



MINUTES

Ordinary Council Meeting Thursday 17 April 2025

Date: Thursday 17 April 2025

Time: 5:00pm

**Location: Council Chambers
73 Camp Street
GRENFELL NSW 2810**

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**MINUTES OF WEDDIN SHIRE COUNCIL
ORDINARY MEETING
HELD AT THE COUNCIL CHAMBERS, 73 CAMP STREET, GRENFELL NSW 2810
ON THURSDAY, 17 APRIL 2025 AT 5:00PM**

1 OPENING

In accordance with the WSC Code of Meeting Practice, this meeting will be recorded for the purposes of audio-visual livestreaming via Council's website and YouTube Channel. 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 ACKNOWLEDGEMENT OF SERVICE

We honour our service personnel who have sacrificed their lives in the defence of our freedom, peace and prosperity.

We acknowledge all of our frontline workers and volunteers who each day provide our essential and non-essential services, especially those within our Weddin Shire Local Government Area.

4 ATTENDANCE AND APPLICATIONS FOR LEAVE

ATTENDANCE

PRESENT:

Mayor Paul Best, Deputy Mayor Colleen Gorman, Cr John Niven, Cr Jeanne Montgomery, Cr Simon Rolls, Cr Michael Neill, Cr Wezley Makin, Cr Jan Parlett

IN ATTENDANCE:

Ms Noreen Vu (General Manager), Mr Luke Sheehan (Director Environmental Services), Mr Wali Islam (Acting Director Infrastructure Services), Mrs Auburn Carr (Acting Director Corporate Services)

APOLOGIES

- Councillor Chad White

LEAVE OF ABSENCE

LEAVE OF ABSENCE APPLICATION

RECOMMENDATION

That the apology received from Cr Chad White be accepted and leave of absence granted.

RESOLUTION 059/25

Moved: Cr Makin

Seconded: Cr Niven

That the apology received from Cr Chad White be accepted and leave of absence granted.

THE MOTION WAS CARRIED UNANIMOUSLY

5 CONFIRMATION OF MINUTES

RESOLUTION 060/25

Moved: Cr Parlett

Seconded: Cr Neill

That Minutes of the Ordinary Council Meeting held 20 March 2025 be taken as read and CONFIRMED.

THE MOTION WAS CARRIED UNANIMOUSLY

6 DISCLOSURES OF INTEREST

ITEM NUMBER & TITLE	16.1 MAYORAL MINUTE – INFORMAL GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE DISCUSSION (MID-TERM)
NAME	NOREEN VU
TYPE OF INTEREST	PECUNIARY / SIGNIFICANT / LEAVING THE CHAMBER
INTEREST DESCRIPTION	GENERAL MANAGER – SUBJECT OF DISCUSSION

ITEM NUMBER & TITLE	11.3 COMMUNITY SUPPORT APPLICATION NAIDOC WEEK INITIATIVES 2025 (LATE DECLARATION)
NAME	COUNCILLOR JAN PARLETT
TYPE OF INTEREST	NON-PECUNIARY / NOT SIGNIFICANT / NOT LEAVING THE CHAMBER
INTEREST DESCRIPTION	COMMITTEE MEMBER

ITEM NUMBER & TITLE	13.7 DEVELOPMENT APPLICATION 31/2024 – DEMOLITION OF TWO (2) STORAGE BUILDINGS (LATE DECLARATION)
NAME	COUNCILLOR WEZLEY MAKIN
TYPE OF INTEREST	NON-PECUNIARY / NOT SIGNIFICANT / LEAVING THE CHAMBER
INTEREST DESCRIPTION	FAMILY MEMBER INVOLVED IN PROVIDING QUOTATIONS

7 PUBLIC FORUM

ITEM NUMBER & TITLE	13.7 DEVELOPMENT APPLICATION 31/2024 – DEMOLITION OF TWO (2) STORAGE BUILDINGS
NAME	MR JASON KENAH
TYPE OF INTEREST	SPEAKING AGAINST

8 MAYORAL REPORTS/MINUTES

8.1 MAYORAL MINUTE - FINANCIAL SUSTAINABILITY

File Number: C2.3.3

Attachments:

1. ATT 1 | Local Government 2024 Financial Audit_Tabled to NSW Parliament 31 March 2025
2. ATT 2 | - CMA Media Release_CMA_Financial Assistance Grants

CSP Objective: Shire assets and services delivered effectively and efficiently

Budget: NIL

RECOMMENDATION

That Council note the report

RESOLUTION 061/25

Moved: Mayor Best

Seconded: Deputy Mayor Gorman

That Council note the report

THE MOTION WAS CARRIED UNANIMOUSLY

On 28 February 2025, the General Manager and I attended the Country Mayor's Association General Meeting in Sydney. The focus of discussions was the Financial Sustainability of Council's. The Auditor-General for New South Wales addressed the members prior to the release of the Local Government Audit findings. The common thread amongst discussion was that financial sustainability is a concern for many councils. On this point, I am pleased that Weddin Shire Council submitted our documentation in a timely manner and received an unqualified opinion. I would like to thank our staff who have worked tirelessly over the past 18 months to get our finances, financial statements and modelling into our current position.

The Local Government 2024 Financial Audit was tabled in NSW Parliament on 31 March 2025.

It was interesting to note, in simplified terms the following information from across the NSW Local Government:

- Councils General Fund Operating results (before capital income) went backwards by a collective \$172M and stands at a statewide \$308M deficit for YE 2023/24.
- A majority of NSW Councils (52%) are running General Fund deficits.
- There were 11 Councils across the State that went from surplus to deficit (relative to FY 22/23), and 29 Councils increased their deficits (relative to FY 2022/23).
- About 40% of Councils did not break even in 2023-24.
- 16 Councils have insufficient cash to meet three (3) months of expenses.
- 40% of Council's across NSW did not meet operating performance benchmarks.

- 35 Councils met none or just one of the three (3) key financial sustainability benchmarks.
- Revenue growth lags expenditure growth after adjusting for inflation resulting in negative growth.

These facts show it is a really sad indictment on Local Government and the future sustainability. A copy of the high level summary of the report is at [Attachment 1](#).

We have remained outside of the bottom list of least liquidity councils across the state, which is calculated whether councils' available cash and investments (not subject to external restrictions) were sufficient to meet three months of general fund expenses (excluding depreciation and borrowing costs). For the 16 Councils that remain at the bottom of the ladder are reported in the report by the Audit Office which doesn't include Weddin Shire Council.

The Country Mayor's Association of NSW Inc (CMA) continue to lobby for Council's in regards to funding for local government. Despite the on-going calls from local government peak bodies to increase the Commonwealth Financial Assistant Grants, it appears that the request is not being heard.

Most recently, the CMA released a media release ([Attachment 2](#)) regarding funding shortfalls. The Local Government sector has identified falling revenue as the major factor to the financial sustainability challenges that many Councils face. CMA Chairman, Mayor Firman OAM went on to say that in smaller country councils, grants can constitute over 70 percent of revenue, while income from rates and Council fees is essentially stagnant and prospect for growing these income source is extremely limited.

9 MOTIONS/QUESTIONS WITH NOTICE

9.1 NOTICE OF MOTION - SUPPORT FOR GRENFELL HISTORICAL SOCIETY - POSSIBLE TIME CAPSULE

File Number: C1.3.15

Mover: Cr Paul Best

Attachments: 1. ATT 1 - Notice of Motion - Mayor Best - Grenfell Historical Society

CSP Objective: Culturally rich, vibrant and inclusive community

Budget: Within Council's Infrastructure – Parks and Gardens Vote.

MOTION

That Council support the Grenfell Historical Society in exploring the possibility of a time capsule being buried in the Shire, to:

- Assist them with access to the site and any relevant Council records or information,
- Request a brief report back to Council once more is known about the time capsule.

RESOLUTION 062/25

Moved: Mayor Best

Seconded: Cr Rolls

That Council support the Grenfell Historical Society in exploring the possibility of a time capsule being buried in the Shire, to:

- Assist them with access to the site and any relevant Council records or information,
- Request a brief report back to Council once more is known about the time capsule.

THE MOTION WAS CARRIED UNANIMOUSLY

SUPPORTING COMMENTS

Council has received a request from the O'Brien family, descendants of Cornelius O'Brien, the first person to discover gold in our region.

The family believes there may be a time capsule buried in a confidentially disclosed location in the Shire linked to this important piece of local history.

I believe this is worth looking into and propose that we support the Grenfell Historical Society in investigating whether such a time capsule exists. Their experience and local knowledge make them well-placed to take this on.

I recommend that Council:

Support the Grenfell Historical Society in exploring the possibility of a time capsule being buried in the Shire;

- Assist them with access to the site & any relevant Council records or information;
- Request a brief report back to Council once more is known.

This could be an exciting chance to uncover and preserve a part of our Shire's past.

STAFF COMMENTS

A meeting was held between the descendant and the Mayor and Deputy Mayor relating to the request. Council Officers will be able to assist in the accessing the site and excavating the area within Council's existing operational budget through the Infrastructure – Parks and Gardens vote. It is estimated that this would not take more than a couple of hours of staff time. Once the contents is known, a report will be provided to Council on the status of this location and any other relevant information.

10 GENERAL MANAGER REPORTS**10.1 DRAFT FRAUD AND CORRUPTION POLICY | 16.15.02**

File Number: C2.4.22

Author: Executive Assistant to the General Manager

Authoriser: General Manager

Attachments:	1. ATT 1 Draft Fraud and Corruption Policy - 16.15.02
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	To formalise the Council's fraud and corruption prevention policy to ensure alignment with legal and regulatory standards, while promoting a culture of integrity, transparency, and accountability across Council
Budget:	NIL

RECOMMENDATION

That Council

1. Note the information contained in this report.
2. Place the draft Fraud and Corruption Prevention Policy on public exhibition for a period of 28 days with the purpose of inviting submissions from the public and staff.
3. Request the General Manager to present a further report to Council with all the submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy, or if no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a Policy.

RESOLUTION 063/25

Moved: Cr Neill

Seconded: Deputy Mayor Gorman

That Council

1. Note the information contained in this report.
2. Place the draft Fraud and Corruption Prevention Policy on public exhibition for a period of 28 days with the purpose of inviting submissions from the public and staff.
3. Request the General Manager to present a further report to Council with all the submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy, or if no submissions are received during the exhibition period, Council formally adopt the Policy, without and changes, as a Policy.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of the draft Policy is to outline to Councillors, employees, Council contractors, other people who perform public official functions on behalf of the Council and the public, Council's expectations regarding the prevention, detection, investigation and management of fraud and corruption in the Council work environment.

It outlines:

- the principles we seek to uphold in relation to these activities
- the individual and collective responsibility we have as a Council

- how we will ensure we continue to fulfil this responsibility and
- the consequences of failing to do so.

BACKGROUND

Fraud refers to dishonestly obtaining a benefit, or causing a loss, by deception or other means. Corruption, in broad terms, is deliberate, a serious wrongdoing that involves dishonest or partial conduct, a breach of public trust or the misuse of information or material.

The implementation of a fraud and corruption prevention policy will assist Council in its efforts to combat this significant threat and raise educational awareness for its elected members, employees, contractors and the public to be more aware of possible fraud and corruption activities and what they can do to prevent this from re-occurring.

Since 2017, fraud prevention by NSW Councils has been independently reviewed and reported on by the NSW Audit Office, as part of its external auditing and performance auditing responsibilities for local government.

Council previously adopted its Fraud and Corruption Plan in November 2020.

ISSUES AND COMMENTS

The draft Policy is to further embed Council's commitment on the awareness of fraud and corruption and to educate Councillors, employees, Council contractors, other people who perform public official functions on behalf of the Council and the public to a culture of compliance ensuring:

- Council promotes a culture of good governance and compliance in line with Council's Integrated Planning and Reporting Framework.
- Council prevents, and where necessary, identifies and responds to breaches of laws, regulations, codes, policies and organisational procedures and standards occurring within Council.
- Council achieves the highest standards of governance.

The draft Policy is consistent with the provisions of the new *Public Interest Disclosures Act 2022 (NSW) (PID Act)* and the *AS8001:2021 Fraud and Corruption Control (Australian Standards)*. The PID Act introduced significant reforms that public interest disclosures are made, received and dealt with in NSW.

POLICY/LEGAL IMPLICATIONS

The key features of Council's Fraud and Corruption Management framework are made up of periodic risk assessments, periodic training, corruption prevention strategies, internal control systems, designated responsibilities and review arrangements. The information in the attached draft policy provides a brief overview of the holistic framework that is implemented across the different areas of Council to minimise risks associated with corruption and fraud.

FINANCIAL/RESOURCE IMPLICATIONS

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

INTERNAL/EXTERNAL CONSULTATION

The proposal is for the draft Policy to be publicly exhibited for a period of 28 days.

CONCLUSION

The draft Policy recognises the importance of controlling fraud and corruption risk to prevent financial loss, waste of resources, loss of Council's reputation; loss of community confidence; and negative impact on workplace culture. As such, the Policy supports achievement of Council's vision, goals and strategies - including its strategy to ensure community confidence in Council and its operations.

10.2 DRAFT COMMUNICATIONS POLICY | 01.16.04

File Number: 01.16.04

Author: General Manager

Authoriser: General Manager

Attachments: 1. ATT 1 | DRAFT Communications Policy_01.16.04

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: To provide Council the updated Draft Communications Policy which will supersede the Policy for Communication and Consultation and align with the Integrated Planning and Reporting Framework

Budget: NIL

RECOMMENDATION

That Council

1. Note the information contained in this report.
2. Place the draft Communication Policy on public exhibition for a period of 28 days with the purpose of inviting submissions from the public and staff.
3. Request the General Manager to present a further report to Council with all the submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy, or if no submissions are received during the exhibition period, Council formally adopt the Policy, without and changes, as a Policy.

RESOLUTION 064/25

Moved: Cr Makin

Seconded: Cr Montgomery

That Council

1. Note the information contained in this report.
2. Place the draft Communication Policy on public exhibition for a period of 28 days with the purpose of inviting submissions from the public and staff.
3. Request the General Manager to present a further report to Council with all the submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy, or if no submissions are received

during the exhibition period, Council formally adopt the Policy, without and changes, as a Policy

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of the draft Communication Policy is to establish a framework for effective communication between Council and its stakeholders, ensuring transparency, trust and mutual understanding. Once adopted, the Draft Communication Policy will supersede the Policy for Communication and Consultation. Since the introduction of the Integrated Planning and Reporting Framework, Councils are required to adopt a Community Engagement Strategy. Consultation is captured in the Weddin Shire Community Engagement Strategy (CES). The proposed Draft will allow for alignment with the IP&R Framework.

BACKGROUND

Weddin Shire Council is committed to fostering clear, consistent, and effective communication with its community and stakeholders. Council's current Policy for Communication and Consultation (01.16.03) encompasses both communication and consultation. The introduction of the Integrated Planning and Reporting Framework, requires all Councils to adopt a Community Engagement Strategy. Consultation is captured in the Weddin Shire Community Engagement Strategy (CES).

By concentrating on communication, this policy ensures that Council continues to provide transparent, professional, and consistent messaging, while maintaining strong connections with the community and stakeholders. The Draft Communications Policy outlines the levels of delegation for responding to media and maintaining media relations. For any public consultation requirements, stakeholders should refer to the Weddin Shire Community Engagement Strategy (CES).

ISSUES AND COMMENTS

The draft Policy now aligns appropriately with the Integrated Planning and Reporting Framework and ensures that consultation sits with the Community Engagement Strategy. The Draft Policy focuses on successful communication being achieved by:

- Providing regular and consistent communication on Council's projects and activities to all stakeholders.
- Creating a positive and professional image for Weddin Shire Council through open and transparent communication.
- Enhancing community trust through the timely dissemination of accurate and relevant information.
- Encouraging feedback and fostering two-way communication with stakeholders.
- Responding promptly and effectively to media inquiries and community concerns.
- Ensuring internal communication supports alignment and cohesion within Council operations.
- Developing a strong customer service culture within Weddin Shire Council.

The Draft Policy identifies communication principles and provisions on dealing with the media including general matters through to sensitive or controversial topics. The Draft Policy

ensures that communication in a crisis, links to the Council's Business Continuity Plan and in an emergency, links to Council's Emergency Management Plan.

Customer service is a key focus in the policy to ensure that staff communicate with the community whether through phone calls, written correspondence, emails, or in-person interactions, plays a crucial role in shaping public opinion. Providing timely, professional, and customer-focused responses is essential to building and sustaining a strong, positive image of Council within the community. This includes dealing with Customer Service Requests and Customer Complaints.

Communication within the Council workforce and maintaining employee relations is critical to the functioning of Council. Further information on the channels of communication is also outlined.

The Draft Policy addresses how Council will support community events and council events.

The type of media communications is outlined including the Council's website.

The Draft Policy needs to be read in conjunction with Council's Community Engagement Strategy and other related policies outlined in policy.

POLICY/LEGAL IMPLICATIONS

The Draft Communications Policy, once adopted will supersede the current Policy for Communication and Consultation. It will ensure that Council aligns with the IP&R Framework and provides a clear framework on communicating with our key stakeholders.

FINANCIAL/RESOURCE IMPLICATIONS

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

INTERNAL/EXTERNAL CONSULTATION

The proposal is for the draft Policy to be publicly exhibited for a period of 28 days.

CONCLUSION

The draft Policy recognises the importance of a framework for effective communication between Council and its stakeholders, ensuring transparency, trust and mutual understanding. Once adopted, the Draft Communication Policy will supersede the Policy for Communication and Consultation. Since the introduction of the Integrated Planning and Reporting Framework, Councils are required to adopt a Community Engagement Strategy. Consultation is captured in the Weddin Shire Community Engagement Strategy (CES). The proposed Draft will allow for alignment with the IP&R Framework.

10.3 RESOLUTION REGISTER

File Number: C2.3.3
Author: Executive Assistant to the General Manager
Authoriser: General Manager
Attachments: 1. ATT 1 | Resolution Register as at 10 April 2025
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: To provide Council with an update on the current outstanding actions
Budget: NIL

RECOMMENDATION

That Council:

1. Note the information contained in this report.
2. Note the attached resolution register at Attachment 1.
3. Note the completed resolution that will be removed from the Register.
4. Amend Resolution 028/25(3) – Draft Public Interest Disclosure Policy to:
 - a. (3) The General Manager (or their Delegate) present a further report to Council with all submissions received at the conclusion of the public exhibition period for Council’s further consideration and adoption of the Policy, or in the event that no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a policy of Council.
5. Amend Resolution 052/25(2) and (3) – Update on Rural Waste Facilities to:
 - a. (2) Delegates the General Manager (or their delegate) to begin consultation with the community regarding a proposed rural domestic waste and recycling collection service, to replace the bank of general waste bins at Caragabal and Quandialla.
 - b. (3). Delegates the General Manager (or their Delegate) to begin consultation with community regarding the option of transitioning the Caragabal and Quandialla Waste facilities to waste transfer stations.
 - c. (4). Request that the General Manager (or their Delegate) prepare a further report to Council upon the completion of the community consultation process, including any feedback provided
6. Note the typographical amendment under clause 18.6 of the Code of Meeting Practice to the 19 December 2024 Council meeting to include Item 16.5 – Central West Libraries into the table of contents, noting that the Council Resolution was minuted on p. 82.

RESOLUTION 065/25

Moved: Cr Rolls

Seconded: Cr Makin

That Council:

1. Note the information contained in this report.
2. Note the attached resolution register at Attachment 1.
3. Note the completed resolution that will be removed from the Register.
4. Amend Resolution 028/25(3) – Draft Public Interest Disclosure Policy to:
 - a. (3) The General Manager (or their Delegate) present a further report to Council with all submissions received at the conclusion of the public exhibition period for Council’s further consideration and adoption of the Policy, or in the event that no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a policy of Council.
5. Amend Resolution 052/25(2) and (3) – Update on Rural Waste Facilities to:
 - a. (2) Delegates the General Manager (or their delegate) to begin consultation with the community regarding a proposed rural domestic waste and recycling collection service, to replace the bank of general waste bins at Caragabal and Quandialla.
 - b. (3). Delegates the General Manager (or their Delegate) to begin consultation with community regarding the option of transitioning the Caragabal and Quandialla Waste facilities to waste transfer stations.
 - c. (4). Request that the General Manager (or their Delegate) prepare a further report to Council upon the completion of the community consultation process, including any feedback provided
6. Note the typographical amendment under clause 18.6 of the Code of Meeting Practice to the 19 December 2024 Council meeting to include Item 16.5 – Central West Libraries into the table of contents, noting that the Council Resolution was minuted on p. 82.

