



MINUTES

Extraordinary Council Meeting

11 January 2022

Jaymes Rath

ACTING GENERAL MANAGER

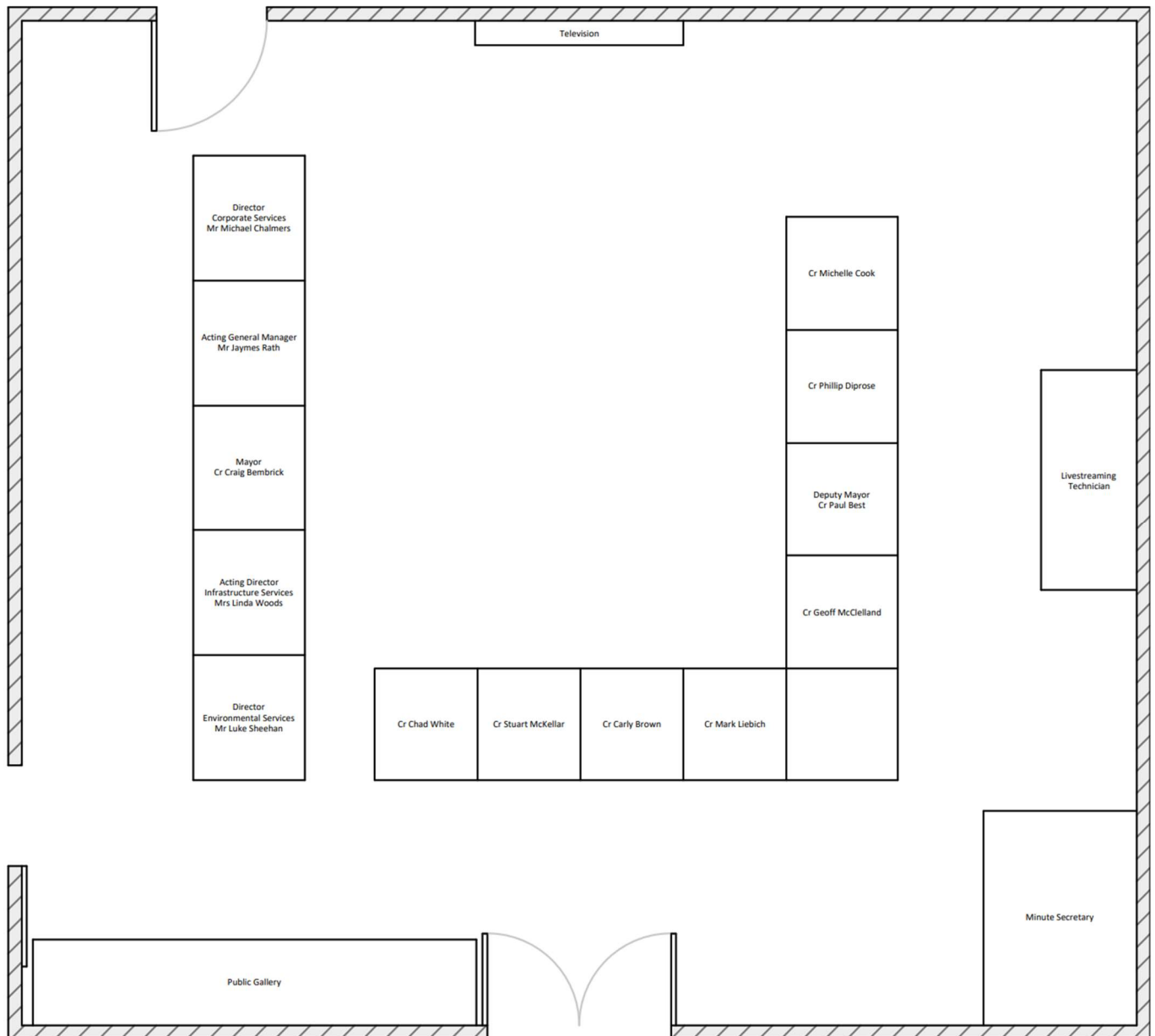
“Weddin Shire Council – working for and with the community”

Council’s Mission Statement



Councillors (from left to right) Phillip Diprose, Geoff McClelland, Carly Brown, Paul Best (Deputy Mayor), Chad White, Stuart McKellar, Mark Liebich, Michelle Cook, Craig Bembrick (Mayor).

