



MINUTES

Extraordinary Council Meeting Thursday, 30 June 2022

Date: Thursday, 30 June 2022

Time: 11:00am

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

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**MINUTES OF WEDDIN SHIRE COUNCIL
EXTRAORDINARY MEETING
HELD AT THE COUNCIL CHAMBERS, CNR CAMP & WEDDIN STREETS, GRENFELL NSW 2810
ON THURSDAY, 30 JUNE 2022 AT 11:03AM**

1 OPENING

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

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

3 ATTENDANCE

ATTENDANCE

PRESENT:

Cr Craig Bembrick (Mayor), Cr Paul Best (Deputy Mayor), Cr Jason Kenah, Cr Michelle Cook, Cr Phillip Diprose, Cr Glenda Howell, Cr Stuart McKellar (by audio link), Cr Warwick Frame, Cr Jan Parlett.

IN ATTENDANCE:

Mr Maxwell Kershaw (Acting General Manager), Mr Michael Chalmers (Director Corporate Services), Mr Luke Sheehan (Director Environmental Services) and Mr Jaymes Rath (Director Infrastructure Services).

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

6.1 DEVELOPMENT APPLICATION 31/2021

Cr Jan Parlett – Tourism Operator

Cr Phillip Diprose – Tourism Operator

Cr Michelle Cook – Member of Bowling Club

5 CORPORATE SERVICES REPORTS**5.1 OPERATIONAL PLAN 2022/2023**

File Number:	A3.4.13
Author:	Director Corporate Services
Authoriser:	Director Corporate Services
Attachments:	1. Draft Operational Plan 2022/2023 2. Public Submission
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	Statutory Reporting
Budget:	\$ -

RECOMMENDATION

1. In accordance with Section 405 of the Local Government Act 1993 that Council adopt the Operational 2022/2023, Revenue Policy 2022/2023, the schedule of fees and charges for 2022/2023, and the budget 2022/2023;
2. Pursuant to Sections 491, 495(1), 498, 499, 514, 533, 534, 536, and 537 of the Local Government Act 1993 make the following rates and charges for the 2022/2023 rating period as per table i) General Rates, ii) Sewer Charges and iii) Domestic Waste Management as listed below.

RESOLUTION 192/22

Moved: Cr Diprose

Seconded: Cr Kenah

1. In accordance with Section 405 of the Local Government Act 1993 that Council adopt the Operational 2022/2023, Revenue Policy 2022/2023, the schedule of fees and charges for 2022/2023, and the budget 2022/2023;
2. Pursuant to Sections 491, 495(1), 498, 499, 514, 533, 534, 536, and 537 of the Local Government Act 1993 make the following rates and charges for the 2022/2023 rating period as per table i) General Rates, ii) Sewer Charges and iii) Domestic Waste Management as listed below.

CARRIED

i) General Rates

Category	Approved Increase 2022/2023			
	Increase %	Base Charge	Ad Valorem	Yield
Grenfell Residential	2.5	\$ 360.00	0.997976	\$ 772,139
Ordinary Residential	2.5	\$ 353.00	0.513831	\$ 182,098
Main Street Business	2.5	\$ 380.00	3.348015	\$ 90,947
Ordinary Business	2.5	\$ 378.00	1.892483	\$ 93,173
Bimbi Residential	2.5	\$ 70.00	0.725497	\$ 4,101
Caragabal Residential	2.5	\$ 93.00	1.657474	\$ 12,414
Greenethorpe Residential	2.5	\$ 124.00	1.345028	\$ 37,450
Quandialla Residential	2.5	\$ 110.00	1.351693	\$ 18,979
Farmland	2.5	\$ 301.00	0.170482	\$ 1,817,569
Mining	2.5	\$ 1,037.00	3.192744	\$ 7,263
			Total	\$ 3,036,133

ii) Sewer Charges

Sewer Charges		
Category	2021/2022	2022/2023
Residential Connected	\$ 575.00	\$ 600.00
Non-Residential Connected	\$ 630.00	\$ 650.00
Residential Unconnected	\$ 200.00	\$ 250.00
Non-Residential Unconnected	\$ 210.00	\$ 275.00
Water Closets	\$ 85.00	\$ 100.00
Urinals	\$ 72.00	\$ 100.00

iii) Domestic Waste Management

Domestic Waste Management Charges		
Category	2021/2022	2022/2023
Grenfell - Waste/Recycling	\$ 372	\$ 400
Greenethorpe - Waste/Recycling	\$ 330	\$ 350
Quandialla - Waste/Recycling	\$ -	\$ 350
Caragabal - Waste/Recycling	\$ -	\$ 350
Bimbi - Waste/Recycling	\$ -	\$ 350
Commercial - Waste/Recycling	\$ 330	\$ 380
Rural Garbage Charges	\$ 50	\$ 60

PURPOSE

To adopt Council's Operational Plan 2022/2023 as per Local Government Act requirements.

BACKGROUND

The operational plan is now presented to Council for adoption.