THE MOTION WAS CARRIED UNANIMOUSLY

Completed Resolutions

Resolutions have been updated to also include those that will be removed from the register this month such as the Dolly Parton Imagination Library following the transition to Central West Libraries.

Amendment to resolutions

The Council Resolution Register will require a number of amendments for resolutions that are currently active and incomplete following advice from the Office of Local Government who have reviewed a number of councils, like Weddin Shire Council’s resolutions. The reword focuses on the whereby delegation provided directly to staff aside from the General Manager removes the reference to the staff member’s position title and changed to the “General Manager (or their Delegate)”. This is only for the resolutions still open and active.

Resolution 028/25 Draft Public Interest Disclosure Policy

Moved: Cr Makin

Seconded: Cr Rolls

That Council

1. Note the information contained in this report.
2. Council place the draft Weddin Shire Council Public Interest Disclosure Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
3. The **General Manager (or their Delegate)** ~~Director of Environmental Services~~ present a further report to Council with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the Policy, or in the event that no submissions are received during the exhibition period, Council formally adopt the Policy, without any changes, as a policy of Council.

Resolution 052/25 – Update on Rural Waste Facilities

Moved: Cr Makin

Seconded: Cr Neill

That Council:

1. Note the report on the two (2) rural waste facilities and the proposed options for future waste services.
2. Delegates the **General Manager (or their delegate)** ~~Director of Environment Services~~ to begin consultation with the community regarding a proposed rural domestic waste and recycling collection service, to replace the bank of general waste bins at Caragabal and Quandialla.
3. Delegates the **General Manager (or their Delegate)** ~~Director of Environment Services~~ to begin consultation with community regarding the option of transitioning the Caragabal and Quandialla Waste facilities to waste transfer stations.
4. Request that the **General Manager (or their Delegate)** ~~Director Environmental Services~~ prepare a further report to Council upon the completion of the community consultation process, including any feedback provided.

Typographical amendment to Confirmed Meeting Minutes under clause 18.6 of the December Meeting Minutes

The 19 December 2024 Meeting Minutes had a typographical error, whereby the table of contents was not refreshed to include Item 16.5 – Central West Libraries (Resolution 287/24) however resolution was discussed and resolved on 19 December 2024 and included on p. 82 of the meeting minutes.

Under Clause 18.6 of the Council's Code of Meeting Practice provides as follows:

“The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.”

The table of contents was refreshed in Microsoft Word to include the item in the table of contents and uploaded onto the Council's website.

11 CORPORATE SERVICES REPORTS**11.1 RATES AND CHARGES COLLECTION - MARCH 2025****File Number:****Author:** Rates Clerk**Authoriser:** Management Accountant/CFO**Attachments:** Nil**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** March 2025, monthly report on the rates and charges**Budget:** NIL**RECOMMENDATION**

That Council note the information update on rates and charges collection for the month of March 2025

RESOLUTION 066/25

Moved: Cr Montgomery

Seconded: Deputy Mayor Gorman

That Council note the information update on rates and charges collection for the month of March 2025

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is for Council to be updated with the most recent information pertaining to its rates and charges collections – as applicable to the month of March 2025

BACKGROUND

The monthly report provides Council information on the rates and charges collection.

Refer to the Financial/Resource Implications for the more recent commentary background with respect to collections for the current period to date.

ISSUES AND COMMENTS

The annual rate charges are set out within Council's 2024/25 Operational Plan.

The following provides a summary as at 31 March 2025.

Rates Collected to the month of:

	Period to 31 March 2025	Period to 31 March 2024

Rates and Charges Collected (C)	\$ 3,737,557.36	\$3,480,535.46
Total	\$ 3,737,557.36	\$3,480,353.46

	2025	2024
Net Rates/Charges in arrears (A)	\$ 474,339.62	\$ 387,037.04
2025 Gross Rates/Charges	\$ 4,818,150.14	\$ 4,524,387.46
Less Pension Concession*	(\$ 132,046.67)	(\$ 138,418.78)
Net Amount Levied (B)	\$ 4,686,103.47	\$ 4,385,968.68
Total amount rates incl. arrears (A + B)	\$ 5,160,443.09	\$ 4,773,005.72
Less: Total amount collected (current and arrears) (C)	\$ 3,737,557.36	\$ 3,480,353.46
Add: Rate Accounts in Credit (income in advance)	\$ 89,678.26	\$ 63,096.19
Total rates outstanding	\$ 1,512,563.99	\$ 1,355,748.45

Total rates outstanding has reduced by \$197,224.27 to the end of March 2025.

*Under our current policy, the maximum that a Pensioner can claim is \$250 for General Rates and \$87.50 for the Sewer component. Council is entitled to claim 55% back off the NSW Government.

POLICY/LEGAL IMPLICATIONS

Council staff comply with the directions provided by Council's suite of policies that govern this function of Council. The collection of rates does have an economic and social impact on the community. Recognising this, Council is always willing to negotiate payment terms with outstanding debtors due to hardship. Rate payers are afforded several opportunities and encouraged to contact Council and make suitable arrangements regarding outstanding amounts.

FINANCIAL/RESOURCE IMPLICATIONS

Uncollected rates are recognised as cash flow that is not available to Council to use for normal operational matters and use. Rate collection is a necessary function for council operation.

It needs to be acknowledged that post Covid-19 along with the additional increase in the cost of living has impacted on Council's ability to collect rates and charges.

Council now has additional staff resources available to enable it to increase its focus on recovery of these debts. As well Council continues to engage with a Debt Recovery Agency which is currently monitoring 47 active files. These agency costs unfortunately come at a

considerable collection cost to Council both in terms of time and in monetary terms so our preference is always to manage collection of debt internally by our Rates Officers.

Council Officers sent out 433 printed Reminder Rates Notices as well as 65 emailed notices for the 2024/25 financial year third instalment reminder notices.

Council **outstanding rates and annual charges** (includes interest charged as at March 2025 was \$355,599.26 plus the rates paid in advance of \$89,678.26 = **\$445,277.52**. As a comparison, Rates and annual charges receivable was **\$592,000** in the 2024 Financial statements (C1-3). As a percentage, this is approximately **9.50% in arrears** (the OLG benchmark of <10% of rates charged) and a reduction of 2.65% compared to 30 June 2024 of 12.15%.

Council finance staff continue to review this regularly and are now in a position to actively work with our ratepayers to collect outstanding debts with a potential Sale of Land in Financial Year 2026, as well as proactively engage with external debt collectors.

INTERNAL/EXTERNAL CONSULTATION

This report is a monthly report to Council.

CONCLUSION

Council is focused on the collection of outstanding rates in a timely fashion but that this will always be undertaken in a sensitive manner.

11.2 STATEMENT OF BANK BALANCES AND BANKING FACILITY REPORT

File Number:

Author: Rates Clerk

Authoriser: Management Accountant/CFO

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: Statement of Bank Balances as at 31/03/2025, restricted cash and banking facilities

Budget: NIL

RECOMMENDATION

That Council note the information contained in the Statement of Bank Balances and Banking Facilities Report.

RESOLUTION 067/25

Moved: Cr Neill

Seconded: Cr Makin

That Council note the information contained in the Statement of Bank Balances and Banking Facilities Report.

THE MOTION WAS CARRIED UNANIMOUSLY

BANK BALANCES AS AT 31 MARCH 2025.

Below is a list of all of the current bank balances for each account, as at 31 March 2025.

Table 1 below provides a summary of the current bank balances for each account, as at 31 March 2025.

Bank Account	\$
Westpac – Operating account	\$1,688,177.84
Westpac – Business Cash Reserve	\$827,108.44
Westpac - Short Term Deposits	\$0.00
CBA Term Deposits (Table 2)	\$11,000,000.00
Total	\$13,515,286.28

Table 1: Current Bank Balances as at 31 March 2025

Commonwealth Bank Investments

Table 2 below provides a summary of Commonwealth Bank Term Deposits as at 31 March 2025 showing interest earned and interest rates of current investments.

	Invested Date	Maturity Date	Rate %	Invested Amount \$	Interest Earned \$
Commonwealth Bank	06/01/2025	07/04/2025	4.84	\$1,000,000	
Commonwealth Bank	20/01/2025	22/04/2025	4.79	\$ 500,000	
Commonwealth Bank	22/01/2025	22/04/2025	4.79	\$ 500,000	
Commonwealth Bank	22/01/2025	22/04/2025	4.79	\$1,000,000	
Commonwealth Bank	22/01/2025	22/04/2025	4.79	\$1,000,000	
Commonwealth Bank	20/02/2025	20/05/2025	4.60	\$1,000,000	
Commonwealth Bank	27/02/2025	27/05/2025	4.57	\$1,000,000	
Commonwealth Bank	28/02/2025	28/05/2025	4.57	\$1,000,000	
Commonwealth Bank	06/03/2025	04/06/2025	4.61	\$ 500,000	

	Invested Date	Maturity Date	Rate %	Invested Amount \$	Interest Earned \$
Commonwealth Bank	07/03/2025	05/06/2025	4.61	\$1,000,000	
Commonwealth Bank	18/03/2025	16/06/2025	4.61	\$ 500,000	
Commonwealth Bank	18/03/2025	16/06/2025	4.61	\$ 500,000	
Commonwealth Bank	18/03/2025	16/06/2025	4.61	\$1,000,000	
Commonwealth Bank	25/03/2025	23/06/2025	4.61	\$ 500,000	
Total Interest – Year to Date				\$11,000,000	\$341,189.75

Table 2: Commonwealth Bank Investments

Westpac Investments

Table 3 below provides a summary of Westpac Banking Corporation Term Deposits as at 31 March 2025 were NIL (as \$3,000,000 was redeemed during the month of January 2025) showing interest earned and interest rates of current investments.

	Invested Date	Maturity Date	Rate%	Invested Amount \$	Interest earned \$
Westpac Bank				\$0.00	\$0.00
Total Interest – Year to Date				\$0.00	\$119,498.64

Table 3: Westpac Investments

TOTAL CASH (BALANCE BROUGHT FORWARD FROM TABLE 1) \$13,515,286.28

LESS: EXTERNALLY RESTRICTED BALANCES AS AT

31 MARCH 2025

Restricted cash balance specific purpose

Unexpended grants \$ 7,844,928

Domestic Waste management \$ 250,000

Developer Contributions – Sewer Fund \$ 128,000

Sewer Fund \$ 353,000

Total Restricted cash \$ 8,575,928

LESS: LIABILITIES AS AT 31 MARCH 2025Current Liabilities

Employee Leave Entitlement	\$ 1,079,400
Borrowings	<u>\$ 111,698</u>

Non-Current Liabilities

Employee Leave Entitlement	\$ 143,794
Borrowings	<u>\$ 3,210,455</u>

Total liabilities **\$ 4,545,347**

ADD: ACQUITTED GRANTS/FUNDING (Unrestricted Cash)

Local Roads and Community Infrastructure (LRCI) Phase 2	\$ 51,853
Fixing Local Roads Round 3	\$ 882,640
Financial Assistance Grant 4 th Quarterly Payment	\$ 157,059
Roads Maintenance Council Contract	<u>\$ 2,790,385</u>

Total Grants/Funding **\$ 3,881,937**

TOTAL CASH available NOT EXTERNALLY RESTRICTED/LIABILITY **\$ 4,275,948**

INTERNAL ALLOCATIONS AS AT 31 MARCH 2025

Plant Income	\$ 312,431.58
Hogbin Trust	\$ 80,201.96
Cemetery Prepaid fees	<u>\$ 108,941.55</u>
Total Internal Allocations	<u>\$ 501,575.09</u>

OVERDRAFT FACILITY

Council currently has in place an overdraft facility approved to \$1,000,000. To date Council has not needed to draw on this facility

CONCLUSION

Council is in a solid cash position and continually balances cash flow and funds to maximum yields and also to provide cash flow liquidity for its operations.

11.3 COMMUNITY SUPPORT APPLICATION | NAIDOC WEEK INITIATIVES 2025

File Number:

Author: EDO/TPO/ Acting Director Corporate Services

Authoriser: General Manager

Attachments:

1. Koori Kids Community Support Application
2. NAIDOC Week Initiative Entry Form
3. NAIDOC Week Initiatives 2024 Final Report
4. NAIDOC Week Initiatives

CSP Objective: Culturally rich, vibrant and inclusive community

Precis: To provide Council with a Community Support Application from Koori Kids for NAIDOC Week Initiatives.

Budget: \$450 Donation - Community Support Vote.

RECOMMENDATION

1. That Council note this report.
2. That Council provide \$450 donation to Koori Kids for NAIDOC Week Initiatives.

RESOLUTION 068/25

Moved: Cr Makin

Seconded: Cr Montgomery

1. That Council note this report.
2. That Council provide \$450 donation to Koori Kids for NAIDOC Week Initiatives.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To report to Council on the request from Koori Kids for a donation to support local school student participation in NAIDOC Week school initiatives across Weddin Shire in July 2025.

BACKGROUND

Koori Kids is a community organisation that engages young people in a range of school initiatives to promote education and awareness of Aboriginal & Torres Strait Islander culture. The initiatives enable a diverse range of children to benefit from discussion and curriculum topics focused on the development of NAIDOC Week and the broader history of Indigenous culture. Each year Koori Kids conducts their NAIDOC Week School Initiative Competitions

for school aged children. There are primary and secondary school categories featuring colouring-in, poem writing and creative and essay writing.

In 2024 a student from the Grenfell Public School was one of 54 students in NSW awarded a medal for the quality of their entry to the program.

This Koori Kids program is separate from the Weddin NAIDOC Committee activities planned for Taylor Park which are already pre-approved by Council to the value of \$1,000.

ISSUES AND COMMENTS

The Koori Kids NAIDOC Week School Initiative Competitions are coordinated in partnership with the Commonwealth Department of Education, NSW Education, Department of Health, Transport for NSW, NSW Health, Catholic Schools NSW, Association of Independent Schools of NSW and Department of Premier & Cabinet.

The contribution sought will be contribute towards the costs for printing and distribution of information packs, posters, and entry forms to schools across Weddin Shire. These initiatives are designed to educate all students on cultural diversity and involve a whole of community approach in the spirit of reconciliation and bringing us 'all together as one community'.

POLICY/LEGAL IMPLICATIONS

There are no implications arising from this report.

FINANCIAL/RESOURCE IMPLICATIONS

The Community Support Budget is \$25,000. The table below presents the Community Support Applications (not included in the pre approved list) received to date. Noting that we are coming near towards the end of the financial year, this should be supported.

NEW Donations & In-Kind Support 2025 FINANCIAL YEAR					Hire/In-Kind	Monetary Donation
	Community Defib	November/ December	Monetary Donation for replacement of battery and pads			\$665.00
Weddin Health Care Cargo 2 Grenfell fundraiser walk				239/24	N/A	
	C2G Walk	March	1x Portaloo	277/24	\$347.00	\$500.00
Quandialla Swimming Club	Swimming Carnival	January	Coolroom Hire - Single Axle	001/25	\$648.00	N/A
REDACTED	REDACTED	January	REDACTED	006/25	\$608.00	N/A
The Salvation Army	Weddin Services Day	March	Hire of Conference Room and Spare Office in Community Hub	020/25	\$168.00	N/A
Grenfell Hospital Auxilliary	Central West Hospital Auxiliary Forum	March	Donation of Weddin Mountains Region souvenirs (pens and keyrings)	021/25	\$600.00	N/A
BreastScreen NSW	BreastScreen Van 2025 visit	April	Transport of van with Councils prime mover and set up of traffic cones.	022/25	\$500.00	N/A
Koori Kids	NAIDOC Week initiatives for school students	July	Donation to cover cost of printing and posting materials to local schools.			\$450.00
			Total New Donations & In-Kind		\$2,871.00	\$1,615.00
			TOTAL Budget remaining for NEW applications		\$151.60	
			Budget		\$25,000.00	

INTERNAL/EXTERNAL CONSULTATION

There has been consultation undertaken with primary schools in Grenfell.

CONCLUSION

Council has received a Community Support Application from Koori Kids for donation to their NAIDOC Week initiatives. It is recommended that Council provide the donation as requested.

11.4 UPDATE ON DIGITAL CONNECTIVITY FUNDING**File Number:****Author:** EDO**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)**Precis:** To provide Council with a progress update on the Digital Connectivity Project.**Budget:** Nil**RECOMMENDATION**

That Council

1. Note the information contained in this report.

RESOLUTION 069/25

Moved: Cr Rolls

Seconded: Cr Montgomery

That Council

1. Note the information contained in this report.

THE MOTION WAS CARRIED UNANIMOUSLY**PURPOSE**

The purpose of this report is to provide Council with an update on the digital connectivity project funded by RNIG2-016.

BACKGROUND

The majority of the Weddin Shire is serviced by poor mobile coverage and broadband internet. This limits resident's ability to capitalise on the opportunities that come from reliable high-speed internet, including social, health and economic opportunities. This has contributed to a digital divide in our community.

Council received \$219,256.00 under the Regional NSW Infrastructure Grants - Round 2 to deliver a Digital Connectivity Project in the Weddin Shire. The project design was structured as follows:

Education and Marketing Campaign

- TAFE Statement in Digital Connectivity Skills delivered to 15 residents at the Grenfell TAFE Connected Learning Centre in 2024.
- Digital Innovation Business Coaching delivered on site in 12 Weddin based businesses in 2024, and
- One day Ag Tech Industry Event delivered at the Grenfell Bowling Club in 2024.

- Low Earth Orbiting Satellite Internet Subsidy
- The Low Earth Orbiting (LEO) Satellite Internet subsidy program which ran in 2024, and
- Installation of LEO Satellite Internet Technology on Council vehicle and plant, which will be completed in April 2025.

The three skills development components of the program were well received by the community with good participation and positive feedback. The highlight of the digital connectivity project has been the LEO Satellite Internet Subsidy Program. The subsidy supported access to internet coverage via the LEO satellite internet network. The project supported new and existing LEO satellite internet connections, by reimbursing Weddin Shire residents and Weddin based businesses for costs incurred when connecting to the LEO satellite network. You may be more familiar with LEO technology by its retail name, Starlink.

The subsidy supported 152 business and residential applicants and delivered \$129,621 back to residents through a pragmatic place-based solution to digital connectivity. This was an average subsidy value of \$852.77 per applicant with the maximum subsidy capped at \$1500 per applicant. The subsidy covered costs associated with the purchase of the satellite dish, hardware such as router, adapter, mounts and cables and associated professional installation costs. The program was run in stages to ensure residents most in need of the program had priority access, however all resident across the shire had the opportunity to apply.

This program helped address the digital divide in our community with 83% of subsidy recipients who participated in our survey, agreeing that the LEO satellite internet subsidy has improved internet access in Weddin Shire.

44% of survey responses confirmed they acquired a LEO satellite internet connection as a result of the subsidy program, highlighting this subsidy program made a difference to residents.

83% of survey responses confirm they use their LEO internet to run a business, highlighting the importance of reliable high-speed internet to the economic prosperity of the shire.

61% of survey responders report that LEO satellite internet allows them to be more efficient.

ISSUES AND COMMENTS

There have been two variations submitted to the funding body, both of which have been in response to community consultation. The first variation was to enable all residents of Weddin, not just residents who lived outside of Grenfell to apply for the subsidy recognising that even residents living in Grenfell did not all have access to reliable high-speed internet.

The second variation addressed staff feedback highlighting safety concerns when working alone and in parts of the shire with poor mobile coverage.

There is a sum of \$23,213.94 remaining in unexpended funds from the LEO subsidy component of the program. A variation has been secured to enable the purchase and installation of LEO technology on 6 vehicles and plant in Councils fleet. A RFQ process was conducted and a successful contractor has been appointed. The successful contractor will be in Grenfell in mid-April to complete the installation on five (5) council utes and one (1) grader. This will allow staff to be within telecommunication range in remote/black spot areas and to ensure the grader is able to access Topcon technology in blackspot areas.

The funding must be fully expended and the acquittal submitted by 31 May 2025.

