due to the following:

- The allotment is affected by an electricity easement which prevents the silos being setback further on the allotment;
- The development site is located within an industrial area and the reduced building line setback is not expected to greatly impact on the character or amenity of the area;
- The allotment is 106 metres wide. The silos will only impact on the small portion of the total width of the allotment when viewed from Phil Aston Place.

*Chapter 15 – Public Consultation*

The development application was advertised and notified in accordance with the requirements of Chapter 15 of Weddin DCP 2014. Three (3) submissions were received as a result of the public consultation process which will be discussed further in the proceeding parts of this report.

**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 2021. 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 not involve the change of a building use therefore the requirement to consider the fire protection and structural capacity of a building's proposed use is not required.
- 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 made up of two (2) allotments being Lot 2 DP 1142180 and Lot 26 DP 1224552. The site is zoned IN1 – General Industrial under Weddin Local Environmental Plan 2011. An existing grain handling business is established on Lot 2 and includes an industrial building along with grain storage silos. Lot 26 is vacant of any buildings and is relatively flat with a slight fall from east to west.

The development site is located within the Grenfell Industrial Estate and is immediately surrounded by other industrial land. 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 Davies Place which is a sealed Council road. Access to the site is also available from Phil Aston Place which is also a sealed Council road. The applicant has described in the SEE that the nature of the business will not result in a significant increase in traffic in the area. Trucks currently enter the site for weighing and testing before unloading grain off site. The proposed development will allow some of these existing trucks to unload grain on the site before exiting, therefore not resulting in a significant increase in traffic movements. The location of the existing access points to the property are considered appropriate subject to being upgraded to Councils entrance standards. A condition has been included in the recommendation to this report to require this upgrading works.

### Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality.

### 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. 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 or waterways.

### Water, Sewerage and Stormwater

The proposed development is not a water use development and will not require a connection to sewer. Each silo does not contain guttering and down pipes and therefore any stormwater will be diverted to the street drainage system via overland flow. The location of the new silos is already a hardstand area and therefore post development flows are not expected to greatly increase above pre-development flows.

### Soils

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

### Air and Microclimate

The proposed development will not significantly increase traffic and dust on the site. The applicant has advised that during the harvest period, the internal driveway and manoeuvring areas will be watered when needed to limit dust generation. The applicant has also advised that it is intended to resurface the new development and existing silo complex with DGS20 roadbase in order to further limit dust generated on the site. The development does not propose the processing of any grain on the site and there is minimal dust generated during the storage process.

### Flora and Fauna

The development does not propose any major 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

Any waste generated during the construction process can be disposed of at a licensed waste management facility. The ongoing use of the development will not create any significant waste streams which need to be dealt with.

### Energy

The proposed development will not significantly increase energy usage on the site.

### Noise and Vibration

The proposed development is located within an industrial estate and setback in excess of 200 metres from the closest residential receivers. The harvest period (1 September to 31 December) operating hours for the existing development is limited to 7.00am to 9.00pm Monday to Sunday (excluding Public Holidays). The applicant has outlined that during this period there would be approximately 1.36 trucks per hour entering the site during the permitted hours in order to fill the proposed silos. Operating hours outside the harvest period are limited to 7.00am to 6.00pm Monday to Saturday (excluding Public Holidays). A condition has been included in the recommendation to this report in order to limit the operating hours of the new development to those imposed on the existing business.

The use of conveyors and augers on the site will be limited to the abovementioned operating hours. This equipment is only used during unloading and loading and therefore it is assessed that these will not create significant noise impacts on residential receivers.

The application describes that silo aerators are used on the existing silo complex and proposed on the new silo development. These aerators are used to control weevils without relying on chemicals. The aerators are computer controlled to operate when needed in order to control temperature and humidity in the silos. The applicant has stated that the aerators operate for approximately 24 hours per week.

The aerators are considered to be one of the main noise sources on the site, particularly at night when there is limited background noise. The applicant is proposing to install fan mufflers to each aerator in order to limit noise emissions from the site. An inspection of the site during which a trial muffler was fitted to an aerator fan found a noticeable decrease in the noise being emitted. The new development will also be setback further from residential receivers than the existing development. A condition has been included in the recommendation to require fan mufflers to be installed on each aerator in order to reduce noise impacts.

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is included in the recommendation.

### Natural Hazards

The development site is identified as being within a flood planning area under Weddin LEP. An assessment has identified that the development site is located outside the mapped floodway and floodplain areas. As discussed in previous sections of this report, the proposed development is not expected to impact on or be impacted by flooding.