Changes made since the documents went on public display;

- Fees and charges now include a costing method of how the fee or charge is charged
- Companion Animal Statutory fees were set by the State Government and have been included

Public Submissions

One public submission was received and is attached

Staff Response

The point is addressed in 5.1.2 of the Operational Plan, Ensure the control of weeds on both public and private land.

POLICY/LEGAL IMPLICATIONS

Section 405 Local Government Act 1993.

INTERNAL/EXTERNAL CONSULTATION

The attached document was on public display for a period of at least 28 days.

CONCLUSION

That the draft Operational Plan 2022/2023 be adopted as presented.

5.2 RESOURCING STRATEGY

File Number:	A3.4.4
Author:	Director Corporate Services
Authoriser:	Director Corporate Services
Attachments:	1. Workforce Management Plan 2. Long Term Financial Management Plan 3. Asset Management Plan Buildings 4. Asset Management Plan Recreation 5. Asset Management Plan Sewage 6. Asset Management Plan Transport 7. Public Submission
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	Statutory Reporting
Budget:	\$ to be sourced from

RECOMMENDATION

In accordance with Section 403 of the Local Government Act of 1993 that Council adopt;

1. Workforce Management Plan 2022/2027
2. Long Term Financial Management Plan 2017/2027
3. Asset Management Plans 2022/2023 for;
 - a. Buildings
 - b. Transport
 - c. Recreation
 - d. Sewerage

RESOLUTION 193/22

Moved: Cr Diprose

Seconded: Cr Frame

In accordance with Section 403 of the Local Government Act of 1993 that Council adopt;

1. Workforce Management Plan 2022/2027
2. Long Term Financial Management Plan 2017/2027
3. Asset Management Plans 2022/2023 for;
 - a. Buildings
 - b. Transport
 - c. Recreation
 - d. Sewerage

CARRIED

PURPOSE

To adopt Council's Resourcing Strategy Plans as per Local Government Act requirements.

BACKGROUND

The following changes were made during the public exhibition period;

- Minor changes made to the proposed Organisational Structure in the Workforce Management Plan. All changes that were made did not affect the budget or significantly change the original document.

Public Submission

One public submission was received and is attached.

Staff Response

Council staff are currently working with members of the Greenethorpe Community to resolve the drainage issue in Greenethorpe. As the investigation has not concluded or identified if it is a Council or private landholder issue it would not be appropriate to include the request in Council's Asset Management Plans.

POLICY/LEGAL IMPLICATIONS

Section 403 Local Government Act 1993.

INTERNAL/EXTERNAL CONSULTATION

The attached document has been on public display for a period of at least 28 days.

CONCLUSION

To adopt the documents as presented.

5.3 DELIVERY PROGRAM 2022-2026 & COMMUNITY STRATEGIC PLAN 2017-2027

File Number:	A3.4.13
Author:	Director Corporate Services
Authoriser:	Director Corporate Services
Attachments:	1. Delivery Program 2022-2026 2. Community Strategic Plan 2017-2027 3. Public Submission One 4. Public Submission Two 5. Public Submission Three
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	Statutory Reporting
Budget:	\$

RECOMMENDATION

In accordance with Section 402 and 404 of the Local Government Act 1993 that Council adopts the Delivery Program 2022-2026 and Community Strategic Plan 2017-2027.

RESOLUTION 194/22

Moved: Cr Best
Seconded: Cr Diprose

In accordance with Section 402 and 404 of the Local Government Act 1993 that Council adopts the Delivery Program 2022-2026 and Community Strategic Plan 2017-2027.

CARRIED

PURPOSE

To adopt Council's Delivery Program 2022 - 2026 and Community Strategic Plan 2017 – 2027 as per Local Government Act requirements.

BACKGROUND

No changes have been made to the draft documents.

Public Submission One

Public submission One is attached for review.

Staff Response

Council staff acknowledge the request but firmly believe that all public facilities are maintained on an equitable basis across the shire. The request is for upgrades which can only occur when the funding is available. As this is an identified potential project in an existing Council document the project could receive higher prioritisation when Council conducts a further comprehensive review of the Integrated and Reporting documents.

Public Submission Two

Public submission Two is attached for review.

Staff Response

Council thanks the Council for their submission and advises them that many of Council's local parks have well-established trees, as well as shade over picnic tables or shaded rotunda. Council's newly established outdoor areas such as the off-leash dog park have numerous shade trees added already, the newly constructed pool has three shaded seating areas and the Soccer and Rugby League parks both have shaded areas for spectators, our Main Street has covered verandahs along a lot of pedestrian area and trees have been included in the masterplan for additional shading.

Public Submission Three

Public submission Three is attached for review.

Staff Response

The draft Community Strategic Plan 2017-2027 and the draft Delivery Program 2022-2026 mention the DMP which specifically mentions the G2GRT on multiple occasions.