POLICY/LEGAL IMPLICATIONS

This report has no policy or legal implication.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implication from this report as the project has been delivered with grant funding.

INTERNAL/EXTERNAL CONSULTATION

The projects delivered with this funding have been designed in response to extensive community and staff consultation over several years.

CONCLUSION

Council will receive LEO satellite internet technology on six (6) of council's vehicle and plant fleet. This technology will improve Workplace Health and Safety for the outdoor workforce and ability to access Topcon on the Grader.

12 INFRASTRUCTURE SERVICES REPORTS**12.1 ROAD MAINTENANCE COUNCIL CONTRACT (RMCC)**

File Number: 2024/25 RMCC
Author: RMCC Coordinator
Authoriser: General Manager
Attachments: Nil
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: To provide a Council a bi-monthly update on the Road Maintenance Council Contract (RMCC)
Budget: Nil

RECOMMENDATION

That Council note the information contained in this report.

RESOLUTION 070/25

Moved: Deputy Mayor Gorman

Seconded: Cr Makin

That Council note the information contained in this report.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To provide Council with an overview of the Road Maintenance Council Contract (RMCC) Contract and, in particular, ordered work carried out by Council as part of the RMCC Contract during the 2024/2025 financial year.

BACKGROUND

Council has a RMCC (Road Maintenance Council Contract) with Transport for NSW (TfNSW), which includes carrying out various maintenance and specific work such as

reseals and heavy patching on the Mid Western Highway (HW06) and Newell Highway (HW17).

The Mid Western Highway is approximately 103 km and Newell Highway is approximately 21km. Council's current RMCC Contract is for a period of three (3) years from 1 July 2023. Which include the Routine works and Ordered Works.

2024/2025 Routine Maintenance Annual Plan (RMAP)

Council approved RMAP budget for the 2024/25 financial year from TfNSW of \$827,329.

The following table is used for tracking for routine maintenance has been carried out for the first 6 months of the current financial year:

Reference	Description	Amount	Status
Q1	RMAP 2024/2025 Jul-Sep	\$ 286,658.00	Completed/Received
Q2	RMAP 2024/2025 Oct-Dec	\$ 82,643.48	Completed/Received
Q3	RMAP 2024/2025 Jan-Mar	\$ 79,835.00	Completed/Claimed

RMAP expenditure is slightly behind initially planned. This is due mostly to the competing priority of the increase output of ordered works (natural disaster works) being carried out during this period, and the workload for current staffing levels. Council Officers did discuss a rollover of the RMAP funding with TfNSW, however it wasn't accepted. It is important to note that 2025/2026 RMAP allocations will not be affected by the under spend this financial. It is further noted that a number of the ordered works made repairs on what would have been covered under RMAP funding such as potholes.

In addition to the RMAP funding, due to natural disaster events, the value of the issued ordered work component is as follows:

- 2023/2024 - Approximately \$4.2 million.
- 2024/2025 – Approximately \$7.67 million

It is noted that with the significant increase in the value of the ordered work and workload, comes with major operational / documentation / supervision challenges with the same amount of resources Council has always had / provided for RMCC work.

ISSUES AND COMMENTS

Council's RMCC staff will continue to confer with the Finance Team to best decide on timing for taking on new works with TfNSW and to identify if part payments will be required and requested during these projects. As well as making timely claims to ensure cash flow during high workload periods.

Council will continue to meet all of its contractual requirements over the life of its contract. One of these requirements is the Aboriginal Procurement Policy (APP) which means if our contract with TfNSW exceeds \$7.5 million, we must commit 1.5% of total funding to the engagement of Aboriginal employees or an aboriginal registered company.

The RMCC Coordinator had previously identified, that the low staffing levels with the high workload this financial year would make it difficult to it to deliver on all budgeted work for the financial year and will continue to liaise with internal and external stakeholders to track

progress on delivering the planned program. Due to this approximate \$200k of RMAP and a further \$450k of planned indicative budget for road resurface improvements was identified by TFNSW for reallocation outside of Weddin Shire Council.

The efforts made by Council's HR Specialist have started to pay off for the RMCC team, as it's expected that the RMCC team will be back up to its allocated staffing levels by the middle of April.

Newell Highway

- During January Council completed 5,000m of Shoulder Widening for Reseal preparation.
- Council with Fulton Hogan has completed approximately \$1,360,000 worth of reseals out of the now increased \$1,500,000.00 Newell Highways Reseal work order under T21-2024 to assist in the delivery of these works, line marking and Raised Pavement Marker (RPM) installation will make up the remaining parts of the work order
- Where possible, traffic control work to be undertaken by Council's own works staff under the required G Registration to carry out work on State Roads.

Mid-Western Highway

- Council completed approximately half of the 41,724m² of Flexible Pavement on the Mid-Western Highway throughout March, with a claim of approximately \$1,100,000.00 expected to hit council accounts by the middle of April. The remainder of the works underway and expected to be completed in the first week of May.
- Council with Fulton Hogan has now completed another 20% of the \$657,000.00 worth of reseal works, throughout March and an \$110,000.00 claim is expected to hit council accounts by the middle of April. This will only leave the Line marking portion of the works to be completed.
- Where possible, traffic control work to be undertaken by Council's own work staff under the required G Registration to carry out work on State Roads

2024/2025 Ordered Work Program Budget

Council has the following allocations for this financial year.

Reference	Description	Status	Allocation
483.25.01V01	HW6 Vegetation Rehab (S-Bends)	W/O Issued	\$ 450,834.00
483.25.02V01	HW6 Flex Pavement Rehab (S-Bends)	W/O Issued	\$ 296,645.00
483.25.03V01	HW6 Spray Reseal	W/O Issued	\$ 654,615.00
483.25.04	HW6 Flex Pavement Patching	W/O Issued	\$ 249,308.51
483.25.05V01	ND HW17 Weddin Flood Nov22	W/O Issued	\$1,355,046.00
483.25.06	ND HW6 Weddin Flood Nov22	W/O Issued	\$2,799,666.76
483.25.07	HW17 Flex Pavement Patching	W/O Issued	\$ 155,090.10
483.25.08V01	Billabong Station Guardrail	W/O Issued	\$ 24,190.00

483.25.09V01	HW17 Spray Reseal	W/O Issued	\$1,500,698.50
483.25.10	HW17 Shoulder Repairs Resurface	W/O Issued	\$ 39,260.00
483.25.11	HW Resurface Improvements	W/O Issued	\$ 94,260.00
TBA	HW6 Resurface Preparation	Indicative	\$ 50,000.00
		Total	\$ 7,669,613.87

2024/2025 Ordered Work Program Tracking

The ordered works are underway for this financial year and the progress percentage of work completed is listed. Claimed amounts already for the works are also identified in the following table:

Reference	Description	Progress	Amount Claimed (ex GST)
483.25.01V01	HW6 Vegetation Rehab (S-Bends)	100%	\$ 296,645.00
483.25.02V01	HW6 Flex Pavement Rehab (S-Bends)	100%	\$ 454,834.00
483.25.03V01	HW6 Spray Reseal	93%	\$ 611,254.00
483.25.04	HW6 Flex Pavement Patching	99%	\$ 246,501.79
483.25.05V01	ND HW17 Weddin Flood Nov22	100%	\$ 1,355,046.00
483.25.06	ND HW6 Weddin Flood Nov22	49%	\$ 1,379,536.60
483.25.07	HW17 Flex Pavement Patching	100%	\$ 155,090.10
483.25.08V01	Billabong Station Guardrail	100%	\$ 24,190.00
483.25.09V01	HW17 Spray Reseal	87%	\$ 1,360,379.80
483.25.10	HW17 Shoulder Widen-Resurface	100%	\$ 39,260.00
483.25.11	HW17 Shoulder Widen- Reseal	100%	\$ 94,260.00
		Total	\$ 5,770,495.50

Milestone claims for the above works are due to be completed this month works listed in the table when TfNSW RMCC staff return from holidays.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report or work undertaken under the RMCC.

FINANCIAL/RESOURCE IMPLICATIONS

All work undertaken by Council and its Contractors on the State Roads network is fully funded by TfNSW under the RMCC Contract in two (2) parts - Routine Maintenance Annual Program (RMAP) and Ordered Work.

INTERNAL/EXTERNAL CONSULTATION

Council staff have been in regular contact with TfNSW RMCC Contract Representatives through the regular monthly meetings and other correspondence.

CONCLUSION

TfNSW have paid Council for all claimed Work Orders. Future works with TfNSW will continue to be delivered in accordance with the TfNSW contract terms and conditions as well as the new controls implemented by Council finance team.

12.2 INFRASTRUCTURE SERVICES REPORT - MARCH 2025

File Number:**Author:** Executive Assistant - Infrastructure Services**Authoriser:** Project Manager Water & Sewerage**Attachments:** Nil**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** INFRASTRUCTURE WORKS REPORT**Budget:** Nil

RECOMMENDATION

That Council receive and note the information provided on infrastructure works completed in March 2025 and planned works for April 2025.

RESOLUTION 071/25

Moved: Deputy Mayor Gorman

Seconded: Cr Rolls

That Council receive and note the information provided on infrastructure works completed in March 2025 and planned works for April 2025.

THE MOTION WAS CARRIED UNANIMOUSLY

EXECUTIVE SUMMARY

The following information is to update the Council and community on matters associated with construction and maintenance from the Infrastructure Division (Roads, Parks and Gardens, Sewerage and Plant for works, Urban Services and Weeds) undertaken in March 2025 planned works for April 2025.

NATURAL DISASTERS

The Weddin Local Government Area has been impacted by a number of wet weather events and Natural Disaster declared events. When a Natural Disaster event is declared for Local Government areas, this means emergency repairs (to make safe only) are required to be completed within three (3) months of the declaration date or in our circumstances extended by the NSW Government. However, noting that the extension granted has expired.

Subsequent reconstruction works are a further claim that Council must apply to the NSW Government for approval and funding. In addition to this, a number of construction and

maintenance projects scheduled have been impacted by weather, resourcing of staff, contractors and supplies.

Summary of events and progress of work is provided in the following table.

Information of the packages and their approval status are now publicly available on Council's website with information of where road crews are operating for the natural disaster packages are now uploaded. Scope of works for the financial year has been developed with minor changes pending.

Last correspondence refers to dates that Council last formally heard from TfNSW, noting that Council Officers have submitted multiple follow ups.

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
1034 - 14 September 2022 onwards	EPA-RW - P2 General Works	\$1,150,511.64	<p>Heavy Patching on Sealed Roads Submitted scope of works to TfNSW approved (last correspondence February 2025) Package 2 Scope includes:</p> <ul style="list-style-type: none"> o Unsealed roads (non-priority) o Tree & vegetation clearing <p>Roads included are:</p> <ul style="list-style-type: none"> • Abbots Lane • Adams Lane - Greenethorpe • Adams Lane North – Gooloogong (completed) • Adelargo Road (completed) • Andersons Road • Arramagong Road • Back Piney Range Road • Bald Hills Road (partial) • Beazleys Lane • Bembricks Lane (completed) • Berendebba Lane • Bewleys Road • Bimbi St (Caragabal-Quandialla Road) • Bobelar Lane • Campbells Lane • Clay Pit Road (started) • Dixons Lane • Dunkleys Lane • Eualdrie Road • Eves Lane (completed) • Gerrybang Road-I • Gerrybang Road-II • Gibraltar Rocks Road (completed) • Goodes Lane (completed) • Grants Lane • Grimms Lane

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
			<ul style="list-style-type: none"> Hancock-Flinns Road Hancock-Williams Road (completed) Hazells Road Healys Road Heathcotes Lane Holy Camp Road Kangaroooby Road Major West Road (partial) McCanns Lane McDonalds Lane (completed) Melyra Street Napiers Road O'Loughlins Lane (partial) Peaks Creek Road (completed) Piney Range Hall Road Pinnacle Road Reeves Lane Sandy Creek Road South Street Taylors Road (completed) West Street Yambira Road (completed)
1034 - 14 September 2022 onwards	EPA-RW - P3 Priority Patches	\$7,211,868.03	<p>Heavy Patching on Sealed Roads</p> <p>\$7,211,868.03 upper limit is approved by TfNSW for Package 3.</p> <p>Submitted scope of works to TfNSW for approval</p> <p>95% complete</p> <p>Overall Scope includes:</p> <ul style="list-style-type: none"> Line marking work on Henry Lawson (completed) Driftway Road (completed) Deaths Lane (completed) Henry Lawson Way - Forbes Morangarell Road (completed) Quandialla Caragabal Road (completed)
1034 - 14 September onwards	EPA-RW - P4 - North Patching	\$2,776,635.48	<p>Heavy Patching on Sealed Roads</p> <p>Tender for stabilisation and resealing has been awarded and will start in March 2025.</p> <p>Roads included in Package 4 are:</p> <ul style="list-style-type: none"> Adelargo Road (completed) Bald Hills Road - East West (completed) Ballendene Road (partial) Bewleys Road Goodes Lane

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
			<ul style="list-style-type: none"> • Gooloogong Road (MR237) (partial) • Hunters Road • Keiths Lane • Mortray Road (completed) • Muncks Lane • Piney Range Hall Road (completed) • Sandy Creek Road
1034 - 14 September 2022 onwards	EPA-RW - P5 - South Patching	\$8,136,453.67	<p>Heavy Patching on Sealed Roads Submitted scope of works to TfNSW for Package 5 approval (last correspondence February 2025) Scope of works include:</p> <ul style="list-style-type: none"> • Back Piney Range Road • Berrys Road • Bimbi-Quandialla Road • Bimbi-Thuddungra Road • Bland Road • Edward Square, Greenethorpe • Eualdrie Road • Gambarra Road • Gerrybang Road • Gooloogong Road (R096/MR237) • Greenethorpe-Bumbaldry Road • Greenethorpe-Koorawatha Road • Grenfell Street • Holy Camp Road • Iandra Road • James Street • Martins Lane • Melyra Street • Murrays Lane • Newton Street • Nowlans Road • Old Forbes Road • Sale Street • Second Street • South Street • Talbot Street • Third Street • Tyagong Creek Road • Wirega-Greenethorpe Road
1034 - 14 September 2022 onwards	EPA-RW - P6 - Priority Unsealed	\$1,103,072.01	<p>Scope for Package 6 includes medium and heavy formation grading of unsealed roads. 90% of work completed (last correspondence February 2025) Roads included are:</p>

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
			<ul style="list-style-type: none"> • Arramagong Road (completed) • Bald Hills Road (started) • Barkers Road East (completed) • Barkers Road North (completed) • Gannons Lane (completed) • Lynchs Road (completed) • Maddens Lane (completed) • McCanns Lane (completed) • Napiers Road (completed) • Nealons Lane (completed) • Reeves Lane (completed)
1034 - 14 September 2022 onwards	EPA-RW - P7 - Sinking Culverts & Drain Cleaning	\$1,550,000.00	Awaiting approval (last correspondence February 2025) Sinking Culverts budget to be confirmed.

STATE ROADS

- This is a bi-monthly report and will be detailed in this Council Meeting as a separate report.

MAJOR WORKS

Pullabooka Road Drainage and Resurfacing

- Council is waiting to commence table-drain drainage work on Pullabooka Road in April 2025 which is funded through the Regional Local Roads Repair Program (RLRRP).

Greenethorpe-Koorawatha Road Rehabilitation

- The project is complete and the submission to acquit the grant has been lodged. An official opening of the road will occur in due course.

Nowlans Road Upgrade

- Works have commenced and now expected to be completed at the end of May 2025.

Arramagong Road Culvert Replacement

- Council started construction works in late March 2025 and expected to be finished by May 2025.

Caragabal Shared Pathway

- Council work is complete and waiting for ARTC to join to path as part of their package. Date of completion end of financial year.

Bogolong Dam Restoration Project

- Public Works Department is compiling a report for Council that will provide information necessary for determining the safety and stability of the dam.
- Once received, a final consideration by the Bogolong Dam Committee will be made and presented to Council.

FOOTPATH /KERB AND GUTTER WORKS

Third Street, Quandialla

- Procurement process is ongoing to select a suitable construction contractor for kerb and gutter replacement. Sufficient quantity of kerb and gutter work needs to be generated to make this work viable. Delivery of this work is planned for end of the financial year.

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.

GRAVEL RESHEETING

- Council is intending to undertake a gravel resheeting program as per Council's strategic planning. The gravel resheeting program will be funded under the Regional Emergency Road Repair Fund (RERRF). Council's plan is to complete the program within the next three (3) years depending on the availability of Council resources.

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

- Mowing, weeding and whipper snipped in parks and garden areas
- Mowed and whipper snipped the Cemetery grounds
- Mowed, weeded and whipper snipped Taylor Park
- Mowed and whipper snipped Vaughn Park
- Mowed and whipper snipped Proctor Park
- Mowed, weeded and whipper snipped Memorial Park
- Mowed and whipper snipped Rotary Park
- Mowed and whipper snipped Goodsell Park
- Mowed and whipper snipped SH6 Rest Stop
- Mowed, weeded and whipper snipped Rygate Square
- Mowed and whipper snipped Council Chambers
- Mowed and whipper snipped O'Briens Hill and Lookout
- Mowed, weeded and whipper snipped Endemic Garden

- Mowed, weeded and whipper snipped Dagmar Street
- Mowed and whipper snipped Lawson Oval Top and Bottom
- Mowed, weeded and whipper snipped Henry Lawson's Birthplace
- Mowed and whipper snipped Railway Crossing on the Young Road
- Mowed and whipper snipped Dalton Street
- Mowed and whipper snipped Railway Free Camp (West Street)
- Mowed and whipper snipped Henry Lawson Way
- Mowed, weeded and whipper snipped Forbes Road Rest Stop
- Mowed and whipper snipped Camp Street
- Mowed and whipper snipped Melyra Street
- Mowed and whipper snipped Brundah Street

Town Maintenance

- Whipper snipped around all islands on the road within the Grenfell town area
- Whipper snipped around guard railings
- Started tree lifting, whipper snipping and mowing in laneways

Village Maintenance

- Standard village maintenance of mowing in Greenethorpe, Caragabal and Quandialla
- Clearance of debris at Caragabal, Greenethorpe and Bimbi

PLANT REPORT

<u>Plant Report for March 2025</u>			
4127	Husky	Due for service	Serviced
3961	Isuzu Truck	DPF system fault, service	DPF repaired and serviced
4121	Grader	Due for service	Serviced
4122	Backhoe	Due for service	Serviced
4123	Kubota Tractor	Due for service	Serviced
4125	Kubota Mower	Due for service	Serviced
4116	Toro Mower	Due for service	Serviced
4110	Toro Mower	Due for service	Serviced
4095	John Deer	PDO drive	Repaired PDO drive
3965	Garbage Truck	Front spring shackles, due for service	Serviced and repaired

Plant Report for March 2025			
3962	Isuzu	Due for service	Serviced
1135	Toyota	Due for service	Serviced
1134	Toyota	Due for service	Serviced
2082	Nissan Patrol	Intercooler needs replacing	Replaced
4106	Backhoe	Due for service	Serviced
4107	Isuzu	Tarp motor needs replacing	Tarp replaced
3957	Western Star	Fuel filter needs replacing	Replaced
3958	Western Star	Vacuum control panel needs replacing	Replaced
3229	Daihatsu	Clutch adjustment	Clutch adjusted
2108	Triton	Due for service	Serviced
2109	Triton	Due for service	Serviced
1137	ASX	Due for service	Serviced
4120	Loader	Due for service	Serviced
3966	Hino Water Cart	Fuel filter needs replacement	Replaced
4109	Multi Pack Roller	Hydrolytic oil and filters	Replaced
4113	Multi Pack Roller	Hydraulic filters, engine filters and basic service	Parts replaced and serviced

Council is using a JetPatcher under a rental agreement.

BIOSECURITY

Three (3) staff members were available in March 2025.