There are no other identified natural hazards applying to the land.

### 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 grain storage capacity for an existing businesses and therefore provide a positive economic impact to the locality.

### Site Design and Internal Design

The proposed development includes a request to reduce the front building line setback to Phil Aston Place from 15 metres to 10 metres. This reduction is considered appropriate in the circumstances. The design of the proposed development is considered appropriate for an industrial property.

### Construction

The proposed development will be built in accordance with the Building Code of Australia and engineering standards. No adverse impacts are anticipated to occur as a result of the construction of the development.

### Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. The development will be used in conjunction with the existing business operating from the site. As discussed above, noise attenuation measures will be put in place to limit noise impacts along with a number of conditions of consent to limit operating hours and noise emissions.

### **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 for a reduction in the required building line setback from Phil Aston Place from 15 metres to 10 metres. 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 advertised and notified in accordance with Council's Development Control Plan 2014 from 10 October 2022 to 31 October 2022. A total of three (3) submission were received. The reference to harvest period is seen between 1 September to 31 December. Below is a summary of the concerns raised in the submissions along with corresponding assessment comments:

#### **Submission**

*"Our main complaint is about the noise when they are putting grain into the silos or taking the grain out of the silos, which we have already complained about to Council, when they are operating out of hours. Also during the night we can hear noises coming from the silos that are already there."*

#### **Comment**

A number of conditions have been included in the recommendation to this report to restrict the operating hours of the development. Non-compliance with approved operating hours can be regulated under the Environmental Planning and Assessment Act 1979 via the issuing of Orders and/or Penalty Notices.

The applicant is proposing to install fan mufflers to each fan in order to limit noise emissions from the site. A condition has been included in the recommendation to require fan mufflers to be installed on each fan in order to reduce noise impacts. The new development will also be setback further from residential receivers than the existing development.

#### **Submission**

*"This development will impact us as we live approximately 200 metres from the existing silos and when looking out our front windows silos will be all we see."*

#### **Comment**

The applicant has revised the initial application to delete one silo in order to increase the building line setback from Phil Aston Place from 5 metres to 10 metres. The development site is located within an industrial area, with the new silo development being located in excess of 200 metres from the closest residence in Memory Street. The proposed silos and associated infrastructure will be partially screened by the existing silo complex, when viewed from residences in Memory Street. It is assessed that the proposed development is appropriate for the area and will not unduly impact on views from residences in the area.

#### **Submission**

*"This will have a negative impact as this is not a seasonal only business, it operates all year and it already creates dust, noise and we will also have the fumes from the trucks as they pass close to our home."*

**Comment**

While the business operates all year round, the information submitted in support of the development application outlines that the harvest period (generally 1 September to 31 December) is generally the busiest time for the business. The applicant has outlined how dust and noise will be managed on the development site including the use of water trucks, installation of suitable surfaces and installation of noise attenuation measures. The development site is located in excess of 200 metres from the closest residence and therefore fumes from trucks both on the site and entering and exiting the property are not considered to pose an unacceptable risk to occupants of residences in Memory Street.

**Submission**

*“There will be additional generation of traffic. At the moment these trucks access the site through Davies Place and exit the same way, the plans show access and exit onto Phil Aston Place which merges with Memory Street at a dangerous curve in the road right opposite the front of our home and driveway. We have witnessed near misses between vehicles not slowing down when exiting Phil Aston Place and when travelling down South Street, add large trucks usually B-doubles to the mix and we are expecting an accident.”*

**Comment**

The development site has access from both Davis Place and Phil Aston Place. While the applicant has identified that truck movements will mainly enter and exit the site from Davies Place, it is assessed that restrictions should not be imposed on accessing and exiting the site from Phil Aston Place. Phil Aston Place is a formed road which services the industrial estate. The road is considered appropriate to service the development and wider industrial subdivision. The information submitted in support of the application does not mention B-double trucks entering the site. In addition Memory Street, Davies Place and Phil Aston Place are not designated B-double routes.

**Submission**

*“We have had previous issues with this business over noise levels. They were using a dust extractor which covered us in dust and had a high pitched whine which took a long time to resolve, we don’t want something like that to happen again.*

*We had a noise complaint put to Council only weeks ago over aerators on the silos operating at any time day or night in a 24 hour period which could be heard over a TV and closed windows. We are hoping we will not have another situation like this with another 11 silos.”*

**Comment**

The proposed development does not include any mention of a dust extractor to be installed. The applicant has advised of their intention to install fan mufflers to each aerator in order to limit noise emissions from the site. A condition has been included in the recommendation to require fan mufflers to be installed on each aerator in order to reduce noise impacts. The new development will also be setback further from residential receivers than the existing development. A number of conditions have been included in the recommendation to this report to limit noise impacts on surrounding residential receivers.