The Community Strategic Plan states in the Executive Summary that the Weddin 2027 identified several key projects, one of which is that Council has consulted with the community in the completion of a range of supporting plans that provide an evidence base to help with funding applications, including the DMP.

POLICY/LEGAL IMPLICATIONS

Section 402 and 404 Local Government Act 1993.

INTERNAL/EXTERNAL CONSULTATION

The attached documents have been on public display for a period of at least 28 days.

CONCLUSION

That the documents be adopted as presented.

5.4 COMMUNITY SUPPORT APPLICATION - BIMBI PROGRESS ASSOCIATION

File Number:	C1.1.1
Author:	Director Corporate Services
Authoriser:	Director Corporate Services
Attachments:	1. Community Support Application
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	Community Support Application
Budget:	\$ 5,000 to be sourced from Community Donation Budget

RECOMMENDATION

That:

1. That Council donates \$1,000 to the Bimbi Progress Association
2. That a further report be submitted to Council when the funds are acquitted.
3. That Council rescind resolution 52/2021
4. That Council donate annually the following;
 - (a) Caragabal Progress Association \$5,000
 - (b) Quandialla Progress Association \$5,000
 - (c) Bimbi Progress Association \$1,000
 - (d) Greenethorpe Soldiers Memorial Hall Committee \$5,000 subject to resolution 85/2022
5. That the donated funds are to be spent on Non-Council owned assets within the village the funds are given
6. That the Progress Associations and Committees submit their projects annually to Council staff for funding with an acquittal of the funding presented to Council at the end of each Financial Year

RESOLUTION 195/22

Moved: Cr Diprose

Seconded: Cr Parlett

That:

1. That Council donates \$1,000 to the Bimbi Progress Association
2. That a further report be submitted to Council when the funds are acquitted.
3. That Council rescind resolution 52/2021
4. That Council donate annually the following;
 - (a) Caragabal Progress Association \$5,000
 - (b) Quandialla Progress Association \$5,000

-
- (c) Bimbi Progress Association \$1,000
- (d) Greenethorpe Soldiers Memorial Hall Committee \$5,000 subject to resolution 85/2022
5. That the donated funds are to be spent on Non-Council owned assets within the village the funds are given
6. That the Progress Associations and Committees submit their projects annually to Council staff for funding with an acquittal of the funding presented to Council at the end of each Financial Year

CARRIED

PURPOSE

The purpose of this report is to present Council with a Community Support Application from the Bimbi Progress Association.

BACKGROUND

As per Council Resolution 52/2021 on 26 August 2021 Council established a Community Donation Budget for the maintenance of Non-Council owned community assets for the townships of Quandialla (\$5,000), Caragabal (\$5,000), Greenethorpe (\$5,000), and Bimbi (\$1,000).

The application is for the maintenance of the following projects:

- The maintenance of areas frequented by tourists and locals to make it more appealing to stop in the area.

ISSUES AND COMMENTS

Nil

POLICY/LEGAL IMPLICATIONS

Nil

FINANCIAL/RESOURCE IMPLICATIONS

Nil

INTERNAL/EXTERNAL CONSULTATION

Nil

CONCLUSION

The application meets the requirements of the resolution. Additionally, it is recommended to reduce the burden on the Progress & Hall Associations that Council staff pay the allocations annually and the Progress submits an acquittal to Council before the end of each Financial Year. IF Council believes the funds are not being spent in the spirit they were given the process can be reviewed.

6 ENVIRONMENTAL SERVICES REPORTS

Cr J Parlett declared a conflict of interest in Item 6.1 (detailed in Item 4) and left the room.

Cr P Diprose declared a conflict of interest in Item 6.1 (detailed in Item 4) and left the room.

Cr M Cook declared a conflict of interest in Item 6.1 (detailed in Item 4) and remained in the room.

6.1 DEVELOPMENT APPLICATION 31/2021 - TOURIST & VISITOR ACCOMODATION DEVELOPMENT - 15 CROSS STREET, GRENFELL LODGED BY ANDY'S DESIGN AND DRAFTING

File Number: DA 31/2021

Author: Director Environmental Services

Authoriser: Director Environmental Services

Attachments:

1. Development Plans, Landscaping Plan and Street Elevations Plan
2. Survey Report
3. Statement of Environmental Effects
4. Schedule of Finshes
5. TfNSW Referral Advice

CSP Objective: Sustainable natural, agricultural and built environments

Precis: Development Application No. 31/2021 proposes a tourist and visitor accommodation development comprising of 14 units on the property known as 15 Cross Street, Grenfell. The application is reported to Council for determination due to the scale of the development.

Budget: Nil

RECOMMENDATION

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. Development Application No. 31/2021, being for a tourist and visitor accommodation development comprising of 14 units on Lot 1 Section 23 DP 758473 and Lot 1 DP 523360, 15 Cross Street Grenfell, be approved subject to the recommended conditions listed in Appendix A to the assessment report.