Information on Biosecurity weeds – Central West Priority Weeds List is available on the Weedwise App or webpage <https://weeds.dpi.nsw.gov.au/WeedBiosecurities?Areald=2>

ACTIVITY		LOCATION	
Administration		<ul style="list-style-type: none"> Monthly report, mapping, BIS uploads, inspections and weeds loaded on Chartis Weeds App, email correspondence, review weed spraying program and plan of action, review relevant budget totals, review/reply Service Requests when received 	

ACTIVITY	LOCATION
	<ul style="list-style-type: none"> • WAP activities aligned with WO & tasks • Assist in public awareness campaign through MLVWC Facebook page • Regional inspection plan update in process • Investigating chemical issues through Authority (accounting software package) • Toolbox, risk assessments, plant sheets, TMP's & timesheets
Public Awareness	<ul style="list-style-type: none"> • Handing out merchandise to raise weed awareness • Social media campaign • Spot and Report signs waiting installation - looking into available grants to have signs installed • Red guide post reinstalled along Henry Lawson Way to Young
Mapping	<ul style="list-style-type: none"> • Weed information mapped, synced and uploaded to DPI • Working on inputting data when a drone is used
Meetings	<ul style="list-style-type: none"> • Awaiting on news of delegates for Local weed committee and dates for meetings • CWRWC & WAP operational meetings at Coonamble
Training	<ul style="list-style-type: none"> • Continual drone training/practise • EMtrain online modules • Local weed identification • Compliance & regulatory training rescheduled for May (2 staff)
Private Property Inspections	<ul style="list-style-type: none"> • Information packages collated for landholders to receive during planned inspections (or as requested) • Property inspections to begin in April
Roadside Inspections and On-ground Control, if Required	<ul style="list-style-type: none"> • Continuous roadside inspections • Limited control when environmental conditions allow • Priority weeds mapped during inspection for future control
Council Owned Land	<ul style="list-style-type: none"> • Council owned /managed vacant land, Grenfell and village areas • Bio staff been assisting in other areas such as Parks & Gardens spraying, Cemetery spraying, SH6
Travelling Stock Route (TSR) Inspections	<ul style="list-style-type: none"> • Continually inspected during high risk pathway inspections
Other High Risk Sites	<ul style="list-style-type: none"> • Cemetery, silos, camping areas, rest areas
Sucker Control	<ul style="list-style-type: none"> • Sucker control carried out when conditions suit and sighted
Biological Control	<ul style="list-style-type: none"> • Ongoing research in Biocontrol for additional tools for use in Priority Weed Control • African boxthorn rust was released with State Forest in June 2024, will monitor throughout coming months

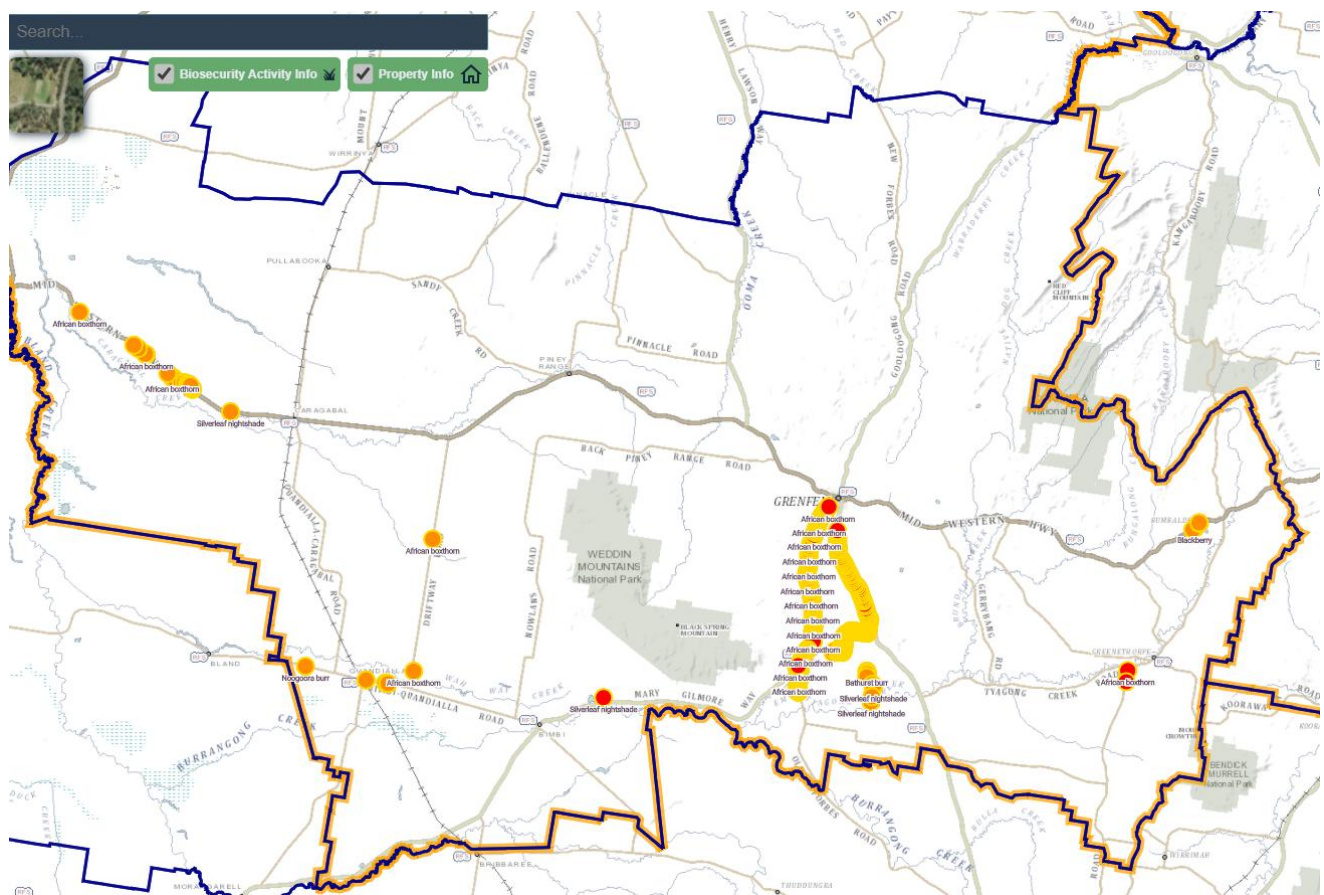
ACTIVITY	LOCATION
Other	<ul style="list-style-type: none"> • Mentoring staff members in Biosecurity • Hudson pear control - Central West regional joint response at Coonamble

Chemicals Used

Glyphosate	35 litres
Grazon	32.25 litres

Control measures were conducted over the Weddin Shire Council in March 2025. The maps below shows an overview of the locations treated.

March 2025



MAIN STREET UPDATE

RESOLUTION 070/24

Moved: Cr Frame

Seconded: Cr McKellar

Moved: Cr Frame

Seconded: Cr Diprose

For discussion as separate items:

1. That Council Officers provide a report on the finalisation of signage and marking of the Main Street including for disabled parking.
2. That Council Officers provide a report on the CCTV in the Main Street.
3. That Staff provide updates through the Infrastructure Works Report until it is finished.

THE MOTION WAS CARRIED UNANIMOUSLY**Disabled Parking in Main Street**

Disabled parking will be marked in front IGA and will comply with all Australian Standards once a pedestrian ramp is constructed and approved by the Weddin Local Traffic Committee and Council.

Taxi Stand

A Taxi Stand will be marked in front IGA and will comply with all Australian Standards once a pedestrian ramp is constructed and approved by the Weddin Local Traffic Committee and Council.

CCTV

Council Officers are in the process of organising finalisation and the acquittal of the grant funding.

13 ENVIRONMENTAL SERVICES REPORTS**13.1 QUANDIALLA SWIMMING CENTRE QUARTER REPORT****File Number: P2.3.2****Author: Executive Assistant to the Director Environmental Services****Authoriser: Director Environmental Services****Attachments: Nil****CSP Objective: Culturally rich, vibrant and inclusive community****Precis: Operation of Quandialla Swimming Centre****Budget: Nil**

The following provides a summary of the attendance at the Quandialla Swimming Centre during the third quarter of the 2024/25 financial year, being the period 1 January 2025 to 16 March 2025. We would like to thank those who attended the Quandialla Swimming Centre and our staff who operated the centre.

January 2025

Total Attendance:	545	School Usage:	0
Daily Average:	17	Other Usage:	146
Cash Attendance:	109 Child 29 Adult 0 Spectator	Season Ticket Sales:	
Season Ticket Attendance:	119 Child 92 Adult	Child:	0
		Adult:	0
		Family:	0
		Pensioner:	0

February 2025

Total Attendance:	313	School Usage:	0
Daily Average:	11	Other Usage:	161
Cash Attendance:	26 Child 25 Adult 0 Spectator	Season Ticket Sales:	
Season Ticket Attendance:	54 Child 47 Adult	Child:	0
		Adult:	0
		Family:	0
		Pensioner:	0

March 2025

Total Attendance:	76	School Usage:	0
Daily Average:	5 (16 days)	Other Usage:	76
Cash Attendance:	19 Child 17 Adult 0 Spectator	Season Ticket Sales:	
Season Ticket Attendance:	28 Child 23 Adult	Child:	0
		Adult:	0
		Family:	0
		Pensioner:	0

13.2 QUANDIALLA SWIMMING CENTRE - 2024/25 SEASON

File Number:	P2.3.2
Author:	Executive Assistant to the Director Environmental Services
Authoriser:	Director Environmental Services
Attachments:	Nil
CSP Objective:	Culturally rich, vibrant and inclusive community
Precis:	Season Report for the Quandialla Swimming Centre
Budget:	Nil

The Quandialla Swimming Centre opened on 29 October 2024 and closed on 16 March 2025.

Table 1 below provides a summary of the 2024-2025 season attendance figures for the Quandialla Swimming Centre.

Total Attendance:	2,256	School Usage:	301 (10-day Program)
		Other Usage: (aqua classes, swimming club, swimming carnival):	941
Cash Attendance:	203 Child 144 Adult 50 Spectator	Season Ticket Sales:	
		Child:	0
		Adult:	3
Season Ticket Attendance:	324 Child 293 Adult	Family:	17
		Pensioner:	0

Table 1. Season Attendance Figures.

Table 2 below provides a summary of the 2024-2025 Daily attendance totals for the Quandialla Swimming Centre.

Day	Total Numbers	Daily Average over 18 weeks
Monday	Closed	-
Tuesday	196	10
Wednesday	600	33
Thursday	447	24
Friday	559	31
Saturday	189	10
Sunday	265	14

Table 2. Daily attendance totals

The general recreational usage component of attendance for the season was 862 patrons which is rather low, there has been numerous days usually on a Tuesday or weekends that staff have no attendance to facility. Therefore Council may need to consider the operating hours to the level of service ratio into the future.

The rest of the attendance figures of 1394 are contributed by the following group.

The Quandialla Swimming Club was a strong supporter of the centre on both Wednesday and Fridays for Club nights, they held a very successful Swimming Carnival in January.

The Quandialla, Bribbaree and Caragabal schools held a 10-day Swim Safe program.

Weekly aqua classes were also provided at the pool by a third party approved user on Thursday afternoons.

Royal Life Saving supported a Swim Vac 5-day program in January.

There were no reportable accidents or incidents at the facility during the season which is a credit to the staff and users.

We would like to thank those who attended the Quandialla Swimming Centre and our staff who operated the centre.

13.3 GRENFELL AQUATIC CENTRE - QUARTER REPORT

File Number: P2.3.1
Author: Executive Assistant to the Director Environmental Services
Authoriser: Director Environmental Services
Attachments: Nil
CSP Objective: Culturally rich, vibrant and inclusive community
Precis: Operation of Grenfell Aquatic Centre
Budget: Nil

The following provides a summary of the attendance at the Grenfell Aquatic Centre during the third quarter of the 2024/25 financial year, being the period 1 January 2025 to 30 March 2025. We would like to thank those who attended the Grenfell Aquatic Centre and our staff who operated the centre.

January 2025

Total Attendance:	6071	School Usage:	0
Daily Average:	202	Other Usage:	1207
Cash Attendance:	690 Child 520 Adult 87 Spectator	Season Ticket Sales:	
Season Ticket Attendance:	1956 Child 1611 Adult	Child:	0
		Adult:	0
		Family:	1
		Pensioner:	0

February 2025

Total Attendance:	4595	School Usage:	350
Daily Average:	164	Other Usage:	794
Cash Attendance:	474 Child 255 Adult 132 Spectator	Season Ticket Sales:	
Season Ticket Attendance:	1307 Child 1283 Adult	Child:	0
		Adult:	0
		Family:	1
		Pensioner:	0

March 2025

Total Attendance:	3578	School Usage:	66
Daily Average:	119	Other Usage:	761
Cash Attendance:	226 Child 126 Adult 29 Spectator	Season Ticket Sales: Child: 1 Adult: 0 Family: 1 Pensioner: 0	
Season Ticket Attendance:	1171 Child 1199 Adult		

13.4 GRENFELL AQUATIC CENTRE - 2024/25 SEASON**File Number: P2.3.1****Author: Executive Assistant to the Director Environmental Services****Authoriser: Director Environmental Services****Attachments: Nil****CSP Objective: Culturally rich, vibrant and inclusive community****Precis: Season Report for the Grenfell Aquatic Centre****Budget: Nil**

The Grenfell Aquatic Centre opened on 14 October 2024 and closed on 30 March 2025.

Table 1 below provides a summary of the 2024/25 season attendance figures for the Grenfell Aquatic Centre.

Total Attendance:	27,280	School Usage:	2,587
Daily Average:	165	Other Usage: (aqua classes, swimming club, training, etc.)	4,953
Cash Attendance:	2,244 Child 1,639 Adult 368 Spectator	Season Ticket Sales: Child: 8 Adult: 22 Family: 98 Pensioner: 32	
Season Ticket Attendance:	8,688 Child 6,801 Adult		

Table 1. Season Attendance Figures.

The Grenfell Amateur Swimming Club are an integral part of the facility, holding Club nights each Friday, a District carnival in December supporting all local schools with equipment and support to run successful swimming carnivals.

The Centre has had a great season with warm weather and a significant increase in patronage.

Council's Art, Tourism and Events staff supported another family day of activities for Australia Day. The event was attended by a large amount of our community, but we also had several patrons from surrounding towns, it was a fun day of adventures and activities with only positive comments

The Grenfell Community Health hosted a gentle exercise programme every Tuesday, and Aqua classes were held by an approved third-party provider twice a week. These programmes are a great asset to the facility catering across all levels of age and fitness abilities.

Our squad programme which runs four (4) afternoons a week during the season was a massive success. Swimming lessons during this season were quite limited due to staff shortages, but a very successful Swim Vac program was conducted in January in conjunction with Royal Life Saving.

We have 16 local swimmers that have been successful in gaining a place to compete at the State Championships in Homebush for their various schools, along with Caragabal relay team. Penny Hughes has also qualified to compete at the National Championships in Brisbane. This is a credit to all these swimmers.

The Grenfell Primary, Greenethorpe Primary and St Joseph's Primary Schools all held 10 swim safe programmes for students. The Henry Lawson High School ran compulsory water safety sessions for all students during the season as well as a very successful Outdoor Ed programme. These schools also held sport sessions at the centre, along with three (3) successful Swimming Carnivals.

The Centre also hosted the Western Regional District Carnival for Primary Schools. This carnival is a big draw card from surrounding districts.

There were no reportable accidents or incidents during the season, which is a credit to the staff and users.

We would like to thank those who attended the Grenfell Aquatic Centre and our staff who operated the centre.

13.5 DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES

File Number: T5
Author: Executive Assistant to the Director Environmental Services
Authoriser: Director Environmental Services
Attachments: Nil
CSP Objective: Sustainable natural, agricultural and built environments
Precis: Details of development applications, construction certificates and complying development applications determined during the period 1 March to 31 March 2025.
Budget: Nil

RECOMMENDATION

That Council note the report on development applications, construction certificates and complying development applications determined during the period 1 March to 31 March 2025.

RESOLUTION 072/25

Moved: Cr Makin
Seconded: Cr Neill

That Council note the report on development applications, construction certificates and complying development applications determined during the period 1 March to 31 March 2025.

THE MOTION WAS CARRIED UNANIMOUSLY

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 March 2025.

Development Applications Determined by Council

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

DA NO.	Applicant	Construction	Value (\$)	Address
3/2025	Mr RZ Gora	Construction of Shed	\$20,000	Lot 12 DP 1171193 293 Yambira Road GRENFELL NSW 2810

Complying Development Applications

The complying development certificate applications approved within the Shire in March 2025 by Council or any other Principal Certifiers.

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

Construction Certificates

The following applications were determined by the Director Environmental Services under delegated authority:

CC NO.	Applicant	Construction	Address
36/2024	Mr D Lennane	Construction of Shed with Amenities	Lot 2 DP 1083840 135 Adelargo Road GRENFELL NSW 2810
38/2024	Mr GC Brenner	Construction of Shed and rainwater tank	Lot 801 DP 754578 Brundah Parish GRENFELL NSW 2810
2/2025	Mr AB Taylor	Demolish existing dwelling and construction of replacement dwelling	Lot 2 DP 133807 508 Hunters Road GRENFELL NSW 2810

13.6 NEW LEGISLATED FOOD ORGANICS AND GARDEN ORGANICS (FOGO) REQUIREMENTS

File Number:

Author: Director Environmental Services

Authoriser: General Manager

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: Introduction of new requirements for the collection of Food Organics and Garden Organic waste

Budget: There is no budget implications associated with this report. In the event that Council is required to introduce a FOGO service, a full cost analysis will need to be undertaken.

RECOMMENDATION

That Council note the report on the new Food Organics and Garden Organic waste requirements introduced under the *Protection of the Environment Legislation Amendment (FOGO Recycling) Act 2025*

RESOLUTION 073/25

Moved: Cr Makin

Seconded: Cr Montgomery

That Council note the report on the new Food Organics and Garden Organic waste requirements introduced under the *Protection of the Environment Legislation Amendment (FOGO Recycling) Act 2025*

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is to provide Council and the community with an update on the new mandated Food Organics and Garden Organics (FOGO) requirements.

BACKGROUND

The *Protection of the Environment Legislation Amendment (FOGO Recycling) Act 2025* (**FOGO Act**) has been passed by Parliament. This Act amends the *Protection of the Environment Operations Act 1997* and mandates the collection of FOGO waste from households and businesses, and the reporting of supermarket food donations.

As part of the [NSW Government's Waste and Sustainable Materials Strategy 2041](#), which outlines the State's transition to a circular economy over the next 20 years, the NSW Government's target is to halve the amount of organic waste sent to landfill by 2030.

Households and businesses in Australia generate around 1.7 million tonnes of FOGO waste annually. It is estimated that up to 45% of household waste placed in general waste bins is food waste, which ends up in landfill. Each tonne of organic waste diverted from landfill avoids about 1.5 tonnes of carbon dioxide equivalent emissions.

The FOGO Act inserts a new Chapter 5A in the *Protection of the Environment Operations Act 1997* and mandates the collection and transportation of FOGO waste across NSW by imposing obligations on local councils and businesses.

ISSUES AND COMMENTS

By 1 July 2030, all councils in New South Wales will be required to provide household FOGO collection for all residential accommodation (e.g. dwelling houses, attached dwellings, residential flat buildings, boarding houses, seniors housing etc).

The requirement includes the provision of either split food organics/garden organics bins or a single combined FOGO bin to each household in the council's area. Councils must also ensure that FOGO waste is not mixed with non-organic waste during transportation.

The maximum penalties for non-compliance by councils with the relevant requirements are \$500,000 with an additional \$50,000 penalty each day for some continuing offences. On-the-spot fines can be issued up to an amount of \$5,000 with increased fines for further offences.

The FOGO Act also mandates the collection and transportation of food organics waste from “*relevant premises*”, which includes a range of businesses and institutions, such as:

- (a) supermarkets,
- (b) the following premises in which food or drink is prepared or provided—
 - (i) centre-based child care facilities,
 - (ii) correctional complexes, including correctional centres,
 - (iii) educational establishments,
 - (iv) food and drink premises,
 - (v) hospitals,
 - (vi) hotel or motel accommodation,
 - (vii) premises used for a mobile catering business within the meaning of the [Food Act 2003](#), Part 8, Division 3, but excluding premises at which food prepared by the mobile catering business is served,
 - (viii) registered clubs,
 - (ix) seniors housing for which the local council does not provide a regular collection service for the transportation of residual waste,
 - (x) residential accommodation that receives a regular collection service for the transportation of residual waste by a person other than a council within the meaning of the [Local Government Act 1993](#),
- (c) premises where seating is provided within a common food court or food hall for the immediate consumption of food or drink purchased at the premises,
- (d) other premises prescribed by the regulations.