COUNCIL CHAMBERS LAYOUT



ORDER OF BUSINESS

01	OPENING	5
02	ACKNOWLEDGEMENT OF COUNTRY	5
03	ATTENDANCE	5
04	DISCLOSURES OF INTEREST	5
	Nil	
05	OATH OR AFFIRMATION OF OFFICE	6
06	ELECTION OF MAYOR AND DEPUTY MAYOR	7
	06.01 ELECTION OF MAYOR	8
	06.02 ELECTION OF DEPUTY MAYOR.....	10
07	ELECTION OF CENTRAL TABLELANDS WATER COUNTY COUNCIL MEMBERS	11
08	ACTING GENERAL MANAGER REPORTS	13
	08.01 FILLING CASUAL VACANCIES OCCURRING IN THE OFFICES OF COUNCILLORS	13
	08.02 WRITTEN RETURN OF INTERESTS	15
	08.03 DISCLOSURES OF POLITICAL DONATIONS AND ELECTORAL EXPENDITURE.....	16
	08.04 DIRECTORATE TITLE CHANGE.....	17
	08.05 CODE OF MEETING PRACTICE.....	18
	08.06 LOCAL GOVERNMENT NSW (LGNSW) SPECIAL CONFERENCE.....	20
	08.07 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 3.....	22
	08.08 2022 AUSTRALIA DAY AWARDS.....	23
09	CORPORATE SERVICES REPORTS	25
	09.09 AUDITED FINANCIAL STATEMENTS	25
10	ENVIRONMENTAL SERVICES REPORTS	27
	10.10 DEVELOPMENT APPLICATION 63/2021	27
11	CLOSED COUNCIL	42
12	RETURN TO OPEN COUNCIL	43
13	REPORT ON CLOSED COUNCIL	43
	13.01 T8/2021: CONSTRUCTION OF CARAGABAL RFS BRIGADE STATION SHED.....	43
14	CLOSURE	43

**MINUTES OF THE WEDDIN SHIRE COUNCIL EXTRAORDINARY MEETING
HELD AT THE COUNCIL CHAMBERS, CNR CAMP & WEDDIN STREETS, GRENFELL NSW 2810
ON TUESDAY 11 JANUARY 2022 COMMENCING AT 5:00PM**

01 OPENING

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

02 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.

03 ATTENDANCE

PRESENT: Crs Craig Bembrick, Geoff McClelland, Mark Liebich, Carly Brown, Stuart McKellar, Chad White, Paul Best, Michelle Cook, Phillip Diprose

Acting General Manager (Mr Jaymes Rath), Director – Corporate Services (Mr Michael Chalmers), Acting Director – Infrastructure Services (Mrs Linda Woods)

APOLOGIES: Director – Environmental Services (Mr Luke Sheehan)

RESOLUTION 001/2022

Moved: Cr Diprose

Seconded: Cr Liebich

The apology be received and accepted.

CARRIED

04 DISCLOSURES OF INTEREST

Nil

05 OATH OR AFFIRMATION OF OFFICE

In accordance with section 233A of the *Local Government Act, 1993* (the Act) Councillors are now required to take an oath or affirmation of office. The oath or affirmation of office must be taken by each Councillor at or before their first meeting of Council after being elected.

The General Manager must ensure that a record is kept of the taking of the oath or affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or affirmation by each Councillor in the minutes of the Council meeting.

A Councillor who fails, without a reasonable excuse, to take the oath or affirmation of office will not be entitled to attend Council meetings until they do so and will be taken to be absent without leave. If a Councillor is absent without leave for three (3) consecutive Ordinary Council meetings, their office is automatically declared vacant and a by-election must be held. The oath or affirmation Councillors are required to take are listed below. Councillors may choose one of the options which will be duly recorded in the minutes of the Council meeting.

Crs Geoff McClelland, Mark Liebich, Carly Brown, Paul Best and Michelle Cook took the Oath of Office in accordance with the provisions of section 233A of the Act, individually reading out aloud the prescribed wording below in the presence of fellow Councillors, the General Manager, Council staff and the public.

OATH:

I [*name of Councillor*] swear that I will undertake the duties of the office of Councillor in the best interests of the people of Weddin Shire and the Weddin Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act, 1993](#) or any other Act to the best of my ability and judgment.

Crs Craig Bembrick, Stuart McKellar, Chad White and Phillip Diprose took the Affirmation of Office in accordance with the provisions of section 233A of the Act, individually reading out aloud the prescribed wording below in the presence of fellow Councillors, the General Manager, Council staff and the public.

AFFIRMATION:

I [*name of Councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Weddin Shire and the Weddin Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act, 1993](#) or any other Act to the best of my ability and judgment.

06 ELECTION OF MAYOR AND DEPUTY MAYOR

In accordance with section 290 of the *Local Government Act, 1993* the election of the Mayor by Councillors is to be held: -

- (a) if it is the first election after an ordinary election of Councillors—within 3 weeks after the ordinary election; or
- (b) if it is not that first election or an election to fill a casual vacancy—during the month of September.