RESOLUTION 196/22

Moved: Cr Howell

Seconded: Cr Frame

- 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. Development Application No. 31/2021, being for a tourist and visitor accommodation development comprising of 14 units on Lot 1 Section 23 DP 758473 and Lot 1 DP 523360, 15 Cross Street Grenfell, be approved subject to the recommended conditions listed in Appendix A to the assessment report.**

Vote Recorded as: Unanimous For**CARRIED**

Assessment Report**Introduction**

Development Application No. 31/2021 proposes a tourist and visitor accommodation development comprising of 14 units on Lot 1 Section 23 DP 758473 and Lot 1 DP 523360, 15 Cross Street Grenfell (the development site). A copy of the submitted site plan, elevation plans, section plans, Statement of Environmental Effects, schedule of finishes and landscaping plan are included in the attachments to this report. The application was lodged by Andy's Design and Drafting.

Description of Site

The development site is located on the corner of Cross Street and North Street in Grenfell. The site comprises of two allotments with a combined area of 2365m² and is vacant of any buildings. The land has historically been used as a carpark in association with the Grenfell Bowling Club, which is located to the west of the development site, on the opposite side of Cross Street. Figure 1. below provides a plan showing the location of the development site in relation to the surrounding locality.



Figure 1. Locality Map

Description of Proposal

The applicant proposes a tourist and visitor accommodation development comprising of 14 units on the development site, including two (2) accessible units. The development also includes the installation of stormwater infrastructure, car parking and manoeuvring areas, landscaping and signage.

The two (2) accessible units are 9.02m long and 3.4m wide, with the remaining 12 units being 8.4m long and 3.4m wide. Each unit contains a bathroom, kitchen, dining area and deck. The accessible units contain a double bed, while the standard units contain a double bed and single bed or bunk bed.

The proposed units are of transportable type construction using steel framing, with colorbond walls and roof, coloured Shale Grey and Surf Mist respectively. Each unit will have aluminium windows and doors coloured black along with timber or a synthetic timber look deck. The subfloor area of each unit will be partially enclosed with slatted timber or synthetic timber to match the deck.

Detailed plans of the proposed development including a schedule of finishes is contained in the attachments to this report.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 31/2021:

**S4.15(1)(a)(i) Any Environmental Planning Instrument
Weddin Local Environmental Plan 2011**

The development site is zoned R1 General Residential under the provisions of Weddin Local Environmental Plan 2011. The proposed development is best described as a tourist and visitor accommodation development under the Weddin LEP 2011, which is:

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include—

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

A tourist and visitor accommodation development is permissible with consent in the R1 General Residential zone under Weddin LEP 2011.

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 R1 General Residential zone are as follows:

**Zone R1 General Residential
Objectives of zone**

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed tourist and visitor accommodation development provides accommodation facilities for visitors to the local community. It is assessed that the proposed development is consistent with the R1 zone objectives.

Clause 5.21 Flood Planning

The development site is identified in the Emu Creek Floodplain Risk Management Study and Plan dated April 2012 as being within an area which is inundated by a 100 Year ARI flood event. It has been identified from the abovementioned plan that the flood planning level for the development site is 383.25 Australian Height Datum (A.H.D). This level is the expected flood water level at the site plus 500mm freeboard. Each unit in the development is required to have a finished floor level at or above the flood planning level for the site.

A detailed survey report has been submitted in support of the development application. This survey indicates that the lowest point of the property, located north-west corner of the site, has a height of 382.5 A.H.D. This would result in approximately 250mm of water inundating this corner of the property. This area is located within the front setback area and does not contain any proposed buildings.

The survey report and site plan for the development identifies that the location of the proposed units will be on land with a height of 382.7 A.H.D or higher. Therefore ground level at units A1, A2 and 8 would be subject to approximately 50mm of water inundation. The units are proposed with a bearer and joist type construction and with a proposed finished floor level of 383.52 A.H.D, which is 270mm above the required flood planning level.

Given the limited amount of water which inundates the development site, it is assessed that the proposed development is compatible with the flood function and behavior on the land and is not likely to adversely affect flood behavior resulting in a detrimental increase in the potential flood affectation of other development or properties.

It is further assessed that the development 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. The development 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.

Clause 6.6 Essential Services

The development site is serviced by reticulated water and will be required to be connected to the mains system. The development is not considered to be a high water using development and therefore it is assessed that the existing water infrastructure in the area will be capable of servicing the development.

The development will be connected to the main electricity. There is current electricity infrastructure in the area which would allow the development to be connected subject to the requirements of Essential Energy.

Council sewer main systems is located in the laneway bordering the site to the east. It is assessed that the existing sewer mains system is capable of servicing the proposed development.

There is existing stormwater infrastructure located in the area surrounding the development site. A condition has been included in the recommendation requiring a detailed stormwater management plan to be submitted for the development.

An assessment of the application has identified that the proposed location of road entry and exit points are satisfactory subject to being constructed and/or upgraded to Council and Transport for NSW requirements. A detailed plan of on-site car parking and maneuvering areas shows compliance with applicable standards.