The FOGO Act will apply to businesses and institutions in stages starting from 1 July 2026, followed by 1 July 2028, with the final stage on 1 July 2030.

An occupier of relevant premises must ensure that sufficient food organics/organics collection bins are provided, are collected weekly, and that food organics waste is not mixed with other waste during transportation.

The maximum penalty for not complying with the business mandates is \$500,000 for companies and \$250,000 for individuals, with an additional \$50,000 or \$25,000 penalty respectively each day for continuing offences.

On-the-spot fines of up to \$5,000 can also be issued, with higher fines for second offences.

There is a power under the FOGO Act to provide exemptions by regulation at a later date in respect of certain Councils, businesses and institutional premises.

There is also a power granted to the EPA which will allow it to grant exemptions from any of the requirements under the FOGO Act.

It is currently unclear how these exemptions will apply but it is understood that they are intended to add levels of flexibility in achieving the outcomes of the legislation.

POLICY/LEGAL IMPLICATIONS

The new FOGO waste collection requirements will potentially have a significant impact on Council’s current waste collection services. As Council only has one garbage truck, we currently do not have the capacity to undertake a designated FOGO collection service.

Council staff are currently investigating funding opportunities with surrounding Council's to undertake further investigations into the level of FOGO waste within general waste bins in the Shire, in order to ascertain if such a service would be warranted. This information could then be used to apply for any exemptions which may be available.

In the event that Council is obligated to introduce a FOGO service, suitable means of processing the FOGO waste will also need to be established. Due to the limited amount of waste that Weddin Shire would produce, it is likely that Council would need to enter into a contract to deliver the waste to a larger processing facility in a neighbouring Council. Due to the lack of quantum of FOGO waste, it would be unlikely that Council would establish its own processing plant.

FINANCIAL/RESOURCE IMPLICATIONS

The new FOGO waste collection requirements will potentially have a significant impact on Council's current waste collection service. The full financial and resource implications are not known at this time.

As mentioned above, the new legislation provides power to the EPA to grant exemption from any of the requirements under the FOGO Act. It is currently unclear how these exemptions will apply and if Weddin Shire Council would meet the exemption requirements.

INTERNAL/EXTERNAL CONSULTATION

No internal or external consultation has been undertaken at this stage. Once more information is known on Council's obligations regarding the introduction of a FOGO waste service, consultation will be undertaken with the community.

CONCLUSION

The NSW Government has introduced new legislation which mandates the collection of FOGO waste from households and businesses, and the reporting of supermarket food donations.

The EPA has been provided with the power to grant exemptions from any of the requirements under the FOGO Act. However, it is currently unclear how these exemptions will apply.

The full financial and resource implications for Weddin Shire Council are not known at this time. Council staff are currently investigating funding opportunities with surrounding Council's to undertake further investigations into the level of FOGO waste within general waste bins in the Shire, in order to ascertain if such a service would be warranted.

13.7 DEVELOPMENT APPLICATION 31/2024 - DEMOLITION OF TWO (2) STORAGE BUILDINGS

File Number: DA 31/2024

Author: Director Environmental Services

Authoriser: General Manager

Attachments: 1. ATT 1 | Architectural Plans and supporting documents
2. ATT 2 | Submissions of objection

CSP Objective: Sustainable natural, agricultural and built environments

Precis:

Budget: NIL

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. Development Application No. 31/2024, being for the demolition of two (2) storage buildings located on Lot 6 DP 449868, known as 110 Main Street Grenfell, be approved subject to the recommended conditions listed in Appendix A to the assessment report.
3. The General Manager register this planning decision in line with s. 375A of the *Local Government Act 1993* including 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.

Moved: Cr Montgomery

Seconded: Cr Rolls

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. Development Application No. 31/2024, being for the demolition of two (2) storage buildings located on Lot 6 DP 449868, known as 110 Main Street Grenfell, be approved subject to the recommended conditions listed in Appendix A to the assessment report.
3. The General Manager register this planning decision in line with s. 375A of the *Local Government Act 1993* including 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.

THE MOTION WAS CARRIED UNANIMOUSLY

**FOR: MAYOR BEST, DEPUTY MAYOR GORMAN, CR MONTGOMERY, CR NEILL,
CR NIVEN, CR PARLETT, CR ROLLS**

Cr Makin left the room at 6:24 pm.

Cr Makin entered the room at 6:58 pm.

INTRODUCTION

Development Application No. 31/2024 proposes the demolition of two (2) storage buildings located on Lot 6 DP 449868, known as 110 Main Street, Grenfell (the property).

The development application was lodged by Andy's Design and Drafting on behalf of the owner of the site Mawhood Pty Ltd.

The development application has been supported by development plans showing the existing buildings, a Statement of Environmental Effects (including Addendum), Statement of Heritage Impact, Building Condition Report and Survey Report. A basic concept plan for a new structure to replace the storage sheds proposed for demolition has also been provided, however the development application does not seek consent for this structure.

A copy of the plans and supporting documentation are included in **Attachment 1** to this report.

DESCRIPTION OF SITE

The property is private freehold land being Lot 6 DP 449868 and has a total area of approximately 1836.1m². The northern boundary of the property fronts George Street, the Southern boundary fronts Main Street, and the Western boundary fronts Teston Street.

A two (2) storey commercial premises which contains characteristics of the late Victorian Period is constructed over the large portion of the development site and fronts Main Street. The building is used for the purpose of a retail supermarket (IGA).

At the rear of the main building in the north-west corner of the allotment is an attached timber frame corrugated iron storage building (Building 1). This building contains a small awning which protrudes over the adjoining footpath in Teston Street. At the rear of the main building in the north-east corner of the allotment is an attached brick and corrugated iron storage building (Building 2). The location of building 1 and building 2 are shown in **Figure 1** below.

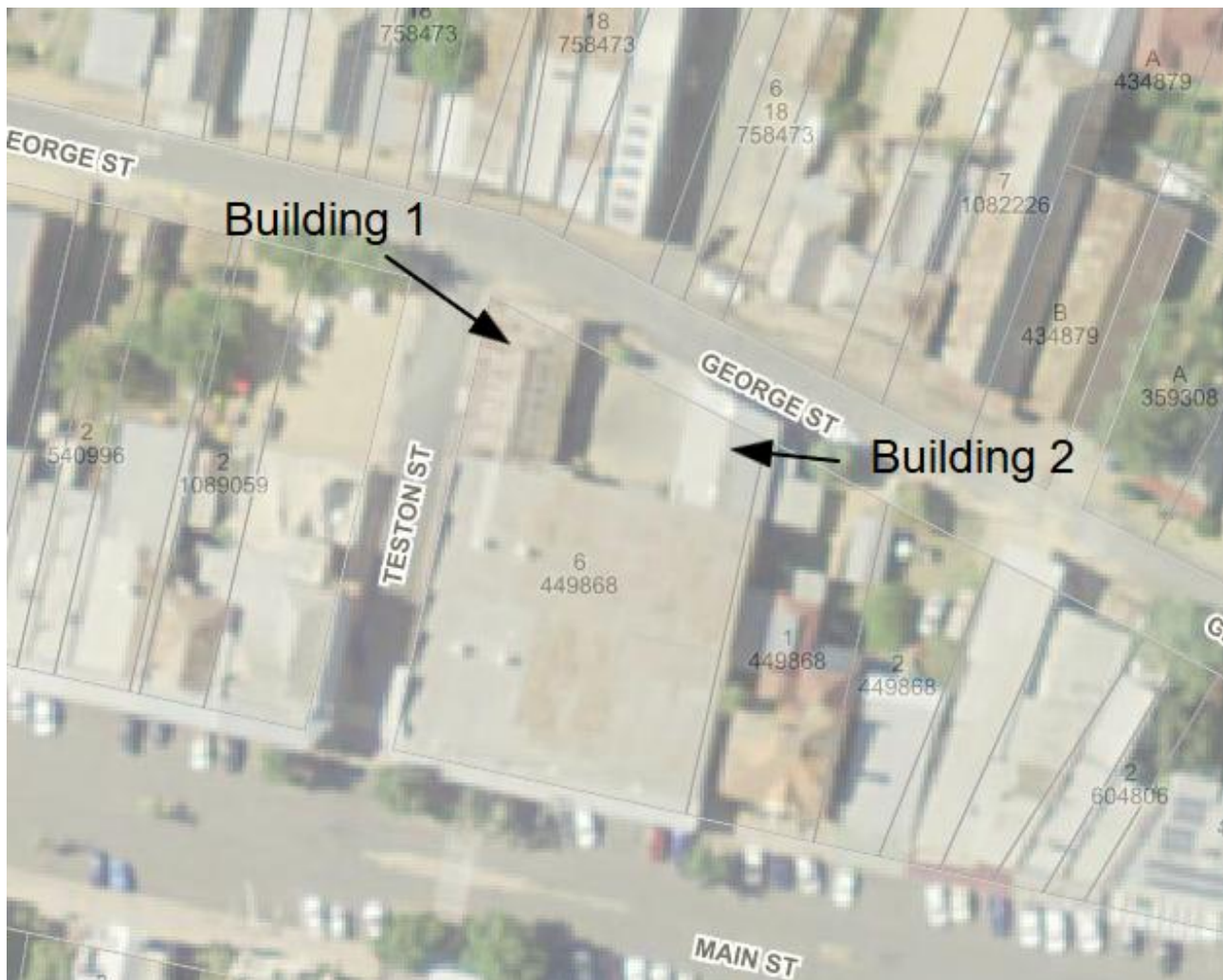


Figure 1. Aerial photo showing building 1 and building 2 which are proposed for demolition. Photographs showing Building 1 and Building 2 in relation to the surrounds are provided in **Figures 2 - 4** below.



Figure 2. Photo of Building 1 taken from George Street/Teston Street intersection.



Figure 3. Photo of Building 1 taken from Teston Street



Figure 4. Photo of Building 2 taken from George Street.

Both Building 1 and Building 2 are attached to the main commercial building on the site, however they are separate buildings which have been completed as additions. **Figure 5** below shows the clear separation of Building 1 from the main building. **Figure 6** show that Building 2 is a separate building with different brickwork.



Figure 5. Photo of Building 1 which indicates that building has been addition to main building.

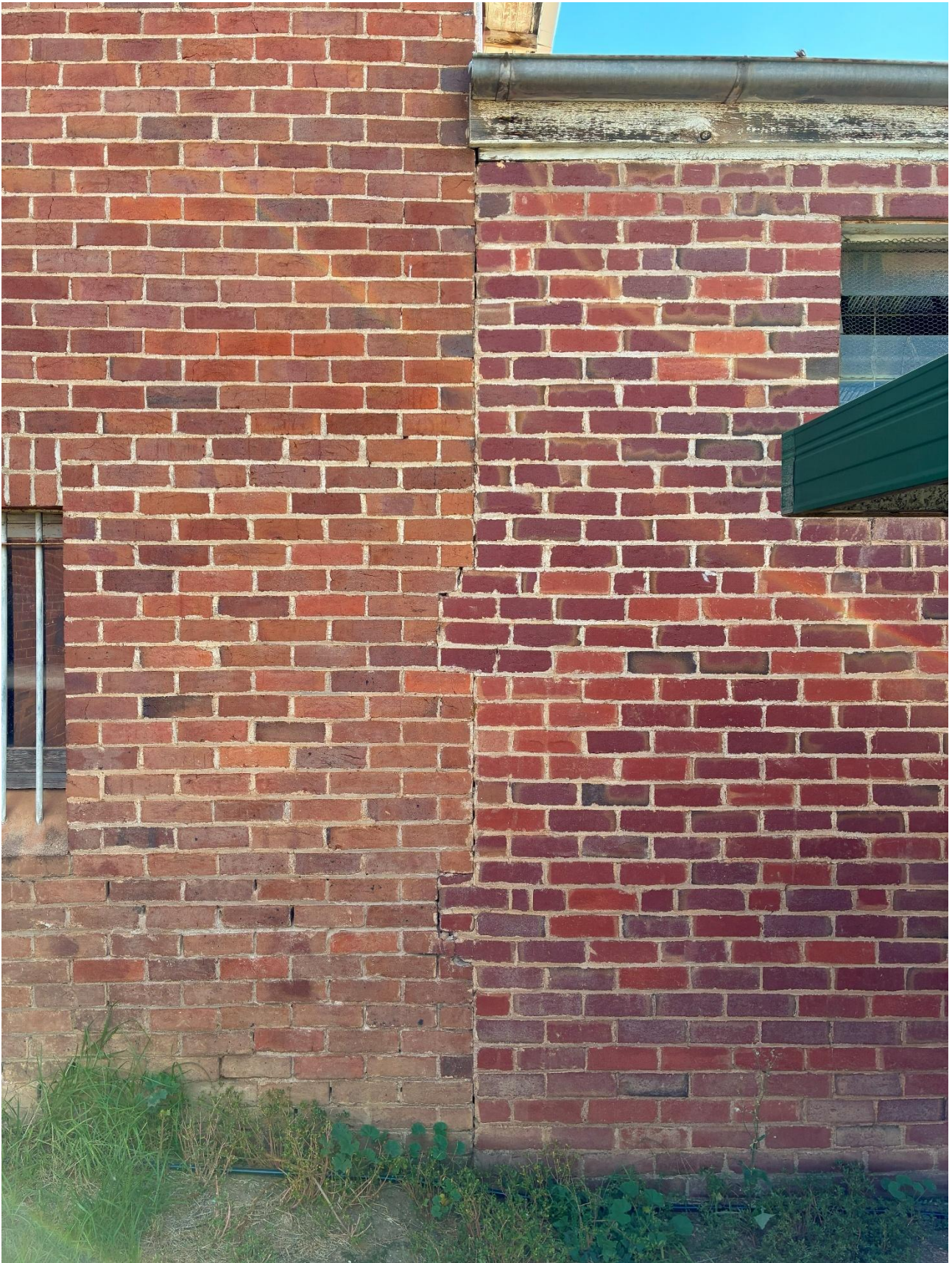


Figure 6. Photo of Building 2 which shows that building was addition to main building.

The development site is zoned E1 – Local Centre 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 7** below.



Figure 7. Locality Plan

DESCRIPTION OF PROPOSAL

Development Application 31/2024 proposes the demolition of two (2) storage buildings located at the rear of the main building, adjacent to George Street.

Building 1 which is proposed for demolition is attached to the main building and is located in the north-west corner of the allotment. The building has a timber frame with corrugated iron walls and roof, and a concrete floor.

Building 2 which is proposed for demolition is also attached to the main building and is located in the north-east corner of the allotment. The building has brick walls on the northern and eastern sides, and a corrugated iron wall on the western side. The building has steel trusses, corrugated iron roof and a concrete floor.

Further details of the proposed development are included in the submitted plans, Statement of Environmental Effects, Statement of Heritage Impact and Building Condition Report, which are provided in **Attachment 1**.

ENVIRONMENTAL IMPACT ASSESSMENT

Clause 1.5 of the *Environmental Planning and Assessment Act 1979* (the Act) describes the meaning of development, which includes the demolition of a building or work. A copy of clause 1.5 of the Act is provided below:

1.5 Meaning of “development”

- (1) For the purposes of this Act, **development** is any of the following—
 - (a) the use of land,
 - (b) the subdivision of land,
 - (c) the erection of a building,
 - (d) the carrying out of a work,
 - (e) the demolition of a building or work,
 - (f) any other act, matter or thing that may be controlled by an environmental planning instrument.
- (2) However, development does not include any act, matter or thing excluded by the regulations (either generally for the purposes of this Act or only for the purposes of specified provisions of this Act).
- (3) For the purposes of this Act, the **carrying out of development** is the doing of the acts, matters or things referred to in subsection (1).

In determining a development application, a consent authority is to take into consideration such matters as are of relevance to the development in accordance with Section 4.15(1) of the Act. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 31/2024:

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

Weddin Local Environmental Plan 2011

The development site is zoned E1 Local Centre under the provisions of Weddin LEP 2011.

The application proposes the demolition of two (2) storage buildings (building 1 and building 2) located at the rear of the site, adjacent to George Street.

Clause 2.3

Clause 2.3(1) of the Weddin LEP 2011 refers to the land use table for each specific zone and outlines the following:

- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.

Below is the land use table for the E1 Local Centre zone –

Zone E1 Local Centre

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Self-storage units; Semi-detached dwellings; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Waste or resource transfer stations; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewerage systems; Storage premises; Vehicle body repair workshops; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities

Development Application 31/2024 proposes to demolish two (2) storage buildings located at the rear of the main building. The definition of demolish as outlines in the Weddin LEP 2011, is provided below:

demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

Based on the land-use table for the E1 zone, the proposed demolition is permitted with consent.

Clause 2.7 Demolition requires development consent

This clause stipulates that the demolition of a building or work may be carried out only with consent, unless identified in an applicable environmental planning instrument as exempt development. The proposed demolition works are within a heritage conservation area, and therefore are not exempt development. As such, a development application has been lodged for the proposed demolition works.

Clause 5.10 Heritage Conservation

The development site is not a listed heritage item, but is located within the Grenfell Urban Conservation Area, as identified within the Weddin LEP 2011. Clause 5.10(4) of the Weddin LEP states:

Clause 5.10 Heritage Conservation

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

In accordance with clause 5.10(4) an assessment of the effects that the proposed development may have on the heritage conservation area has been undertaken. This includes referring the original plans and supporting information lodged with the development application to Council's Heritage Advisor, with the following comments being received:

"The loss of the historic, vernacular and such use buildings along George St is not taken lightly and each loss thereby erodes the historic setting. It is understood the adaption of the masonry building for commercial purposes may be required, however this should not be at a loss to or intrusion into the HCA. Any infill should compete and echo the traditional forms and materials or be neutral at best.

Similarly the masonry building should be allowed to move independently, and be 'read' as separate to, of any infill structures or works on the land.

Critical will be all externalities, form/s, materials and colours of a replacement structure. Conceptualisation and detailing should employ skilled person/s with a sensitivity to the HCA, and in particular the George St setting.

1. Maybe consideration of a deferred commencement pending agreement with the Council of a more developed and sensitive Concept that fully clarifies matters arising prior to any demolitions or works occurring on the land.

2. Any infill structures should be fully detached from the masonry building. Unobtrusive covered light weight links may be considered.

3. All infill structure/s and related infrastructures, including into the public realm, to be very clearly shown on all approved and working drawings. This includes, but not exclusively, impervious membranes to be inserted between the masonry building and any new works adjoining it, and that full protect the masonry building basement and foundations.

4. Historic demolition materials to be recycled into the second market.

5. Development conditions content to be agreed with the Council's Heritage Advisor should include, but not exclusively - Historic archaeology - Site interpretation of the George St portion, and a possible keeping place for archaeological relics:. - treatment of boundaries and overland flows into the public realm".

As a result of the heritage assessment, the applicant was requested to provide further information to support the application, including the following:

1. Further information to support the Statement of Heritage Impact
2. Further evidence to confirm that demolition of the structures is the only valid option.
3. Details of the estimated costs and issues to potentially repair the structures
4. Detailed plans of the proposed replacement building if available.
5. Consideration of the questions outlined in the Land and Environment Courts Planning Principle relating to the demolition of a contributory item in a heritage conservation area.

The applicant provided further information to support the application including the qualifications and experience of the persons who completed the Statement of Heritage Impact, further evidence of the costs and issues associated with the potential repair of the subject buildings, and information which addresses the Land and Environment Court Planning Principle. The applicant advised that detailed plans of a replacement building are not completed at this stage and requested Council consider the current application for demolition only, due to the safety concerns identified with the buildings.

Consideration of Planning Principle

The Land and Environment Court publishes a range of Planning Principles relating to specific aspects. A planning principle is a statement of a desirable outcome from a chain of reasoning aimed at reaching, or a list of appropriate matters to be considered in making, a planning decision.

While planning principles are stated in general terms, they may be applied to particular cases to promote consistency. Planning principles are not legally binding and they do not prevail over councils' plans and policies.