**Submission**

*“There has already been dust problems for years. A gravel area in summer with heavy trucks driving on it creates dust. If they are willing to mitigate the problem by either asphaltting or at the very minimum using a water truck when trucks are accessing the site it would help, and once again this is not seasonal, trucks use this facility at all times of the year.”*

**Comment**

The applicant has advised that during the harvest window, the internal driveway and manoeuvring areas will be watered when needed to limit dust generation. The applicant has also advised that it is intended to resurface the new development and existing silo complex with DGS20 roadbase in order to further limit dust generated on the site. A condition has been included in the recommendation to ensure appropriate dust suppression measure are undertaken on the site.

**Submission**

*"We will be happy to maintain the harvest hours if complied with, but this has not happened, I kept a diary of the harvest time operation, and trucks were using the facility well out of operating hours, some as late as 10.30pm or later. As most farms have on-farm storage there is no need for such late deliveries.*

*As they are saying this is seasonal operations with not many trucks using this facility off season they don't need to be open until 9pm Monday to Saturday. 7pm should give them enough time for anything that needed to be unloaded. For safety reasons they should not be operating in the dark."*

**Comment**

A number of conditions have been included in the recommendation to this report to restrict the operating hours of the development. Non-compliance with approved operating hours can be regulated under the Environmental Planning and Assessment Act 1979 via the issuing of Orders and/or Penalty Notices.

**Submission**

*"We were impacted by the construction of the silos that are already there. The builders were starting at 5.30am to 6am. The silos may be bolted together but they were using an impact driver to do it, inside a metal silo which at that hour of the morning made for some very cranky neighbours, we will be insisting that this not happen again."*

**Comment**

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is included in the recommendation. Non-compliance with approved construction hours can be regulated under the Environmental Planning and Assessment Act 1979 via the issuing of Orders and/or Penalty Notices.

**Submission**

*"Memory Street, which is the only exit for Phil Aston Place is prone to water issues and has been for many years, 12mm of rain and there is water over the road and unfixed by Weddin Shire. Mix that and heavy vehicles the road will become unusable. When these Industrial areas were first proposed many years ago we were told that Memory Street was to have an 8 tonne limit."*

**Comment**

Council has recently carried out table drain maintenance in the area to allow water to drain more efficiently. Phil Aston Place and Memory Street are local roads which currently do not have a load limit.

**Submission**

*“We moved to this lovely little town of Grenfell to escape from traffic, noise and pollution of Sydney, then the Council decided to put the (what we were told was to be) Light Industrial Area right across the road on our doorstep. I have lived in Memory Street for 45 years and never experienced so much dust and noise since those silos appear in the Light Industrial Area.”*

**Comment**

The Grenfell Industrial Estate which comprises of Davies Place and Phil Aston Place are zoned IN1 General Industrial. As discussed previously in this report, the applicant has indicated a number of control measures to be implemented in order to limit noise and dust. A number of conditions have also been included in the recommendation to this report to minimise noise and dust impacts.

**Submission**

*“My objection is not so much the 11 new silos but the access to them from Phil Aston Place. If the owner wants to build 11 more silos then they can access and exit from Davies Place or another road can be built to exit onto Mary Gilmore Way. The surface of Memory Street will not be able to handle heavily laden semis and B-doubles cause it was supposed to be for light traffic only. We have enough trouble at harvest time with semis and B-doubles sneaking along Memory Street instead of using the main road, it also makes the house vibrate and also creates dust.”*

**Comment**

The applicant has amended the application to decrease the number of silos to 10. Access to the site can be gained via Davis Place and Phil Aston Place, which are both formed Council roads. The development site does not have access to Mary Gilmore Way. While the application indicates that access and egress to the development site will mainly be via Davis Place, it is not considered warranted to limit entry and egress to only this road.

The information submitted in support of the application does not mention B-double trucks entering the site. In addition Memory Street, Davies Place and Phil Aston Place are not designated B-double routes.