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 (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 (Industry and Employment) 2021

The proposed development includes a non-illuminated ID sign as detailed in the landscaping plan. The signage is considered to be in keeping with the proposed development and is compatible with the existing and desired character of the area. The sign will not obscure views and the proportion of the sign is considered to be appropriate. It is assessed that the signage complies with the objectives of the SEPP and the assessment criteria contained in Schedule 5.

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. The development site has historically been used as a carpark. A number of trees are proposed to be removed, however these trees are not core Koala Habitat. It is assessed that the proposed development will not impact any Koala habitat.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.48 Determination of development applications – other development

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

Clause 2.118 Development with frontage to classified road

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. However the application was referred to Transport for NSW for concurrence under Section 138(2) of the Roads Act 1993. Feedback received from this referral is discussed in the proceeding sections of this report.

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

As previously discussed in this report the land is identified as being flood affected. An assessment of the proposed development has been undertaken in accordance with the requirements of the Weddin LEP 2011 and Chapter 4 of DCP. The proposal is assessed as being suitable and will not significantly impact on flood waters.

Chapter 10 – Commercial Development

The proposed development has been assessed as being consistent with the applicable requirements of Chapter 10 of the DCP. Part 10.11 of the DCP requires motel developments to be provided with 1 car parking space per unit. The proposed development is compliant with this requirement.

Chapter 15 – Public Consultation

The development application was both advertised and notified in accordance with the requirements of Chapter 15 of the Weddin DCP 2014. No submissions were received as a result of the public consultation process.

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

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

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

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

- Clause 61 –The proposal does not involve demolition of a building and therefore the requirements of AS 2601 are not required to be considered in accordance with this clause.

- Clause 62 – The proposal does not involve the change of a building use for an existing building and therefore an assessment under the clause has not been undertaken.
- Clause 63 – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.
- Clause 64 – The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment.

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

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

Context and Setting

The development site is located within a residential area in Grenfell. The site is located on the corner of Cross Street and North Streets, which are formed and sealed roads. The site is also bordered by an un-named laneway to the east.

The Grenfell Bowling Club is located to the west of the development site on the opposite side of Cross Street. The site is located approximately 400m from Main Street. Land surrounding the development site is made up of a variety of residential and non-residential uses, which a variety of different building forms.

The development site has historically been used as a carpark associated with the Grenfell Bowling Club. A review of Councils records has not identified any formal link between the two sites or any development consents which required the subject land to be used as car park for the Bowling Club.

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

Access, Transport and Traffic

The development site currently has two (2) vehicular access points from Cross Street. The development proposes a new entry to the site from North Street, with one of the existing entry points in Cross Street being utilised as the vehicular exit point from the site. The location of the proposed entry and exit points are considered to be appropriate subject to complying with Councils driveway entrance standards and the requirements of Transport for NSW. Conditions have been included in the recommendation to ensure that the vehicular access and egress is compliant with those requirements.

As the development will be used in conjunction with the Grenfell Bowling Club, the development also includes a pedestrian access point from Cross Street. A condition has also been included in the development consent requiring a concrete footpath to be installed along the northern and western

boundaries of the development site in order to provide safe and suitable pedestrian access in the area.

Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality. The development will provide additional accommodation facilities for visitors who may be utilising recreational facilities or public spaces in Grenfell.

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.

Water, Sewerage and Stormwater

The application will be required to be connected to the reticulated water and sewer systems. The development is not a high water use development and therefore it is assessed that the existing water and sewer systems will be able to service the development. The applicant will need to lodge a connection application with Central Tablelands Water for a new water connection.

The applicant will also need to lodge an application to Council for a sewer connection. The development is subject to Councils Sewer Contributions Plan. The contribution payable is calculated on the number of Equivalent Tenements that the development contains times the contribution rate stated in Councils Revenue Policy at the time of lodgement of a construction certificate. An Equivalent Tenement is defined in the Plan as:

Equivalent Tenement or ET is considered to be the demand or loading a development will have on infrastructure in terms of the average sewage discharge for an average residential dwelling or house, based on state-wide data.

In accordance with the Plan each unit is classified as 0.45 equivalent tenements. Therefore the development will have a total of 6.3 equivalent tenements, being 14 Units x 0.45 ET. In accordance with the Plan, the contribution is required to be paid prior to the issuing of a construction certificate.

Clause 1.11 of the Plan states that deferred, staged or periodic payments will not be considered. In this case the developer of the site is proposing to undertake the development in a staged manner. Given the size of the overall contribution payable, it is considered suitable in this instance that the contribution payable be levied at each particular stage of the development, based on the number of units proposed at each stage.

A condition has been included in the recommendation requiring the payment of all fees and charges relating to sewer and water, prior to the issue of a construction certificate.

The application proposed to divert all stormwater from the development to the street drainage system in Cross Street. A condition has been included in the recommendation requiring a stormwater management plan to be developed for the development.

The application does not propose any significant earthworks or excavations and therefore is unlikely to create any adverse impacts on surface water or groundwater.