Planning principles are developed by a process through the Court dealing with an abstract issue rather than the merits of a particular case. This is achieved by a collegiate process involving the Commissioners of the Court and, from time to time, interested Judges of the Court. This process enables a consensus to emerge before the principle is published. At the conclusion of this process, the resulting judgment will not merely deal with the merits of the case but will also set out the principle that has emerged from the consultation.

In the case of *Helou v Strathfield Municipal Council* [2006] NSWLEC 66, a planning Principle relating to the demolition of a contributory item in a conservation area was developed. This planning principle applies only to contributory items in a conservation area, not to listed heritage items.

A contributory item in a conservation area is a building that is not individually listed as a heritage item, but by virtue of age, scale, materials, details, design style or intactness is

consistent with the conservation area, and therefore reinforces its heritage significance. The demolition of a building which contributes to a conservation area will impact on the area's heritage significance even if its replacement building "fits" into the conservation area.

Although the replacement building may be a satisfactory streetscape or urban design outcome, this does not address heritage impacts as the original heritage element has been removed. Despite this, it is open to the consent authority still to permit the demolition of a contributory element, for example, if the replacement has other planning benefits that the original does not.

The Planning Principle outlines that the following questions should be addressed in assessing whether the demolition of a contributory item should be permitted:

1. What is the heritage significance of the conservation area?

Assessment

The Grenfell Town Centre Heritage Study completed by Tropman & Tropman Architects in March 1993 shows the development site located within the Main Street Precinct. This precinct represents the commercial centre of Grenfell with its concentrated commercial activity. The precinct forms part of the current Grenfell Urban Conservation Area.

The Grenfell Urban Conservation Area is culturally and historically significant as it contributes to an understanding of the influences that have impact on the town. The conservation area represents a shift and consolidation of solid commercial and residential buildings from the lower level of the area around Emu Creek and George Street to the higher ground via Main Street and Forbes Street. The precinct contains many residential and commercial developments from various architectural periods.

The Grenfell Urban Heritage Conservation Area is highly valued at a local level and offers a local tourist attraction. The conservation area is a local heritage area listed in the Weddin LEP 2011 and does not contain any State Significant Heritage Items.

2. What contribution does the individual building make to the significance of the conservation area?

Assessment

The starting point for these questions is the Statement of Significance of the conservation area, as outlined above. While the property is not listed as a local heritage item, the main building on the property is a significant building not only within Main Street, but also the wider conservation area. The two (2) storage buildings proposed to be demolished are less significant than the main building which will remain, but are considered to be contributory items within the area.

The subject buildings have a zero-setback to George Street and Teston Street.

3. Is the building structurally unsafe?

Assessment

The application has been supported by a building condition report prepared by a Professional Engineer, evaluating the two (2) buildings proposed to be demolished. A copy of the building condition report is provided in **Attachment 1**.

In summary the building condition report identifies that:

“Building 1 is generally in poor condition with large areas of roof unsupported and no fixings or columns or bracing. In addition, major structural elements have been compromised by impact damage, rot and termites. It is not possible or economically feasible to repair the structure”

“Building 2 is in a poor condition, with impact damage to the trusses and the northern wall performing poorly, cracking under shrink/swell movement in the soil. The trusses and northern wall failed design checks and its not considered economically viable to repair and strengthen the structure. In addition, the current design renders it susceptible to impact from forklifts operating in the area, increasing risks to workers”.

Although lack of structural safety will give weight to permitting demolition, there is still a need to consider the extent of the contribution the building makes to the heritage significance of the conservation area.

4. If the building is or can be rendered structurally safe, is there any scope for extending or altering it to achieve the development aspirations of the applicant in a way that would have a lesser effect on the integrity of the conservation area than demolition?

Assessment

If the answer is yes, the cost of the necessary remediation/rectification works should be considered.

As mentioned above, the Building Condition Report prepared by a Professional Engineer has identified that Building 1 and Building 2 are both in poor condition with major structural elements having significant damage which is considered not possible or economically feasible to repair.

The Addendum to the Statement of Environmental Effects identifies that the two (2) buildings proposed for demolition are small structures, and whilst attached to the main building, are not suitably accessible from this building due to differences in floor levels and a lack of openings. At present the site does not function adequately as a whole, which makes the movement of stock difficult. The addendum states that it is not possible to renovate or remodel the buildings proposed for demolition in a manner that provides for functional spaces that are useable, functional and efficient.

The Addendum further states that the construction of a purpose designed building would allow for the unloading of goods and loading of waste on site without the need to park in the street, and potentially block traffic. The new building would allow for recyclables and waste to be stored undercover as well as for the meat preparation, vegetable preparation and staff meal room to be separate with each having its own area to limit the potential for cross contamination.

Further to the above, a site inspection of the two (2) building proposed for demolition has identified that these structures do not meet today's standards under the *Food Act 2003* for the storage of food products. Significant upgrading works would be needed to bring these buildings into compliance with current standards.

5. Are these costs so high that they impose an unacceptable burden on the owner of the building? Is the cost of altering or extending or incorporating the contributory building into a development of the site (that is within the reasonable expectations for the use of the site under the applicable statutes and controls) so unreasonable that demolition should be permitted?

Assessment

If these costs are reasonable, then remediation/rectification (whether accompanied by alteration and/or extension or not) should be preferred to demolition and rebuilding.

The Building Condition Report identifies that Building 1 and Building 2 are both in poor condition with major structural elements having significant damage which is considered not possible or economically feasible to repair. The addendum to the SEE further provides an indicative cost of \$480K - \$500K in order to structurally repair Building 1, and \$130K - \$150K to structurally repair Building 2.

The above costs do not include the works which would be necessary to alter the buildings to ensure that they meet the requirements for a modern supermarket. It is assessed that the costs of structurally repairing the subject buildings and altering their layout and construction to meet modern standards including the requirements of the *Food Act 2003*, would be significant and an unacceptable burden on the owners of the building.

6. Is the replacement of such quality that it will fit into the conservation area?

Assessment

If the replacement does not fit, the building should be retained until a proposal of suitable quality is approved.

The application includes a preliminary concept plan for a replacement building, however this does not form part of the subject development application. The Addendum to the SEE outlines that the replacement building will be designed and sited after undertaking discussions with Council's Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. Any replacement building would be subject to a separate development application.

The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings. The Building Condition Report undertaken by a Professional Engineer has identified that Building 1 and Building 2 are both in poor condition with major structural elements having significant damage which is considered not possible or economically feasible to repair.

As outlines above, planning principles are stated in general terms, they may be applied to particular cases to promote consistency, however they are not legally binding and they do not prevail over councils' plans and policies. Clause 13.18 of the Weddin Development

Control Plan allows for the demolition of a building within a Heritage Conservation Area subject to a Heritage Impact Statement being provided and where it can be identified that demolition is the final resort. Based on the information provided in support of the application, it is assessed that the two (2) building proposed for demolition, are not reasonably capable of conservation.

In accordance with clause 5.10 of the Local Environmental Plan 2011, the effect of the proposed development on the heritage significance of the Heritage Conservation Area has been considered. While Building 1 and Building 2 are considered to be contributory items to the area, they are less significant than the main building located on the site and other buildings located within the immediate vicinity.

The information submitted in support of the application has identified that the buildings are in poor structural condition, with their repair not being viable. Based on the above assessment, it is assessed that the impact that the demolition of Building 1 and Building 2 on the Heritage Conservation Area is not such that the development application should be refused.

A condition has been included in the recommendation to require a detailed archival and photographic record of the buildings and how they fit within the development site and surrounding Heritage Conservation Area, prior to undertaking any demolition works.

Clause 5.21 Flood Planning

Clause 5.21 applies to land which is located within the flood planning area as identified in the Weddin LEP 2011. The requirements of clause 5.21 are outlined below:

5.21 Flood planning

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

- (a) to minimise the flood risk to life and property associated with the use of land,
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.

(2) 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.

(3) 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.
- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.

(5) In this clause—

Considering Flooding in Land Use Planning Guideline means the *Considering Flooding in Land Use Planning Guideline* published on the Department's website on 14 July 2021.

flood planning area has the same meaning as it has in the Flood Risk Management Manual.

Flood Risk Management Manual means the *Flood Risk Management Manual*, ISBN 978-1-923076-17-4, published by the NSW Government in June 2023.

A small part of the development site located adjacent to George Street is identified as being within a flood planning area, which is shown in blue in **Figure 8** below.



Figure 8. Location of development site in relation to flood planning area.

The flood planning area is a combination of the 100-year Average Recurrent Interval flood level plus 500mm freeboard. The flood planning area is indicated by the yellow line in **Figure 9** below, which is taken from the Emu Creek Floodplain Risk Management Study and Plan 2012. The area inundated by a 100-year Average Recurrence Interval (ARI) is shown by the blue line in **Figure 9**. The development site is not affected by the 100 ARI flood level and is only partially within the flood planning area due to the added 500mm freeboard.

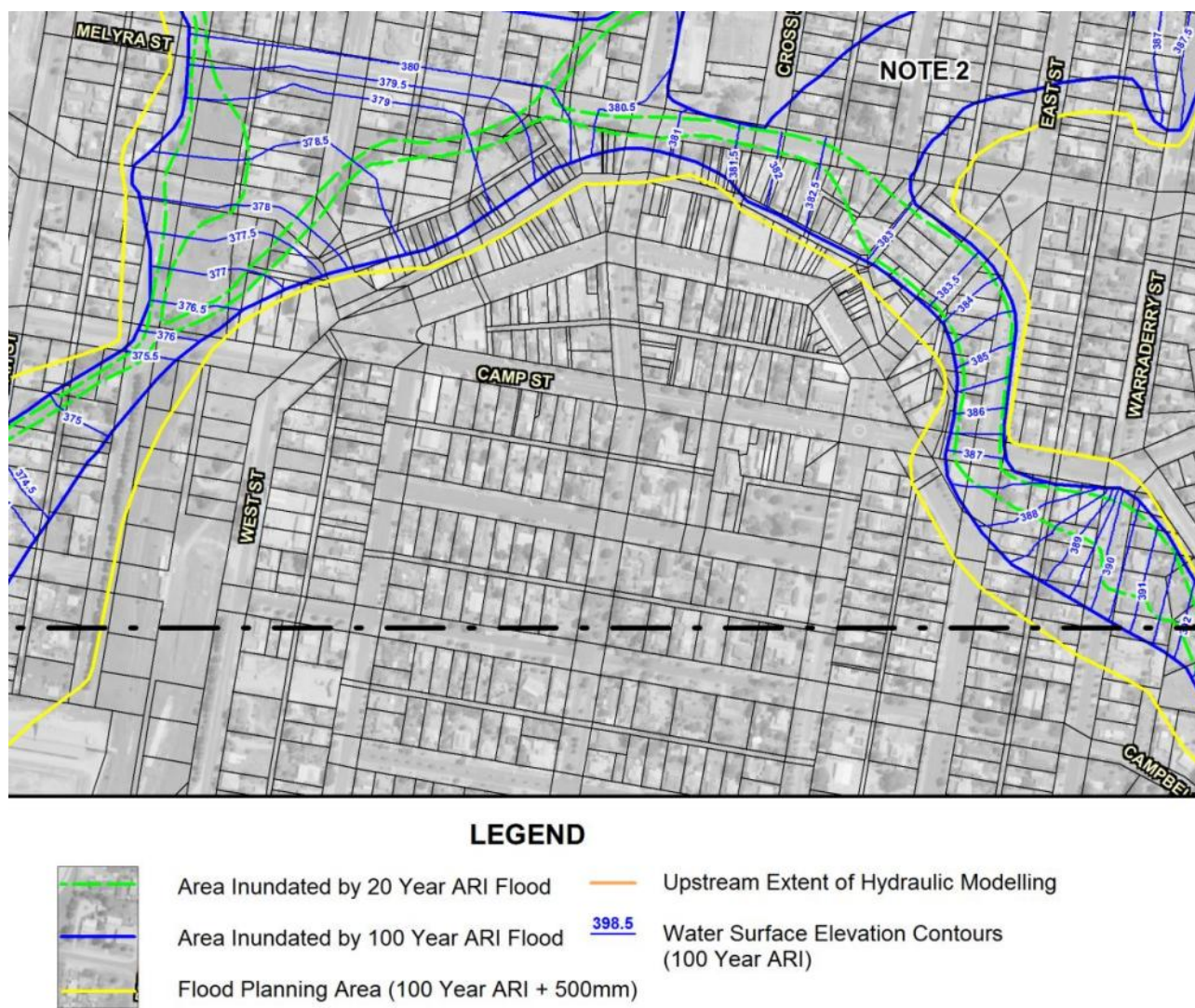


Figure 9. Flood Map dated from Emu Creek Floodplain Risk Management Study and Plan 2012.

As the development site is not within an area which is inundated by a 100-year ARI flood event, it is assessed that the proposed demolition works will not impact on the flood function and behaviour and therefore will not adversely affect any surrounding developments or properties. The large proportion of the development site and the main building on the property are located outside the flood planning area. Occupants of the main building can safely and efficiently evacuate the site via Main Street entry/exit in the case of a flood event.

Given that the subject property will not be inundated by a 100-year ARI flood event it is assessed that the proposed demolition works will not cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of watercourses in the area. A condition has been included in the recommendation to require appropriate erosion and sediment controls on the site during the proposed demolition works.

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 buildings are currently serviced by reticulated water, Council's sewer mains system and electricity. The proposal only involves the demolition of the two (2) storage buildings located at the rear of the main building. These buildings will be required to be disconnected from the applicable utilities prior to the commencement of the demolition works. These essential services will remain connected to the main building.

The current development application does not propose a replacement structure, as this will be the subject of a future development application. Therefore, the impacts of any future building on services will be made as part of the assessment of the future development application.

State Environmental Planning Policies

The following State Environmental Planning Policies are considered relevant to Council's consideration:

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 or the surrounding area is core Koala habitat. The property contains existing buildings which encompass the majority of the site, with no natural vegetation being present.

The proposed works only involves the demolition of two (2) storage buildings located at the rear of the main building. The proposal does not require the removal of any trees. It is assessed that the proposed development will not impact on Koala habitat.

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

The development site is located within a heritage conservation area and therefore 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 demolition works. The requirements of the SEPP do not apply to the assessment of the development application.

State Environmental Planning Policy (Housing) 2021

The proposed development does include any housing development, therefore no further assessment under the SEPP is warranted.

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 (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 parts 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 (Sustainable Buildings) 2022

The proposed development includes the demolition of two (2) storage buildings at the rear of the main building. No replacement building is proposed as part of the development application and therefore no requirements of the SEPP apply to the development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposed development only involves the demolition of two (2) existing storage buildings. These buildings are not within or immediately adjacent to an easement for electricity purposes or an electricity substation. Building 1 is located approximately 6.8 metres from a power pole located in Teston Street. As the works only involve the demolition of the buildings, the application is not required to be referred to the electricity supply authority.

The proposed development is not classified as a traffic-generating development under Schedule 3 and therefore was not required to be referred to Transport for NSW under the provisions of the SEPP.

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

The following provides an assessment of the applicable chapters of the Weddin DCP 2014.

Chapter 4 – Flooding and Flood Affected Land	
Clause	Comment
4.2 – Variation to the requirements of this Plan	The application does not seek a variation to the policy.
4.3 – What does this policy do?	The policy does apply to the development site.
4.4 – What are the objectives of the Plan?	The proposed development meets the objectives of Chapter 4 in regards to flooding.
4.5 – Will the Policy affect by Property?	The policy applies to the subject development application.
4.6 – How to use this Policy?	An assessment has been undertaken in accordance with the requirements of clause 4.6.
4.7 – Other documents which may need to be read in conjunction with this Plan	The Weddin LEP 2011 and Emu Creek Floodplain Risk Management Study and Plan 2012 were considered as part of the assessment of the development application.
4.7 - What are the criteria for determining applications	A full assessment of flooding has been undertaken. As the development site is not within an area which is inundated by a 100-year ARI flood event, it is assessed that the proposed demolition works will not impact on the flood function and behaviour and therefore will not adversely affect any surrounding developments or properties.
Chapter 10 – Commercial Development	
Clause	Comment
10.2 variation to the requirements of this Plan	The application does not seek a variation the Chapter 10.
10.3 – Land to which this Plan applies	Chapter 10 applies to the development site.
10.4 - Objectives	The development application only involves the demolition of two storage buildings located at the rear

	of the site. This will allow for a future development application to be lodged for a replacement building to support the existing business operating from the site. It is assessed that the development meets the objectives outlined in clause 10.4
10.5 – Change of Occupancy/Tenancy	Not applicable
10.6 – Building line/Street Frontage	Not applicable - the application only involves demolition works. The siting and setbacks of a proposed future building will be considered as part of a separate development application.
10.7 – Side and secondary setbacks	Not applicable - the application only involves demolition works. The siting and setbacks of a proposed future building will be considered as part of a separate development application
10.8 – Building height	Not applicable - the application only involves demolition works. The scale and mass of a proposed future building will be considered as part of a separate development application
10.9 - Materials	Not applicable - the application only involves demolition works. Materials and external appearance of a proposed future building will be considered as part of a separate development application
10.10 - Advertising	Not applicable – the proposal does not include any additional advertising.
10.11 - Carparking	The existing development only contains a small area within building 1 which has historically been used for parking for staff. Due to the current safety concerns associated with the building, this is currently not used. The proposed demolition works will not increase the demand for parking. There is currently no customer parking on the site.
10.12 - Landscaping	There is currently no landscaping provided on the site. The proposed demolition works will not affect any landscaping.
10.13 – Side Walk Dining	The proposed development does not include side walk dining.
Chapter 12 - Demolition	
Clause	Comment
12.12 Land to which this Plan applies	Chapter 12 applies to development application involving demolition, therefore applies to the subject development application. It is assessed that the proposed development satisfies the objectives outlined in clause 12.12.
12.3 – Requirements for demolition	A development application has been lodged for the proposed demolition works. The proposal does not involve a replacement building at this stage. A separate development application will be lodged for the replacement building. A Demolition Works Plan has been lodged with the development application.