Councillors may also elect a Deputy Mayor.

The election of Mayor and Deputy Mayor must be conducted in accordance with Schedule 7 of the *Local Government (General) Regulation, 2021*. Schedule 7 prescribes three (3) methods of election of mayors:

- » open ballot
- » ordinary ballot
- » preferential ballot

Council must determine by resolution the method of voting for the position of Mayor and Deputy Mayor.

RECOMMENDATION

The elections for Mayor and Deputy Mayor be determined by ordinary ballot as usual.

RESOLUTION 002/2022

Moved: Cr Best
Seconded: Cr Diprose

The elections for Mayor and Deputy Mayor be determined by ordinary ballot as usual.

CARRIED

06.01 ELECTION OF MAYOR

File Number:	C2.1.3
Author:	Executive Assistant
Authoriser:	General Manager
Attachments:	01. FORM_Nomination of Mayor
Precis:	Councillors must elect the Mayor from amongst their number
Budget:	\$ -

The Acting General Manager conducted the election as the Returning Officer.

Two nominations were received for the Office of Mayor: -

- » Cr Mark Liebich
- » Cr Craig Bembrick

Following the conclusion of the vote, the Returning Officer declared Cr Craig Bembrick elected to the position of Mayor of Weddin Shire Council for the period 11 January 2022 - 21 September 2023 with the result of the count being: -

- 4 votes for Cr Mark Liebich
- 5 votes for Cr Craig Bembrick

As per section 226 of the *Local Government Act, 1993* the role of the Mayor is as follows: -

- (a) to be the leader of Council and a leader in the local community;
- (b) to advance community cohesion and promote civic awareness;
- (c) to be the principal member and spokesperson of the governing body, including representing the views of Council as to its local priorities;
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of Council between meetings of Council;
- (e) to preside at meetings of Council;
- (f) to ensure that meetings of Council are conducted efficiently, effectively and in accordance with the Act;
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of Council;
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of Council;
- (i) to promote partnerships between Council and key stakeholders;
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of Council;
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between Council and the local community;
- (l) to carry out the civic and ceremonial functions of the Mayoral office;

- (m) to represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level;
- (n) in consultation with Councillors, to lead performance appraisals of the General Manager;
- (o) to exercise any other functions of Council that Council determines.

Mayors elected by Councillors normally hold their office for two (2) years. Because of the postponement of the ordinary council elections to 4 December 2021, the newly elected Mayor will hold office for a shorter term that will conclude at the September 2023 Ordinary Council meeting.

Nominations for the position of Mayor of Weddin Shire Council are now invited. In accordance with the *Local Government (General) Regulation, 2021* two (2) or more Councillors may nominate a Councillor (one of whom may be the nominee) for the position of Mayor. Nominations must be in writing of the approved form and the nominee must consent to their nomination in writing. A Councillor may be nominated without notice for election as Mayor.

DRAFT

06.02 ELECTION OF DEPUTY MAYOR

File Number:	C2.1.3
Author:	Executive Assistant
Authoriser:	General Manager
Attachments:	01. FORM_Nomination of Deputy Mayor
Precis:	Councillors may elect a Deputy Mayor from amongst their number
Budget:	\$ -

The Acting General Manager conducted the election as the Returning Officer.

Two nominations were received for the Office of Deputy Mayor: -

- » Cr Carly Brown
- » Cr Paul Best

Following the conclusion of the vote, the Returning Officer declared Cr Paul Best elected to the position of Deputy Mayor of Weddin Shire Council for the period 11 January 2022 - 21 September 2023 with the result of the count being: -

3 votes for Cr Carly Brown

6 votes for Cr Paul Best

As per section 231 of the *Local Government Act, 1993* the Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

The Deputy Mayor may be elected for the Mayoral term or a shorter term. Usually, the Deputy Mayor of Weddin Shire Council holds office for the same term as that of the Mayor.

Nominations for the position of Deputy Mayor of Weddin Shire Council are now invited. In accordance with the *Local Government (General) Regulation, 2021* two (2) or more Councillors may nominate a Councillor (one of whom may be the nominee) for the position of Deputy Mayor. Nominations must be in writing of the approved form and the nominee must consent to their nomination in writing. A Councillor may be nominated without notice for election as Deputy Mayor.

Cr Bembrick took the Chair.

07 ELECTION OF CENTRAL TABLELANDS WATER COUNTY COUNCIL MEMBERS

File Number:	U1.6.7
Author:	Executive Assistant
Authoriser:	General Manager
Attachments:	01. FORM_Nomination of CTW Board member 02. CTW Information Sheet for Councillors 03. CTW Correspondence re Constituent Delegates
Precis:	Council must elect two (2) Councillors as its representatives on the CTW Board.
Budget:	\$ -

The Acting General Manager conducted the election as the Returning Officer.