Soils

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

Air and Microclimate

Minimal amounts of dust may be generated during the construction period. Once construction works are complete the development will not impact on air quality.

Flora and Fauna

The development proposes the removal of a small number of existing trees on the development site. It is assessed that the existing trees are not significant trees and therefore the development is not expected to impact on any critical habitats or threatened species.

Waste

Any construction waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility. Waste from the continued operation of the development can also be adequately disposed of at a licensed waste management facility. Council's kerb side waste service will be available to the development.

Energy

The proposed units will be required to comply with Section J, Energy Efficiency, of the Building Code of Australia. The development as proposed is not assessed as being a significant energy use development.

Noise and Vibration

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 recommended.

Given the location of the proposed development being opposite the Grenfell Bowling Club, the proposal is not expected to create any significantly ongoing noise impacts on the locality. However, a condition has been included in the development consent requiring the operators of the development to appropriately manage any ongoing noise impacts to ensure that surrounding residential properties are not unduly impacted.

Natural Hazards

The land is not mapped as bushfire. The land is identified as being flood prone and an assessment has determined that the development will not impact on the flow of flood waters and each proposed unit can achieve the required flood planning level. There are no other identified natural hazards affecting the development.

Technological Hazards

There are no identified technological hazards.

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 is expected to have a positive economic impact by providing a further accommodation option for visitors to the Shire.

Site Design and Internal Design

The design of the development is satisfactory for the site and without any identified adverse impacts. The proposal has been designed to comply with the Building Code of Australia and is provided with internal car parking and manoeuvring areas which are capable of complying with the relevant Australian Standards.

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. The proposed development will increase activity on the site, however this increase in activity is not expected to unduly impact on the surrounding area.

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 development site is identified as flood prone. An assessment of the proposal in accordance with clause 5.21 of the Weddin LEP 2011 identified that the development is suitable for the site and can achieve the flood planning level for the area. The site is not otherwise constrained by natural

features and is considered suitable for the development subject to the imposition of appropriate conditions of consent.

S4.15(1)(d) Any submissions made in accordance with the Act or Regulation(s)

Public Consultation

The Development Application was advertised and notified in accordance with Council's Development Control Plan 2014 from 10 June 2021 to 2 July 2021, with no submissions being received.

Public Authority Consultation:

The subject development was referred to Transport for NSW as Cross Street is a classified road. Transport for NSW has granted their concurrence to the proposal pursuant to section 138(2) of the Roads Act 1993, subject to the following conditions being met:

- The egress to Cross Street is to be constructed to ensure the provision of Safe Intersection Sight Distance (SISD) requirements in accordance with Part 3.2 of Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections and relevant TfNSW supplements provided and maintained in both directions at the driveway intersection with Cross Street.
- The redundant vehicular crossing layback in Cross Street is to be reinstated to kerb and guttering and is to be constructed in accordance with Weddin Shire Council Engineering standards, match existing road levels and not alter or interfere with existing road drainage.
- Sight lines of exiting vehicles are not to be impeded by fencing, landscaping, signage and associated structures.
- All vehicle movements to and from the land must be in a forward direction and must only be egress movements onto Cross Street.

The abovementioned conditions have been included in the recommended conditions of consent as outlined in Appendix A to this report.

Internal Referrals

The application was referred to Council Infrastructure Services Department for assessment. Conditions have been included in the recommended conditions of consent outlined in Appendix A to this report, which align with those recommended in the engineering assessment. This includes a requirement for the developer to construct a 1.2 metre wide footpath along the full width of the development site in both North Street and Cross Street.

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

Community Interest

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

Section 7.11 & 7.12 Contributions

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

Conclusion

Development Application No. 31/2021 proposes a tourist and visitor accommodation development comprising of 14 units on Lot 1 Section 23 DP 758473 and Lot 1 DP 523360, 15 Cross Street, Grenfell.

The application was supported by a Statement of Environmental Effects and development plans, which provide sufficient information to allow the assessment of the proposal.

The proposed development has been assessed to be consistent with the requirements of the Weddin Local Environmental Plan 2011, relating to development in the R1 General Residential zone and is consistent with the existing land-use activities of the locality.

The application was notified and advertised in accordance with the requirements of the Weddin Shire Council DCP 2014. No submissions were received as a result of the public consultation process.

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.