12.4 – Demolition involving hazardous materials including asbestos	The application states that no asbestos has been identified in the building proposed for demolition. However, if discovered it will be removed in accordance with SafeWork NSW requirements. The contractor who will undertake the demolition works, is appropriately licensed by SafeWork NSW for the removal of asbestos. Conditions have been included in the recommendation to ensure that any asbestos identified is appropriately managed.
12.5 Safe Work practices	The demolition contractor is appropriately licensed. All demolition work will be required to be undertaken in accordance with SafeWork NSW requirements and AS2601.
Chapter 13 - Heritage	
Clause	Comment
13.2 – Land to which this Plan applies	The development site is located within a Heritage Conservation Area, and therefore Chapter 13 applies.
13.3 - Objectives	One of the objectives of the Chapter 13 is to retain heritage items and contributory items. An assessment of the heritage impacts including reasons for the proposed demolition of the two building has been undertaken in the proceeding parts of this report.
13.4 – Development Standards	As detailed previously in this report, the applicant has provided information from a Professional Engineer stating that both buildings proposed for demolition are in poor condition and that the repair of the buildings would not be financially viable. Even in the event that the buildings were capable of being repaired, they would not meet the requirements of the business into the future.
13.5 – Heritage Listings	The buildings proposed for demolition are not listed Heritage Items. The development site is located within a Heritage Conservation Area which is listed within the Weddin LEP 2011. The main building on the site also not a listed heritage item.
13.6 NSW Heritage Assessment Criteria	It is not proposed to list the development site or any of the buildings on the property as heritage items. The heritage significance of the buildings has been assessed in the proceeding parts of this report. While it is acknowledged that building 1 and building 2 are contributory items, their poor condition has created safety concerns for people in the surrounding area. An assessment has identified that the repair of the buildings is not viable. The main building on the site is considered to be the most significant building and is not proposed for demolition.
13.7 – Conservation areas	The development site is located within a Heritage Conservation Area. The impacts of the proposed development in terms of heritage and the wider conservation area have been assessed in the

	proceeding parts of this report. It is considered that the proposed demolition works are appropriate in the circumstances.
13.8 Heritage Advisory Service	Council's Heritage Advisor was consulted during the assessment of the application. Comments from the Heritage Advisor are included in this report.
13.9 – Heritage Impact Statement	While the proposed works do not involve a listed Heritage Item, a Statement of Heritage Impact was submitted in support of the development application. It is assessed that the Statement has been undertaken by an appropriate person(s) and provides sufficient information to allow a full and proper assessment to be completed. It is assessed that the proposed demolition works are appropriate in this circumstance.
13.10 - Authenticity	The proposal involves demolition works only. A replacement building will be assessed under a separate development application. The main building on the site will be largely unaffected by the proposed development.
13.11 - Streetscape	Not applicable – application only involves demolition works. Replacement building will be assessed as part of a separate development application.
13.12 Alterations and Additions	Not applicable
13.13 Adaptive Re-use	Not applicable
13.14 – Infill Development	Not applicable – application only involves demolition works. Replacement building will be assessed as part of a separate development application.
13.15 - Reconstruction	Not applicable – application only involves demolition works. Replacement building will be assessed as part of a separate development application.
13.16 - Redevelopment	Not applicable – application only involves demolition works. Replacement building will be assessed as part of a separate development application.
13.17 - Subdivision	Not applicable – application does not include a subdivision.
13.18 - Demolition	Clause 13.18 acknowledges that there are circumstances where there is no other option that to demolish a structure. As detailed in this report, the subject buildings are in poor condition, pose a safety concern, and it is considered that repair is not viable. It is assessed that the sufficient information in accordance with clause 13.19 has been provided to justify the demolition of the subject buildings in this instance.
13.19 Garages	Not applicable
13.20 - Fences	The development application did not include a fence. However as building 2 is built to the boundary, it acts as part of a fence dividing the land from the adjoining land. A condition has been included in the recommendation to require a suitable fence to be

	erected on the boundary, should any approved replacement building not act as a suitable fence.
13.21 – Signage & Outdoor Advertising	Not applicable
13.22 – Prohibited signs	Not applicable
13.23 – Incentives to property owners	Not applicable
Chapter 15	
Clause	Comment
15.2 – Land to which this Plan applies	Chapter 15 applies to the subject development application.
15.3 - Objectives	The development application was advertised and notified and therefore complies with the objectives of Chapter 15.
15.4 Application not requiring notification	Not applicable
15.5 – Notification of Development Applications	Applicable – the development application was notified in accordance with the requirements of clause 15.5. Four (4) submission were received as a result of the public consultation process.
15.6 Advertising of Development Applications	Applicable - the development application was advertised in accordance with the requirements of clause 15.6. Four (4) submission were received as a result of the public consultation process.
15.7 Designated/Advertised/Integrated and State Significant Development	Not applicable – the proposed development is not designated, integrated or State Significant Development.
15.8 Amendments to Development Plans	As a result of the preliminary assessment of the development application and the assessment of submission, the applicant was requested to submit additional information to support the application. The proposed demolition works did not change, therefore the re-advertising and renotification of the additional information provided was not considered warranted.
15.9 – What is the role of the Applicant	Plans were provided as part of the development application in order to allow advertising and notification to occur.
15.10 – What is the role of the Public	The public were consulted on the proposed development as part of the public consultation process. Four (4) submissions were received, three (3) providing objection to the proposed demolition works.
15.11 – What form and content should submissions take?	Four (4) submissions were received via the NSW Planning Portal as part of the public consultation process. A copy of the submissions are included in Attachment 2.
15.12 – Late submissions	No late submissions were received.
15.13 – Are submissions confidential	A copy of the submission received are included in Attachment 2. The personal details of the persons(s) who made the submission have been redacted. A

	summary of the matters raised in each submission including a corresponding comment, is included in this report.
15.14 – What is the role of the Council	Each submission received has been considered within this report. The development application is being reported to Council for determination, due to the submissions received objecting to the development, as required by clause 15.14.

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 involves the demolition of two (2) storage buildings located on the site and therefore the requirement to consider AS 2601-2001: The Demolition of Structures is applicable. A condition has been included in the recommendation requiring the demolition works to be carried out in accordance with AS 2601-2001.

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 the building's proposed new 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 a single allotment being Lot 6 DP 449868 and has a total area of approximately 1836.1m². The northern boundary of the property fronts George Street, the Southern boundary fronts Main Street, and the Western boundary fronts Teston Street.

A two (2) storey commercial premises which contains characteristics of the late Victorian Period is constructed over the large portion of the development site and fronts Main Street. The building is used for the purpose of a retail supermarket (IGA).

At the rear of the main building in the north-west corner of the allotment is an attached timber frame corrugated iron storage building (Building 1). This building contains a small awning which protrudes over the adjoining footpath in Teston Street. At the rear of the main building in the north-east corner of the allotment is an attached brick and corrugated iron storage building (Building 2). Vehicle access to the site is provided from George Street.

The site is zoned E1 – Local Centre under Weddin Local Environmental Plan 2011 and is bordered by the R1 – Residential Zone to the north. The site is generally surrounded by other commercial developments in Main Street, and a previously used hardware store opposite the site in George Street. There are a number of residential properties further to the East and West in George Street.

Access, Transport and Traffic

Existing vehicle entrances are provided to the site from George Street and Teston Street, which are sealed Council roads. The proposed demolition works will not impact on the existing access arrangements.

The main pedestrian access to the site is via Main Street, which will not be impacted by the proposed demolition 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 does not contain any items of environmental heritage listed in schedule 5 of the Weddin Local Environmental Plan 2011. However, the site is located within the Grenfell Urban Conservation Area. The application was supported by a Statement of Heritage Impact and Building Condition Report.

In accordance with clause 5.10 of the Local Environmental Plan 2011, the effect of the proposed development on the heritage significance of the Heritage Conservation Area has been considered. While Building 1 and Building 2 are considered to be contributory items to the area, they are less significant than the main building located on the site and other buildings located within the immediate vicinity. The information submitted in support of the application has identified that the buildings are in poor structural condition, with their repair not being viable.

It is assessed that the impact that the demolition of Building 1 and Building 2 on the Heritage Conservation Area is not such that the development application should be refused.

A condition has been included in the recommendation to require a detailed archival and photographic record of the buildings and how they fit within the development site and surrounding Heritage Conservation Area, prior to undertaking any demolition works.

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 only involves the demolition of two (2) existing storage buildings located at the rear of the property. The proposal will not impact on water, sewerage or stormwater arrangements.

Soils

The application will not have a negative impact on soils in the locality. The development does not propose any significant earthworks or excavations. Conditions have been included in the recommendation to require appropriate erosion and sediment control measures to be put in place during the demolition works.

Air and Microclimate

Minimal amounts of dust may be generated during the demolition works. Appropriate control measures which be required to be put in place to limit dust. Once demolition works are complete, it is assessed that the development will not significantly impact on air quality.

Flora and Fauna

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

Waste

The development application includes the demolition of Building 1 and Building 2. The Addendum to the SEE states that where possible materials such as windows and some brickwork will be recovered from the building in the north-corner of the allotment for potential reuse in the rebuilding of a new building in the future. The recovery of materials will be subject to them being able to be safely recovered.

Any waste generated during the demolition works which is not recycled or reuses, can be disposed of at a licensed waste management facility. The application together with a site inspection of the property, did not reveal evidence of asbestos within the buildings proposed for demolition. However, an appropriate condition has been included in the recommendation to ensure that a suitably qualified person checks each building and confirms that they are asbestos free, prior to any demolition works being undertaken.

Energy

The proposed development only includes the demolition of two (2) storage buildings. The proposed works will not create any additional energy demands on the site.

Noise and Vibration

Some noise will occur during the demolition works but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding working hours has been included in the recommendation.

Natural Hazards

The development site is identified as being within a flood planning area. An assessment of flooding impacts has been undertaken in the proceeding parts of this report. The development site is not bushfire prone area under Weddin LEP. 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

It is assessed that the development will not generate any activity likely to promote safety or security problems to the subject land or surrounding area.

Social and Economic Impacts on the locality

The proposed demolition works may have some social impacts given that the development site is located within the Heritage Conservation Area. The impacts of the proposed works on the Heritage Conservation Area have been considered in the proceeding parts of this report. The proposed development will not create any significant negative economic impacts. The development will allow for a new appropriate replacement building to be built which will positively impact on the supermarket business operating from the site, which is considered to be an essential service for the local community.

It is assessed that any social and economic impacts of the are not such that the development application should be refused.

Site Design and Internal Design

The proposed development only includes the demolition of the two (2) storage buildings located at the rear of the main building. It is assessed that the demolition of the buildings will not create any significant site design or internal design issues. A condition has been included in the recommendation to ensure that the development site is not to create any safety issues to the public as a result of the demolition works. Appropriate fencing and barriers will need to be installed and maintain not only during the demolition work, but post works if there are any dangers present.

A replacement building does not form part of the current application. An assessment of any replacement building in terms of site design and internal design, will need to be made as part of a future development application.

Construction

The proposed development only includes the demolition of two (2) existing storage buildings. No construction works are proposed, and therefore the requirements to consider construction is not applicable.

Cumulative impacts

The proposal involves the demolition of two (2) buildings. Cumulative impacts associated with the demolition works are limited to visual aspects within the Heritage Conservation Area. While it is assessed that the buildings are contributory items within the area, it has been established that the repair of the buildings is not viable.

The proposed development will allow for a new structure to be developed at the rear of the main building located on the site, which can be designed to meet the function, usability and efficiency that is required for the business currently operating from the site, while also complimenting the main building which has a higher level of heritage significance.

It is assessed that the cumulative impacts of the development are not such that the development application should be refused.

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

As previously assessed in this report the proposed development is consistent with the objectives of the E1 zone. An assessment of the heritage impacts of the development in accordance with clause 5.10 of the Weddin LEP 2011, identified that the impacts of the development are not such that the application should be refused.

It is considered that the proposed development will not create adverse impacts within its local setting or the local economy. It is further assessed that the development will not unduly impact upon any existing services. An assessment of the development identified that the proposed demolition works will not impact on flooding within the area, and the site is not otherwise constrained by natural features. It is considered that the proposed development is suitable, subject to the imposition of appropriate conditions of consent.

Public Consultation

The Development Application was advertised and notified in accordance with the requirements of the Weddin Shire Council DCP 2014 from 2 November 2023 to 23 November 2023. Four (4) submissions were received as a result of the public consultation process. Three (3) of the submissions raised objection to the proposal which are included in **Attachment 2**, while one (1) submission supported the proposal.

A summary of the issues raised in the submission along with a corresponding assessment is provided in Table 2 below.

Submission 1
<i>"I support this application and feel it is a step forward for Grenfell and will be beneficial to our community"</i>
Comment – Noted
Submission 2
Issue <i>"The existing sheds are located on George Street, Grenfell's original main street, which has historically suffered from heritage neglect. As a result, every remaining structure with a link to the past is now crucial in preserving the street's historical character. The proposed demolition threatens to further erode the already diminished heritage fabric of George Street. These sheds, while currently in disrepair, are part of the narrative that defines Grenfell's development and contribute to the unique streetscape. Losing them would compromise the visual and historical integrity of the Grenfell Urban Heritage Conservation Area. The Council should take a strong stance to protect and enhance this historic area, ensuring that any changes respect the cohesive appearance and heritage significance of this valued part of the town".</i>
Comment The applicant acknowledges that the demolition of the structures will alter the streetscape, particularly given the zero-building line setback. However, information submitted in support of the application has identified that the structures are in poor condition with repair being unviable.
Issue <i>"It appears that the sheds have suffered considerable damage, attributed to neglect rather than unforeseeable circumstances. This trend of "demolition by neglect" undermines the preservation of Grenfell's heritage assets. The Council should not endorse demolition based solely on the cost of repairs but rather encourage measures that support the restoration of historically significant elements. If property owners anticipate high maintenance costs, they should be incentivized or supported to undertake remedial work, preserving the unique historical character of the town".</i>
Comment An assessment of the proposed demolition works has been undertaken in accordance with clause 5.10 of the Weddin LEP 2011 and in accordance with the Land and Environment Courts Planning Principle relating to the demolition of a contributory item. The application has been supported by a Building Condition Report prepared by a Professional Engineer and other supporting documentation, which indicates that the repair of the building is not a viable option. As detailed in the heritage assessment in the proceeding parts of this report, the cost of repair of the subject buildings is only one component of the overall assessment as to whether demolition is appropriate.
Issue <i>"The current proposal focuses only on demolition, with no definitive plans for future redevelopment. This leaves a void in Grenfell's heritage precinct and raises questions about the long-term vision for this important site. The absence of a detailed redevelopment proposal increases the risk of a gap in the historic streetscape, detracting from the area's character. The Council should seek a comprehensive plan that clearly outlines how the site will be developed in a way that aligns with the heritage standards and community values".</i>

Comment

The application includes a preliminary concept plan for a replacement building, however this does not form part of the subject development application. The Addendum to the SEE outlines that the replacement building will be designed and sited after undertaking discussions with Council's Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. Any replacement building would be subject to a separate development application.

The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings.

Issue

"Grenfell's charm and tourism appeal are heavily reliant on its historical architecture and well-preserved streetscapes. Visitors are drawn to the town's distinctive heritage, which includes both grand facades and humble, utilitarian structures that tell the story of Grenfell's past. Allowing the demolition without a vision for maintaining or enhancing this appeal could have adverse effects on tourism, an essential aspect of the local economy. The Council should consider the broader implications for tourism when making its decision".

Comment

The proposed demolition works may have some social impacts given that the development site is located within the Heritage Conservation Area. The impacts of the proposed works on the Heritage Conservation Area have been considered in the proceeding parts of this report. It is considered that the proposed development will not create any significant negative economic impacts. The subject buildings are less significant than the main building on the site which will not be impacted.

In addition, the buildings are in poor condition and pose a safety risk to persons including tourists, which may be in close proximity to the buildings due to their zero building line setback from Teston Street and George Street.

Issue

"The Heritage Impact Assessment accompanying the DA focuses narrowly on the structural and aesthetic condition of the sheds themselves, rather than considering their broader role within the George Street streetscape. This limited scope fails to acknowledge how these structures contribute to the historical continuity and atmosphere of the area, even if they are not architectural masterpieces. Heritage conservation should not be assessed in isolation but rather in the context of how each element interacts with and enhances the streetscape. The Council should reject arguments that downplay the importance of such buildings based solely on their current condition and should insist on future heritage reports that take a holistic view of the site's significance within its setting".

Comment

A Statement of Heritage Impact was submitted in support of the application along with an Addendum to the SEE. These documents have been assessed as providing sufficient information to allow for a full and proper assessment of the application. The documents outline that the subject buildings are contributory items within the streetscape. However, based on the assessment in accordance with clause 5.10 of the Weddin LEP 2011 and the Land and Environment Court Planning Principle relating to the demolition of a

contributory item within a Heritage Conservation Area, it is assessed that the demolition of the structures is appropriate in the circumstances.

Submission 3

Issue

"This is a historical building. There has been no maintenance done on it for decades, by the look of it. If the destruction of historical buildings is permitted because the owners have done nothing to look after them, Grenfell will lose its character. George Street has some lovely old buildings, because people have cared, and put money into restoration. These old buildings need to be looked after, restored and preserved. Not demolished and left as an empty piece of land, one day will have a characterless construction on it".

Comment

The application has been supported by a Building Condition Report prepared by a Professional Engineer and other supporting documentation, which indicates that the repair of the building is not a viable option. As detailed in the heritage assessment in the proceeding parts of this report, the cost of repair of the subject buildings is only one component of the overall assessment as to whether demolition is appropriate.

The Addendum to the SEE outlines that a replacement building will be designed and sited after undertaking discussions with Council's Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings.

Submission 4

Issue

"As detailed below the Development Application (DA) as exhibited provides insufficient evidence to adequately enable Council to assess the impacts and suitability of the development proposal in accordance with Clause 4.15 of the Environmental Planning & Assessment Act 1979 and, as such, the application should be refused".

Comment

Upon review of the information originally submitted with the development application, the applicant was requested to provide further information in support of the application. This further information was received. It is considered that sufficient information has been provided to undertake a full and proper assessment of the application.

Issue

The application has not adequately addressed the relevant planning controls including but not limited to, the relevant heritage controls in the Weddin Local Environmental Plan 2011 (LEP), Weddin Development Control Plan 2014 (DCP), Council's Policies and Council's Strategic Plans.

Comment

As mentioned previously, it is considered that sufficient information has been provided to allow a full and proper assessment of the development application. An amended SEE and associated addendum was submitted by the applicant.

Issue

“The Heritage Impact Statement has not suitability considered or addressed the requirements of the Burra Charter, notably for investigation options as alternatives to demolition. The HIS has not considered the site as a whole, attributing significant importance to the façade of 110 Main Street. The relationship between front of house and the store has not been considered in assessing the historical significance of the two buildings, including when, why and by who each was added”.

Comment

The Weddin DCP does not refer to the Burra Charter. The DCP requires a Heritage Impact Statement to be prepared by a suitably qualified person. An assessment of the application has identified that sufficient information has been provided to undertake a full and proper assessment of the application and determine that the repair of the buildings is not a viable option.

Issue

“The HIS does not evaluate the two structures (Building 1 and Building 2) in relation to the criteria to an adequate level. The building condition report acknowledges the two structures were constructed at different times, however the HIS does not evaluate each building within its own right. The HIS has not considered the importance of Building 1 and Building 2 being the only remaining buildings with zero offset orientation to George Street from Main Street”.

Comment

It is considered that sufficient information has been provided to allow a full and proper assessment of the development application. The amended SEE and associated Addendum acknowledge that Building 1 and Building 2 have a zero-offset orientation to George Street.

Issue

“Further to the requirements for the Burra Charter, DCP Chapter 13 – Heritage (particularly Clause 13.18 Demolition) requires ‘consideration of options for the retention of the significant heritage elements in conjunction with additional appropriate development’, ‘consideration of development options for the building and land’ and; clearly provide justification why this [demolition] is the preferred action’. The application in its entirety fails to consider alternative options to demolition that may include retention of all or part of the building(s) and adaptive reuse to suit the owner’s needs. A detailed fabric assessment and costings for remedial work appears to have not been undertaken and has not been provided in the application documents on public exhibition. Demolition should not be considered in isolation to the proposed future use of the site”.

Comment

The Building Condition Report prepared by a Professional Engineer and other supporting documentation, indicates that the repair of the buildings is not a viable option. The Addendum to the SEE outlines the approximate cost of repairing each building. Even if the buildings were able to be repaired, they would still not be able to be renovated to meet the needs of the business operating from the site.

As mentioned previously, the Addendum to the SEE outlines that a replacement building will be designed and siting after undertaking discussions with Council’s Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings.

Issue

"The application relies largely on the Heritage Impact Statement. The Statement of Environmental Effects (SoEE) and supporting documentation has not appropriately addressed the significant impact of demolition of contributory buildings in a conservation area or provide sufficient evidence to adequately assess the impacts and suitability of the development proposal in accordance with the Environmental Planning & Assessment Act 1979".

Comment

Additional information was requested to support the development application. Additional information was provide including an amended SEE and associated addendum. It is considered that sufficient information has been provided to undertake a full and proper assessment of the application.

Issue

"The Development Control Plan requires that the Heritage Impact Statement be prepared by as suitably qualified heritage consultant, such as an accredited and professionally recognised person, with peer reviewed heritage training and membership. It is noted, Robin White and Sean Johnson of Calare Civil Pty. Ltd are not listed on the NSW Environment and Heritage, Heritage Consultants Directory. The application does not provide information to substantiate the consultants are suitably qualified heritage consultants".

Comment

The DCP only refers to the Heritage Impact Statement prepared by a suitably qualified person. The DCP does not require the person to be listed on the NSW Environment and Heritage, Heritage Consultants Directory.

The applicant has provided information that indicates that the author of the report has been completing Building Design and Heritage Impact Assessments for over 30 years. A recent project completed by the authors was reviewed by a Technical Advisory Committee of 15 Heritage NSW staff who were satisfied with the work.

The Heritage Impact Statement should be considered on its merits. It has been assessed that the Statement provides sufficient information to allow a full and proper assessment of the application to be undertaken.

Issue

"The HIS acknowledges the value the buildings and site have as a contributory role as part of the existing streetscape and states that (Building 1 and Building 2) 'provide visually distinctive contribution to the streetscape'. However, the HIS has not given due consideration to the impact of demolition of contributory items to the streetscape of George Street, Teston Street, Main Street and the greater heritage conservation area including to the history and character of the town centre".