**Submission**

*“The existing silos have some sort of fan in them and they continually hum, imagine 11 more. When the augers and conveyors are filling or emptying the silos there is always grain dust in the air which is not healthy when blowing our way as I suffer from respiratory illness.”*

**Comment**

The applicant has advised of their intention to install fan mufflers to each aerator in order to limit noise emissions from the site. A condition has been included in the recommendation to require fan mufflers to be installed on each aerator in order to reduce noise impacts. The new development will also be setback further from residential receivers than the existing development. A number of conditions have been included in the recommendation to this report to limit noise and dust impacts on surrounding properties.

**Submission**

*“There should be no access to the silos from Phil Aston Place or Memory Street as the junction is dangerous. Traffic coming out of Phil Aston Place onto Memory Street is blind to traffic coming down from South Street at speed. We have already seen a couple of close*

*calls with utes, imagine B-doubles while exiting, taking evasive action and ending up in my front garden or worse my neighbours house.”*

**Comments**

Phil Aston Place and Memory Street are formed and sealed Council roads. Phil Aston Place was considered acceptable to service the new industrial estate. The intersection of Phil Aston Place and Memory Street is considered appropriate for use by trucks which are permitted in the area. While the application indicates that access and egress to the development site will mainly be via Davis Place, it is not considered warranted to limit entry and egress to only this road.

The information submitted in support of the application does not mention B-double trucks entering the site. In addition Memory Street, Davies Place and Phil Aston Place are not designated B-double routes.

**Submission**

*“We have had issues with the owner before and when given leeway for harvest times they ignore the rules and do what they want.”*

**Comment**

A number of conditions have been included in the recommendation to this report to restrict the operating hours of the development. Non-compliance with approved operating hours can be regulated under the Environmental Planning and Assessment Act 1979 via the issuing of Orders and/or Penalty Notices.

**Public Authority Consultation:**

The subject development application did not require any consultation with public authorities.

**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. 37/2022 proposes a Rural Industry Development consisting of grain silos and associated conveyors on Lot 26 DP 1224552, known as 7 Phil Aston Place, Grenfell. The development has been designed to be used in conjunction with an existing grain handling business located on the adjoining Lot 2 DP 1142180, known as 10-12 Davies Place, Grenfell.

The Development Application includes a request to vary the front building line setback requirement of clause 11.13.2 of the Weddin Development Control Plan (DCP) from 15

metres to 10 metres in Phil Aston Place. It is assessed that the proposed building line variation is reasonable and justified in the circumstances.

The information submitted in support of the development application provides sufficient information to allow the proper assessment of the proposal.

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 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
Site Plan	Applicant Undated	Stamped DA 37/2022
End Elevation Plan	Applicant Undated	Stamped DA 37/2022
Side Elevation Plan	Applicant Undated	Stamped DA 37/2022
Statement of Environmental Effects	Applicant Dated 30/8/2022	Stamped DA 37/2022

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

### **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORKS**

3. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Weddin Shire Council Engineering Standards prior to any building and or subdivision works commencing. No building,

engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

4. The Applicant is to submit to Cowra 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'.
5. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. Controls shall be installed in accordance with the 'Guidelines for Erosion and Sediment Control on Building Sites' developed by the Department of Land and Water Conservation 2001 as published on the NSW Department of Planning, Industry and Environment website - <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Land-and-soil/guidelines-erosion-sediment-control-building-sites.pdf>
6. The person acting on the consent must submit a landscape plan in accordance with the requirements of the Weddin Shire Council Development Control Plan 2014, for the approval of Council, prior to the commencement of works on the site.
7. Prior to the commencement of works associated with the installation of the proposed culverts between Lot 26 DP 1224552 and Lot 2 DP 1142180, the person acting on the consent must submit detailed plans of the proposed works certified by a professional engineer, to Council for approval. The certification must indicate that the proposed culverts will not restrict the flow of stormwater in the associated easement and will allow for the potential installation of a sewer main within the easement in the future.

#### **CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

8. All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.
9. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
10. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

11. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
12. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
13. Prior to undertaking any works within the road reserve area, the Applicant must obtain consent from the roads authority (Council) pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.
14. Landscaping, signage and fencing is not to impede sight lines of traffic within or when passing, entering or departing the development site. Safe intersection sight distances are to be maintained for the development.
15. Any access gates to the Lot 26 DP 1224552 shall be setback a minimum of 12 metres from the edge of the road pavement of Phil Aston Place and swing inwards.
16. All outdoor lighting shall be designed and installed so that no light will cast or cause intrusion onto any adjoining properties. The lighting is to comply with AS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