Appendix A – Recommended Conditions of Consent

GENERAL CONDITIONS

- 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 Contours, Flood Levels & FFL	Andy's Design and Drafting Dated 3/11/2021	Stamped DA 31/2021
Site Plan	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Site Plan Vehicle Movement	Andy's Design and Drafting Dated 3/11/2021	Stamped DA 31/2021
Site Plan Accessible Unit 1A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Floor Plan Accessible Unit 1A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Elevations Plan Accessible Unit 1A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Accessible Unit 1a Amenities Plan	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Site Plan Accessible Unit 2A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Floor Plan Accessible Unit 2A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Accessible Unit 2A Amenities Plan	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Elevation Plan Accessible Unit 2A	Andy's Design and Drafting Dated 21/4/2022	Stamped DA 31/2021

Plan No./ Supporting Document	Prepared by/Reference Details	Weddin Shire Council Reference
Floor Plan – Standard Unit 1-12	Andy’s Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Elevation Plans Standard Units 1-12	Andy’s Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Layout Plan – Accessible Units Sheet 4	Andy’s Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Section Specification Plan	Andy’s Design and Drafting Dated 21/4/2022	Stamped DA 31/2021
Street Elevation Plans	Outscape Dated 15/6/2022	Stamped DA 31/2021
Landscaping Plan	Outscape Dated 11/4/2022	Stamped DA 31/2021
Schedule of Materials and Finishes	SBM Planning Undated	Stamped DA 31/2021
Survey Report	Karl Lupis Dated 5/2/2021	Stamped DA 31/2021
Statement of Environmental Effects	Andy’s Design and Drafting Undated	Stamped DA 31/2021

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.

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

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- Prior to the issue of any Construction Certificate, evidence certifying that the payment of all required fees and charges associated with the provision of sewerage services to the development site have been made to Weddin Shire Council, must be provided to the Certifying Authority. The payment of fees and charges may be scheduled in accordance with the staging of the development subject to approval by Weddin Shire Council.
- All signage approved under this consent is not to flash, move, be objectionably glaring or luminous, replicate any road guide warning or regulatory sign or be prejudice to the travelling public.

5. Prior to the issue of a construction certificate, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council.
6. Prior to the issue of a construction certificate, a lighting plan is to be submitted for the approval of the Certifying Authority which indicates all proposed new and retained lighting across the development site. Lighting is to comply with, where relevant, AS/NZ1158.3: 2020 Pedestrian Area (Category P) Lighting and AS4282: 2019 Control of the Obtrusive Effects of Outdoor Lighting. Council encourages the use of LED or solar lighting where it complies with the above.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

7. 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's 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.
8. The Applicant is to submit to Weddin Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building Works'.
9. The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Weddin Shire Council prior to commencing works to and comply with any conditions of that permit. All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:
 - (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
 - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
 - (c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
 - (d) Stormwater: When the stormwater and roof water drainage system has been completed.
10. 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>

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

11. In accordance with Clause 61 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, where Council is nominated as the Certifier, the works must be inspected by Council at the times specified below:
 - (a) After excavation for, and prior to the placement of, any footings;
 - (b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected;
 - (c) Prior to pouring any in-situ reinforced concrete building element;
 - (d) Prior to covering of the framework for any floor, wall, roof or other building element;
 - (e) Prior to covering waterproofing in any wet areas;
 - (f) Prior to covering any stormwater drainage connections; and
 - (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Where Weddin Shire Council is required to carry out inspections the principal contractor for the building site, or the owner-builder, must notify Council at least 48 hours before each required inspection needs to be carried out. Failure to obtain an inspection of the works at the times specified above may prevent an Occupation Certificate being issued for the development.

12. Each unit must have a finished floor level of at least 383.25 A.H.D. A survey report from a registered surveyor must be provided to Council upon the installation of each unit confirming finished floor levels.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.
18. A minimum of 14 car parking spaces are to be provided on the development site in accordance with Australian Standards 2890.1 Parking Facilities – Off Street Parking and the approved plans.
19. Two (2) parking spaces for persons with a disability are to be provided and signposted adjacent to the accessible units in accordance with the approved plans and the requirements of Australian Standards 2890.6-2009 and 1428.1-2009. The access linking such parking areas to their associated developments shall generally not have gradients steeper than 1:14.
20. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
 - i. A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - ii. The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - iii. The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - iv. The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.
21. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and approved stormwater management plan to discharge to the street drainage system, in a manner that does not cause soil erosion or nuisance to adjoining properties.
22. A separate application is to be made to Central Tableland Water, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.
23. 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.

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

24. The Applicant must not commence occupation or use of the tourist and visitor accommodation development until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.

25. Prior to the issue of Whole Occupation Certificate the applicant shall make satisfactory arrangements with the appropriate authorities for the consolidation of Lot 1 Section 23 DP 758473 and Lot 1 DP 523360.
26. 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
27. Prior to the issue of the Occupation Certificate, the applicant shall upgrade the access and egress vehicular crossings to the development site from Cross Street and North Street to Weddin Shire Councils standards. The crossing will need to be sealed or concreted from the edge of the roads to the development site boundaries.
28. The egress to Cross Street is to be constructed to ensure the provision of Safe Intersection Sight Distance (SISD) requirements in accordance with Part 3.2 of Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections and relevant TfNSW supplements provided and maintained in both directions at the driveway intersection with Cross Street.

Note: All costs associated with the construction of the access driveway shall be borne by the applicant.
29. Prior to the issue of Occupation Certificate, the applicant shall adequately seal or concrete internal driveways, manoeuvring and car parking areas.