Comment

As mentioned above, it is considered that the Heritage Impact Statement provides sufficient information to allow the full and proper assessment of the application. The applicant also provided an Addendum to the SEE which provides further information to support the application.

Issue

"The relationship between front of house and the store has not been considered in assessing the historical significance of the two buildings, including when, why and by who

each was added. A knowledgeable assessment of the materials, architectural details and construction systems has not been undertaken”.

Comment

It is assessed that the information submitted in support of the development application provided sufficient information to allow the full and proper assessment of the application.

Issue

“The HIS incorrectly states ‘The site is presently not identified as item of local heritage significance’. When considering the ‘heritage status and significance’ the HIS refers to the significance of the ‘Camp and Forbes Street Precinct’, the HIS has not considered the importance of precincts detailed in the Grenfell Town Heritage Study by Tropman and Tropman Architects notably Precinct 2 George Street and Precinct 3 Main Street Precinct”.

Comment

The development site is not a listed Heritage Item under Weddin LEP 2011 and is not a State listed Heritage Item. The site is located within a Heritage Conservation Area. The application has been supported by a Heritage Impact Statement and other supporting information which considers the heritage impacts of the proposed demolition works.

Issue

“The HIS statement states that proposed ‘replacement buildings’ will be subject to a further development application and references limited timeframe due to safety concerns. DCP Chapter 12 – Demolition, requires that where demolition is proposed in conjunction with other development of site works, the demolition be separately detailed within a single development application”.

Comment

As mentioned above the the Addendum to the SEE outlines that a replacement building will be designed and siting after undertaking discussions with Council’s Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings. It is considered that the proposal complies with Chapter 12 of the DCP.

Issue

“The HIS makes reference to the Building Condition Report, however it does not provide a fulsome picture of the structural assessment. The HIS acknowledges that the buildings are capable of remediation and rectification, however diminishes this option due to expense. A detailed fabric assessment and costings was not been exhibited or detailed in the HIS or building condition report”.

Comment

The Heritage Impacts Statement and Building Condition Report should be read in tandem. An assessment of clause 5.10 and the consideration of the Planning Principle developed by the Land and Environment Court has been undertaken as part of the assessment of the application.

Issue

“Importantly, Weddin Shire Development controls require precedence to be given to decisions based upon the heritage significance of the item, not the development potential of the land it is situated upon. Further, that demolition will not be permitted unless it can be demonstrated that the item is not reasonably capable of conservation”.

Comment

An assessment of the proposed development in accordance with clause 5.10 of the Weddin LEP 2011, Weddin DCP and the Land and Environment Court Planning Principle has identified that the proposed demolition of the buildings is justified in this case. The Building Condition Report and other supporting information has identified that the repair of the buildings is not viable due to the condition of the buildings.

Issue

"Comprising of five pages including cover sheet, prepared by Andy Reidy, the SoEE provides limited information on the proposed development. The document sets out the description of the proposal in three stages: 1. Shed structure George/Teston Street 2. Shed structure George Street 3. New development undetermined. The property description refers to the sheds being attached to the front building. The SoEE confirms all work will be 'within the boundaries of the land under this title', further 'normal residential movement and noise is expected after occupation'; 'the dwelling is not listed as a heritage item'; 'Dwelling is located in Flood planning area'; 'no proposed development of site at this stage and 'Separate application will be made for development of site'".

Comment

The applicant was requested to provide additional information to support the application including an amended SEE to remove errors which referenced a dwelling. An amended SEE and associated addendum was submitted by the applicant.

Issue

"The DA proposes the removal of the building slabs changing the site levels - this combined with the change in catchment area (both from demolition and redevelopment) will impact on the performance of the flood zone. The SoEE does not address the requirements of the DCP Chapter 4 – Flooding and Flood Affected Land. A Survey Plan prepared by a Registered Land Surveyor has not been furnished, nor a report from a Consulting Engineer on the impact of the development".

Comment

An assessment of flooding has been undertaken in the proceeding part of this report. As the development site is not within an area which is inundated by a 100-year ARI flood event, it is assessed that the proposed demolition works will not impact on the flood function and behaviour and therefore will not adversely affect any surrounding developments or properties.

Issue

"The SoEE does not address the requirements of DCP Chapter 10 – Commercial Development for any stage of the proposed development. The SoEE does not outline how the demolition of the buildings will contribute to the character of the Weddin Shire – how the proposal protects the heritage qualities of the building and immediate area".

Comment

The addendum to the SEE addresses Chapter 10 of the Weddin DCP. An assessment of the applicable Chapters of the Weddin DCP has been undertaken in the proceeding parts of this assessment report.

Issue

"It is presumed the IGA Supermarket intends to continue to trade during site works and during the different stages of development. The SoEE has not address how operations will be managed, including the storage and management of goods and suppliers, vehicle movements, the receiving and dispatching of deliveries and so on".

Comment
The business located on the site will continue to operate during the proposed demolition works. The application describes that the demolition works will be undertaken in stages to allow the business to continue to operate.
Issue
<i>“As detailed throughout, I respectfully and strongly suggest that Council is unable to grant consent under Clause 5.10 because the HIS and SoEE do not adequately consider the impacts of the proposed development on the heritage significance of the conservation area and site, or provide any methods to minimise or mitigate these impacts”.</i>
Comment
It is assessed that the development application provides sufficient information to allow for a full and proper assessment of the application.
Issue
<i>“Whilst the DCP is a guideline, the way the controls (particularly Chapter 13 – Heritage) are written – it is very clear that the intent of Council and the Community is to retain, protect and ideally enhance heritage, inclusive of all contributory buildings in the heritage conservation area(s). If Council fails to enforce these controls adequately then it sets a precedent for other buildings in the heritage conservation area(s) to be demolished or significantly altered. This will have a significant impact on the attraction and economic viability of Grenfell and more broadly the Region”.</i>
Comment
Each development application has to be assessed on its merits. The approval of one development application does not mean that a precedent is set for the assessment of other development applications. An assessment has been undertaken in accordance with the requirements of the Act, which has identified that the proposed demolition works are appropriate in this case.
Issue
<i>“It is accepted as a general rule is that the amount of detail, reports and information provided in an SoEE should correlate to the level of impact of the proposed works. Notwithstanding, legal obligations require the SoEE address, the environmental impacts of development, how the impacts have been identified and the steps taken to protect, lessen the expected impacts. In this case, it is strongly suggested that the demolition of a contributory building in the heritage conservation area is a ‘high impact’ Proposal and, as such, there should be a sufficiently detailed application to enable both Weddin Shire Council and the community to understand and assess the impacts and methods of mitigation. As such, the SoEE and associated documentation are consider insufficient and/or inadequate as it does not provide sufficient supporting information or detail”.</i>
Comment
The applicant provided additional information to support the development application. It is assessed that sufficient information has been provided to allow the full and proper assessment of the application to be undertaken.
Issue
<i>“There is no review of the key controls relevant to the Proposal with reference to either the Local Environmental Plan (LEP) or Development Control Plan (DCP)”.</i>
Comment
The addendum to the SEE which was provided by the applicant, provides a review of the relevant clauses of the Weddin LEP and Weddin DCP.

Issue

“As outlined above, I respectfully submit that Council should not accept a DA for demolition of a building in the heritage conservation area without also assessing a detailed proposal for the future use of the site and its impacts on adjacent buildings, streetscape and heritage conservation area”.

Comment

The Addendum to the SEE outlines that a replacement building will be designed and sited after undertaking discussions with Council's Heritage Advisor in relation to the most appropriate materials, finishes, bulk, setback and scale. The replacement building will be subject to a further development application. The application seeks to obtain development consent for the demolition of the two (2) rear storage buildings, while the design for the replacement building is undertaken, due to the safety concerns identified with the buildings.

S4.15(1)(d) The Public InterestCommunity 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 significant adverse economic or social impacts on the local community. The development will remove two (2) buildings which currently pose a safety risks to member of the public and employees on the site.

The continued operation of the supermarket is a vital service for the local community. The proposed development will allow for the demolition of the current buildings which are in poor condition to allow for a future replacement building to allow the business to operate efficiently and in accordance with current safety and food standards.

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. 31/2024 proposes the demolition of two (2) storage buildings located on Lot 6 DP 449868, known as 110 Main Street, Grenfell. The application is referred to Council for determination as four (4) submission were received as a result of the public consultation process, three (3) of which raised objection to the proposal.

The information submitted in support of the development application provides sufficient information to allow the full and proper assessment of the proposal. An assessment of the impacts that the development will have on the heritage conservation area haven been assessed.

Having considered the documentation supplied by the applicant, the findings of site inspection(s), the comments made from consultation, and the consideration of the submission received, 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**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	Approved Plans and Supporting Documentation				
	The development is to be implemented in accordance with the approved plans, specifications, and supporting documentation listed below which have been endorsed by Council's approved stamp, except where modified by conditions of this consent.				
	Plan/Support Document	Reference No	Version	Prepared By	Date
	Stamped Plan	-	1	Andy's Design and Drafting	11/9/2024
	Plan Basement Rear Sheds	-	1	Andy's Design and Drafting	11/9/2024
	Plan Ground Level (existing)	-	1	Andy's Design and Drafting	11/9/2024
	Section (existing)	-	1	Andy's Design and Drafting	11/9/2024
	Statement of Heritage Impact	2024.0107	1	CalareCivil	17/4/2024
	Building Condition Report	20240107	1	CalareCivil	24/3/2024
	Statement of Environmental Effects	-	2	Andy's Design and Drafting	2/12/24
	Addendum Statement of Environmental Effects	-	1	Total Town Planning Services	March 2025
	Demolition Works Plan	-	1	John Byrne	Undated
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. In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail.
	Condition reason: To ensure the development proceeds in the manner assessed by Council and all parties are aware of the approved plans and supporting documentation that applies to the development.

Demolition Work

Before demolition work commences

2	Heritage Conservation – Archival Recording
	<p>Prior to the commencement of demolition works, a full archival recording of the existing buildings on the site is to be undertaken by a suitably qualified heritage professional in accordance with the Heritage Office publication - How to Prepare Archival Records of a Heritage Item. The photographic record must be provided to Council in a bound booklet and approved by Council in writing prior to the commencement of demolition. The record must include the following:</p> <ul style="list-style-type: none"> • Any historical details about the property. • A set of measured drawings of the plan and elevations of the building. • A set of coloured photographs of the exterior and interior, including photographs showing the building within the streetscape and architectural elements such as framing members, roof and wall cladding and windows.
	Condition reason: To ensure an accurate historical record of the buildings to be demolished is undertaken and recorded.
3	Dial before you Dig
	<p>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.</p>
	Condition reason: To protect underground assets from damage during works.
4	Signs on Development Sites

	<p>Prior to the commencement demolition work, the person acting on the consent must ensure that a rigid and durable sign is erected in a prominent position on the development site stating the following:</p> <ol style="list-style-type: none"> 1. the name, address and telephone number of the Principle certifier, and 2. if there is a Principle contractor—the Principle contractor’s name, address and a telephone number on which the Principle contractor may be contacted outside working hours. 3. unauthorised entry to the work site is prohibited. <p>The sign must be able to be read easily by a person on a public road or in another public place adjacent to the site. The sign must be maintained at all times while the work is being carried out on the site and removed when the work has been completed.</p> <p>Condition reason: To meet the requirements of the Environmental Planning and Assessment Act 1979.</p>
5	<p>Shoring and adequacy of adjoining property</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor. 2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person’s own expense— <ol style="list-style-type: none"> a. protect and support the building, structure or work on adjoining land and the main building on the development site from possible damage from the excavation, and b. if necessary, underpin the building, structure or work on adjoining land or the main building on the development site, to prevent damage from the excavation <p>Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021</p>
6	<p>Site Management Plan</p> <p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p>

	<p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:</p> <ol style="list-style-type: none"> 1. The proposed demolition methods 2. The materials for and location of protective fencing and any hoardings to the perimeter of the site 3. Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones 4. Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles 5. Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways 6. Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent 7. Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines 8. Details of any bulk earthworks to be carried out 9. Details of re-use and disposal of demolition waste material 10. Location of any reusable demolition waste materials to be stored on-site (pending future use)
	<p>Condition Reason To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
7	<p>Notice of commencement for demolition</p>
	<p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none"> 1. name 2. address,

	<p>3. contact telephone number,</p> <p>4. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and</p> <p>5. the contact telephone number of council and</p> <p>6. the contact telephone number of SafeWork NSW (4921 2900).</p>
	<p>Condition Reason To advise neighbours about the commencement of demolition work and provide contact details for enquiries.</p>
8	Utilities and services
	Before demolition work commences, all utilities must be adequately disconnected from the buildings to be demolished, in accordance with the utility operator requirements.
	<p>Condition Reason To ensure utilities are protected and works are undertaken in accordance with the providers requirements.</p>

During demolition work

9	Aboriginal Heritage
	<p>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 the <i>National Parks and Wildlife Regulation 2019</i>.</p>
	<p>Condition reason: To provide additional relevant information to applicant and ensure the protection of objects of potential significance during works</p>
10	Carrying Out of Works in a Road Reserve
	<p>Prior to undertaking any works within the road reserve area, the person acting on the consent must obtain consent from the roads authority (Council) pursuant to Section 138 of the <i>Roads Act 1993</i>. An application for a 138 permit must be lodged with Weddin Shire Council (Infrastructure Services Department) using the approved form and be accompanied by the required plans and documentation.</p>
	<p>Condition reason: To comply with the Roads Act 1993 and ensure all work meets relevant standards and is completed in safe manner.</p>
11	Confines of Work
	<p>All construction works and demolition works must be carried out within the confines of the property unless separate written permission is obtained from the relevant</p>

	landowner and/or authority in control of adjoining land. A copy of any written consents from adjoining land owners must be submitted to Council prior to any operations commencing on the affected land.
	Condition reason: To protect and preserve the amenity of the surrounding locality.
12	Construction Site Waste and Debris
	All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container or receptacle, for disposal at an approved Waste Management Facility. The container/receptacle must be located on the building site prior to the any work commencing. The waste container/receptacle shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site until 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.
	Condition reason: To protect and preserve the amenity of the surrounding locality.
13	Damage to Public Assets
	Any damage caused to footpaths, roadways, utility installations and the like as part of the works being undertaken must be made good and repaired to a standard equivalent to that existing prior to commencement of works. The full cost of restoration/repairs of the damage must be met by the person acting on the consent or contractor responsible for the damage.
	Condition reason: To ensure any damage to public infrastructure is rectified.
14	Demolition
	All demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.
	Condition reason: To ensure demolition work is undertaken safely in accordance with legislative requirements.
15	Handling of asbestos during demolition
	While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:
	a) Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;
	b) Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
	c) Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m ² or more of asbestos sheeting must be registered with the EPA online reporting tool WasteLocate.

	Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally.
16	<p>Loading and Unloading of Goods and Materials</p> <p>All loading and unloading of goods and materials relating to the development must be carried out within the confines of the development site and adequately stored within the boundaries of the property. No loading or unloading of goods and materials is permitted on a road, footpath or public reserve.</p> <p>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 <i>Section 68 of the Local Government Act 1993</i>.</p> <p>Condition reason: To protect and preserve the amenity of the surrounding locality and comply with legislative requirements.</p>
17	<p>Noise</p> <p>All demolition works that generate noise which is audible at any residential premises, must be restricted to the following times:</p> <ul style="list-style-type: none"> Monday to Friday – 7.00 am to 6.00 pm, and Saturday – 8.00 am to 1.00 pm No noise from construction or demolition works is to be generated on Sundays or Public Holidays. <p>Noise generated during the permitted times must not give rise to any offensive noise within the meaning of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
18	<p>Waste Disposal Verification Statement</p> <p>If the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to Weddin Shire Council within 14 days of completion of the demolition work.</p> <p>Condition reason: To provide for the submission of a statement verifying that asbestos waste has been managed in accordance with legislative requirements.</p>

On completion of demolition work

19	Fencing
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	An adequate fence which is in keeping with the heritage conservation area must be constructed on the eastern boundary of the development site, to replace where building 2 was located. Details of the proposed fencing must be provided to Weddin Shire Council for approval, prior to the installation of the fence. In the event that a replacement building is approved by Council in the location, the building may act as the fence.
	Condition reason: to ensure that the adjoining property is adequately secured.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means WEDDIN SHIRE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principle certifier means the certifier appointed as the Principle certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Western Regional Planning Panel.

14 DELEGATE(S) REPORTS

Nil

15 MINUTES OF COMMITTEE MEETINGS**15.1 MINUTES OF THE AUSTRALIA DAY EXECUTIVE COMMITTEE MEETING HELD 18 MARCH 2025.****File Number: F2.6.26****Author: Arts, Tourism & Events Coordinator****Authoriser: EDO****Attachments: 1. Minutes from the Australia Day Executive Committee Meeting held 18 March 2025.****RECOMMENDATION**

Except where otherwise dealt with, the Minutes of the Australia Day Executive Committee meeting held 18 March 2025 be noted and adopted as presented.

RESOLUTION 074/25**Moved: Cr Neill****Seconded: Cr Niven**

Except where otherwise dealt with, the Minutes of the Australia Day Executive Committee meeting held 18 March 2025 be noted and adopted as presented.

THE MOTION WAS CARRIED UNANIMOUSLY

INFORMATION

The Australia Day Executive Committee Meeting was held on 18 March 2025. The Minutes from this meeting are attached for Council to note and adopt as presented.

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 MAYORAL MINUTE - INFORMAL GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE DISCUSSION (MID-TERM)

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

PURPOSE: To provide Council with an update on the informal mid-term discussion.

16.2 CORRESPONDENCE | REQUEST TO SEEK WAIVER OF COUNCIL RATES

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

PURPOSE: To seek Council's determination on the request for a second review of a Council rates waiver.

16.3 ENTERING INTO CONTRACTS FOR LINEMARKING SERVICES

This matter is considered to be confidential under Section 10A(2) - c and 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

PURPOSE: To seek Council's endorsement to accept and sign contracts for Linemarking Services from the Regional Procurement Request for Tender (R1_2025) process undertaken by Central NSW Joint Organisation.

RESOLUTION 075/25

Moved: Cr Montgomery

Seconded: Cr Parlett

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 MAYORAL MINUTE - INFORMAL GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE DISCUSSION (MID-TERM)

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

PURPOSE: To provide Council with an update on the informal mid-term discussion.

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This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

PURPOSE: To seek Council's determination on the request for a second review of a Council rates waiver.

16.3 ENTERING INTO CONTRACTS FOR LINEMARKING SERVICES

This matter is considered to be confidential under Section 10A(2) - c and 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

PURPOSE: To seek Council's endorsement to accept and sign contracts for Linemarking Services from the Regional Procurement Request for Tender (R1_2025) process undertaken by Central NSW Joint Organisation.

THE MOTION WAS CARRIED UNANIMOUSLY

17 RETURN TO OPEN COUNCIL

The meeting returned to Open Council at 7:35pm.

18 REPORT ON CLOSED COUNCIL**16.1 MAYORAL MINUTE - INFORMAL GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE DISCUSSION (MID-TERM)****RESOLUTION 079/25**

Moved: Mayor Best
That Council note the report.

**THE MOTION WAS CARRIED
AGAINST: CR PARLETT, CR NIVEN**

16.2 CORRESPONDENCE | REQUEST TO SEEK WAIVER OF COUNCIL RATES**RESOLUTION 080/25**

Moved: Cr Montgomery
Seconded: Cr Neill

That Council:

1. Note the report and accompanying correspondence received.
2. Note the comments from Council staff in response to the correspondence.
3. Denies the request to waiver rates to the Property Owner on Bradley Street.

THE MOTION WAS CARRIED UNANIMOUSLY

16.3 ENTERING INTO CONTRACTS FOR LINEMARKING SERVICES**RESOLUTION 081/25**

Moved: Cr Parlett
Seconded: Deputy Mayor Gorman

That Council

1. Note the information contained in this report.
2. Accept and sign a contract with ACT Linemarking Pty Ltd, Gumbay Holdings Pty Ltd t/as Avante Linemarking, Central West Linemarking Pty Ltd and Complete Linemarking Services Pty Ltd for the supply of linemarking services, and
3. Advise the Central NSW Joint Organisation of its decision

THE MOTION WAS CARRIED UNANIMOUSLY

19 CLOSURE

The Meeting closed at **7:54PM**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 May 2025.

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CHAIRPERSON