17. Prior to the issue of a Whole Occupation Certificate, the applicant must construct and seal/concrete/pave an access crossings to the development site from Phil Aston Place in accordance with the consent from the roads authority (Council) pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. All costs associated with the construction of the access driveway shall be borne by the Applicant.
18. All landscaping works shall be undertaken in accordance with the approved Landscaping Plan.
19. Fan mufflers must be adequately installed on each existing and proposed aerator fan on the development site.
20. A Fire Safety Certificate completed by a competent fire safety practitioner shall be furnished to the Principle Certifier for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to the issue of any Occupation Certificate. The Fire Safety Certificate must be issued using the standard template form published by the NSW Government. A copy of the Fire Safety Certificate must be predominately displayed in the building and a copy submitted to Council by the Principle Certifier with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also

be forwarded to the Fire Commissioner via the following dedicated email address: [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)

- 21. Lot 26 DP 1224552 and Lot 2 DP 1142180 must be consolidated. The final land consolidation plan must be registered with the Land Registry Service and a copy of the information notice provided to the Principal Certifier appointed for the subject development, prior to the issue of a whole occupation certificate.
- 22. The Applicant must not commence occupation or use of the development until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.

**OPERATIONAL CONDITIONS**

- 23. The approved hours of operation for the development are:
  - 1) Normal Operating Hours – 7.00am to 6.00pm, Monday to Saturday (excluding Public Holidays), and
  - 2) Harvest Operating Hours – 7.00am to 9.00pm, Monday to Sunday (1 September to 31<sup>st</sup> December) (excluding Public Holidays)

No noise generating activities are permitted on the site on public holidays.

- 24. The Applicant must ensure that noise generated by operation of the development does not exceed the following noise limits:

Location	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LAMax
All residential receivers	40	35	35	52

Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

- 25. The person acting on the consent must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.
- 26. All plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.
- 27. The person acting on the consent must take all reasonable steps to minimise dust generated as part of the development authorised by this consent.
- 28. An Annual Fire Safety Statement completed by a competent fire safety practitioner for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au):

- (i) within 12 months after the date on which an annual fire safety statement was previously given, or
- (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

An Annual Fire Safety Statement must be issued using the standard template form published by the NSW Government. A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

29. All traffic movements in and out of the development site are to be in a forward direction.

## **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](http://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.

### Water Supply

Reticulated water mains in the Weddin Shire Council are controlled and managed by Central Tablelands Water. Where a new or modified connection to the water mains system is needed, you must contact Central Tablelands Water on 02 63917200 or at [water@ctw.nsw.gov.au](mailto:water@ctw.nsw.gov.au)

**14 DELEGATE(S) REPORTS****14.1 REPORT - COUNTRY MAYOR'S MEETING | 18 NOVEMBER 2022****File Number:****Author:** Cr**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)**Precis:** Delegate report from the Country Mayors Association**Budget:** Nil

On Friday 18 November 2022, I attended the Country Mayor's meeting with General Manager Noreen Vu at Parliament House, Sydney. It was a pleasure to see a group of people who are passionate about their Shires and residents and voicing their opinions in a safe working together environment without being made feel as if their issues were not important. As so often happens.

I found the talk by Craig Carmody, CEO Port of Newcastle very interesting. His message was that if the fight is worth it, it will all come together in the end, it could just take some time and a lot of effort. His invitation to the meeting to visit the Port later was well received.

The review into IPART was very interesting. The need to protect ratepayers from rate rises and to also balance that need with Council services and what Council may need to do to continue to fund these services was discussed.

Priorities for the upcoming State Election were discussed. United voices are much stronger in the fight for equity.

There were many other items of business discussed.

This meeting allowed me to reconnect with a few Mayor's that I had not been in contact with for a while and meet a lot of new people and I thank Council for that opportunity.

Cr Howell

[Cr McKellar left the room at 9:22AM.](#)

[Cr McKellar entered the room at 9:24AM.](#)

**15 MINUTES OF COMMITTEE MEETINGS****15.1 MINUTES OF THE BOGOLONG DAM PRECINCT COMMITTEE MEETING HELD 6 DECEMBER 2022****File Number:****Author:** Executive Assistant to the General Manager**Authoriser:** General Manager**Attachments:**

1. MINUTES\_6 DECEMBER 2022 - BOGOLONG DAM PRECINCT COMMITTEE MEETING
2. CHARTER FOR THE BOGOLONG DAM PRECINCT COMMITTEE

**RECOMMENDATION**

1. Except where otherwise dealt with, the Minutes of the Bogolong Dam Precinct Committee Meeting held Thursday 6 December 2022 be adopted as presented.
2. That Council adopts the revised Charter for the Bogolong Dam Precinct Committee s. 355 Committee of Council.