Note: All costs associated with the provision of access to the development shall be borne by the Applicant and at no cost to Council.
30. Prior to the issue of the Occupation Certificate the applicant shall ensure that all vehicular parking and manoeuvring areas are clearly defined and/or line-marked in accordance with Australian Standard 2890.1 – Parking Facilities - Off Street Parking.
31. Adequate signage that is conspicuous and legible from the access roads, and from within the development site, shall be permanently displayed indicating the points of ingress and egress, to the proposed development. All costs associated with the identification and line marking of the car parking areas shall be borne by the Applicant and at no cost to Council.
32. Prior to the issue of an Occupation Certificate, the existing vehicular access to the development site located adjacent to Lot 1 Section 23 DP 758473 must be closed and access to the property is only to occur via the proposed access location shown on the approved site plan. The redundant vehicular access in Cross Street is to be replaced with kerb and gutter in accordance with Weddin Shire Council Standards, match existing road levels and not alter or interfere with existing road drainage. Plans of the kerb and gutter works are to be provided to Weddin Shire Council for approval prior to the commencement of the work.

Note: All costs associated with the replacement of kerb and gutter shall be borne by the applicant.

33. Prior to the issue of an Whole Occupation certificate, a 1.2 metre wide and 100mm thick footpath reinforced with SL62 mesh must be provided along the full width of the development in both North Street and Cross Street.
34. Prior to the issue of the Occupation Certificate stormwater construction is to conform to the approved plans. A "Works as Executed" plan of the plumbing and drainage work is to be provided to and approved by Council at the completion of the work.
35. The applicant is required to obtain a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 certifying that all works, fees and charges required in connection with the provision of water supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate.

Note 1: Water reticulation mains and metered services must be physically provided to the development in accordance with Central Tablelands requirements. Council will not issue the Occupation Certificate until a Compliance Certificate or other suitable documentation has been issued, verifying that all works have been satisfactorily completed.

36. The applicant is required to obtain a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 certifying that all works, fees and charges required in connection with the provision of sewerage to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate.

Note 1: Separate reticulated sewer mains and services must be physically provided to the development site. Council will not issue the Occupation Certificate until the Compliance Certificate or other suitable documentation has been issued, verifying that all works have been satisfactorily completed.

Note 2: All monetary contributions in relation to the augmentation of reticulated sewerage must be paid in full to Weddin Shire Council before the Occupation Certificate will be issued.

Note 3: Necessary inspections must be arranged at least 48 hours in advance by contacting Weddin Shire Council on 02 6343 1212.

OPERATIONAL CONDITIONS

37. All traffic movements in and out of the development are to be in a forward direction, with only egress movements onto Cross Street.

38. Proposed landscaping, signage and fencing is not to impede sight lines of traffic and/or pedestrians within the development or when entering or leaving the site. Safe intersection sight distances are to be maintained for the life of the development.
39. The development must be appropriately managed to ensure that any noise impacts on nearby residential properties are appropriately limited.
40. 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:
- (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.

ADVICE

Aboriginal Heritage

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

Dial Before You Dig

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

Telecommunications Act 1997 (Commonwealth)

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

Sewerage Headwork Charges

The Applicant is required to obtain a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, certifying that all works, fees and charges required in connection with the provision of sewerage supply to the development have been undertaken and complied with in full. All monetary contributions in relation to the augmentation of reticulated sewer supply must be paid in full to Weddin Shire Council before the certificate will be issued. The required fees and charges will be in accordance with the Grenfell Sewer Contributions Plan and will depend on the date when payment is made. Weddin Shire Council can be contacted on (02) 63431212 to make payment of the necessary sewer headworks contribution or to obtain a certificate confirming that the payment has been made.

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

Cr's J Parlett and P Diprose returned to the room.

7 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:

7.1 ELECTRICITY PROCUREMENT

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

RESOLUTION 197/22

Moved: Cr Best

Seconded: Cr Diprose

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:

7.1 ELECTRICITY PROCUREMENT

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.

CARRIED

8 RETURN TO OPEN COUNCIL**RESOLUTION 199/22**

Moved: Cr Frame

Seconded: Cr Best

The meeting return to Open Council.

CARRIED

9 REPORT ON CLOSED COUNCIL

RESOLUTION 198/22

Moved: Cr Diprose

Seconded: Cr Kenah

That Council:

1. Note that the CNSWJO will be in receipt of information in relation to the renewal of Council's current electricity supply for large market sites and streetlighting and that this information will be relayed to this Council meeting.
2. Note Council's previous Resolution No 108.2022 of the Council meeting held on 24 March 2002, in respect of this pending tender process and formal adoption of same.

CARRIED

10 CLOSURE**RESOLUTION 200/22**

Moved: Cr Best

Seconded: Cr Frame

The meeting now close.

CARRIED

The Meeting closed at 11.30am.**The minutes of this meeting were confirmed at the Council held on 21 July 2022.**.....
CHAIRPERSON