**RESOLUTION 322/22**

Moved: Cr McKellar

Seconded: Cr Frame

1. Except where otherwise dealt with, the Minutes of the Bogolong Dam Precinct Committee Meeting held Thursday 6 December 2022 be adopted as presented.
2. That Council adopts the revised Charter for the Bogolong Dam Precinct Committee s. 355 Committee of Council.

**CARRIED****BACKGROUND**

There was a significant period between Committee meetings of the Bogolong Dam Precinct Committee, last meeting was held in October 2021.

Due to the length of absence the Committee was provided with the Minutes from October 2021 for information and ratification at the Bogolong Dam Precinct Committee on 6 December 2022.

The Committee endorsed the revised Charter for the Bogolong Dam Precinct Committee with the recommendation it now go to Council for adoption.

**15.2 MINUTES OF THE HERITAGE COMMITTEE MEETING HELD 7 DECEMBER 2022**

**File Number: C2.6.22**

**Author: Executive Assistant to the Director Environmental Services**

**Authoriser: Director Environmental Services**

**Attachments: 1. Minutes of Heritage Committee Meeting 7 December 2022**

**RECOMMENDATION**

Except where otherwise dealt with, the Minutes of the Heritage Committee Meeting held 7 December 2022 be adopted as presented.

**RESOLUTION 323/22**

Moved: Cr McKellar

Seconded: Cr Best

Except where otherwise dealt with, the Minutes of the Heritage Committee Meeting held 7 December 2022 be adopted as presented.

**CARRIED**

**BACKGROUND**

The Minutes of the Heritage Committee Meeting held 7 December 2022 are attached.

**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 QUANDIALLA CWA BRANCH**

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

**16.2 NETWASTE TENDER FOR PROCESSING OF GARDEN ORGANICS, WOOD AND TIMBER**

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.

**16.3 SMALL SITES ELECTRICITY CONTRACT**

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.

Moved: Cr Best

Seconded: Cr Frame

Moved to Closed Council at 9:43AM

**17 RETURN TO OPEN COUNCIL**

Returned to Open Council at 10:01AM

**18 REPORT ON CLOSED COUNCIL****16.1 QUANDIALLA CWA BRANCH****RESOLUTION 324/22**

Moved: Cr Best

Seconded: Cr Howell

That Council:

1. Impose the village waste charge on two (2) of the County Women's Association units located at Quandialla until such time as the renovation of the remaining two (2) units is complete and the units are occupied in accordance with s. 535 and s. 541 of the *Local Government Act 1993*

**.CARRIED**

Cr Cook requested the Minutes note she is AGAINST this motion

---

## **16.2 NETWASTE TENDER FOR PROCESSING OF GARDEN ORGANICS, WOOD AND TIMBER**

---

### **RESOLUTION 325/22**

Moved: Cr McKellar

Seconded: Cr Kenah

That:

1. Tender F3928 for the Processing of Garden Organics, Wood and Timber be awarded to Davis Earthmoving Pty Ltd for their tendered price as set out in this report for the initial two (2) year term, with the option of two (2) x 12-month available extensions.
2. The General Manager be authorised to execute the contracts and apply the Council Seal on the relevant documentation for the Processing of Garden Organics, Wood and Timber.

**CARRIED**

---

## **16.3 SMALL SITES ELECTRICITY CONTRACT**

---

### **RESOLUTION 326/22**

Moved: Cr Best

Seconded: Cr McKellar

That Council:

1. Note the information contained in this report.
2. Note the terms and conditions provided in the NSW Government 3062 (Small Market) provided by Shell Energy.
3. Endorses that Council's small sites incorporate 0 % of Green Power, noting the additional costs to Council set out in the NSW Government 3062 Contract.
4. Delegates the General Manager to negotiate the final number of sites to be included in the contract and authorises the General Manager to sign the contract with the Council Seal.

**CARRIED**

---

## **19 CLOSURE**

Mayor Bembrick advised this was the final meeting for the year, with the Councillors elected for 12 months now. On behalf of the Councillors, Mayor wished the community, Councillors and staff a merry and safe Christmas. The Mayor acknowledged this had been a challenging year and thanked everyone for their participation this year and dedication to the job.

Moved: Cr McKellar

Seconded: Cr Frame

The Meeting closed at 10:05AM.

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 February 2023.**

.....

**CHAIRPERSON**