Two nominations were received for the positions of Central Tablelands Water Board member: -

- » Cr Michelle Cook
- » Cr Paul Best

As the number of candidates was not greater than the number of vacancies, the Returning Officer declared Crs Michelle Cook and Paul Best elected uncontested to the positions of Central Tablelands Water Board member for the period 11 January 2022 - September 2024.

Central Tablelands Water (CTW) is a single-purpose county council responsible for providing water supply services on behalf of its constituent councils; Blayney, Cabonne and Weddin.

The CTW Board is the governing body responsible for managing the affairs of CTW County Council. The Board comprises two (2) elected representatives from each of the three (3) constituent councils.

Ordinary meetings of the CTW Board are currently held six (6) times a year on the second Wednesday of every second month. The next meeting is to be held on 9 February 2022.

All CTW Board members are paid an annual fee that is determined for county councils by the Local Government Remuneration Tribunal. The annual fee for 2021/2022 has been set at \$10,340.

Council's most recent representatives were Crs Bembrick and Best.

Further information is provided in the attached Information Sheet.

Nominations for the two (2) positions of CTW Board member are now invited. In accordance with the *Local Government (General) Regulation, 2021* two (2) or more Councillors may nominate a Councillor (one of whom may be the nominee) for the position of CTW Board member. Nominations must be in writing of the approved form and the nominee must consent to their nomination in writing. Schedule 9 of the *Local Government (General) Regulation, 2021* stipulates that, if the number of candidates is greater than the number of vacancies, a preferential ballot is to be held.

At this point Cr Bembrick addressed the meeting as per below:

“I’d like to thank Councillors for their show of support today and congratulate the Deputy Mayor, Cr Best. I’d like to extend a warm welcome to our newly elected Councillors, Cr White and Cr Cook, and welcome back Cr McClelland. On behalf of the re-elected Councillors, we all look forward to working with you.

I congratulate all Councillors on your election; by standing for Council you have demonstrated your commitment to community spirit towards progression of the Weddin Shire. I am confident that together we can work towards fostering community trust and confidence and, with an equal voice work together to serve the interests of our remarkable community as a whole.

I’d like to thank the previous Mayor, Cr Liebich, on his nine-and-a-half years as Mayor of the Weddin Shire. He has followed an impressive list of former Mayors and left his legacy in many areas. Thank you Mark.

It’s important to acknowledge Mr Glenn Carroll’s strong contribution during his eight years as our previous General Manager, and Mr Jaymes Rath for acting in the role of General Manager during the last few months under difficult circumstances. One of our first jobs will be the engagement of a new General Manager; we will be initiating action on this as soon as possible so the community and staff have more certainty and confidence in Council’s direction.

I’ll also move quickly to establish strong and effective working relationships with our Federal Member, the Hon. Michael McCormack MP, and our State Member, the Hon. Steph Cooke MP.”

At this point a minutes’ silence was held in memory of former Councillor Graham Grimm who passed away recently.

08 ACTING GENERAL MANAGER REPORTS

08.01 FILLING CASUAL VACANCIES OCCURRING IN THE OFFICES OF COUNCILLORS

File Number:	C2.1.11
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	nil
Precis:	Council has the option to use countbacks to fill casual vacancies
Budget:	\$ -

RECOMMENDATION

- i) Pursuant to section 291A(1)(b) of the *Local Government Act, 1993* (the Act) Council declare that casual vacancies occurring in the office of a Councillor within eighteen (18) months after the last ordinary election held on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
- ii) Council direct the General Manager to notify the NSW Electoral Commission of Council's decision in accordance with clause 393C(3) of the *Local Government (General) Regulation, 2021*.

RESOLUTION 003/2022

Moved: Cr Best
Seconded: Cr McKellar

- i) Pursuant to section 291A(1)(b) of the *Local Government Act, 1993* (the Act) Council declare that casual vacancies occurring in the office of a Councillor within eighteen (18) months after the last ordinary election held on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
- ii) Council direct the General Manager to notify the NSW Electoral Commission of Council's decision in accordance with clause 393C(3) of the *Local Government (General) Regulation, 2021*.

CARRIED

Section 291A of the *Local Government Act, 1993* provides a countback of votes cast at the last ordinary election to be used instead of a by-election should a casual vacancy occur in the office of a Councillor if: -

- (a) the casual vacancy occurs within eighteen (18) months after the date of the last ordinary election of the Councillors for the area; and
- (b) Council has at its first meeting following that ordinary election of Councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.

Such a declaration would allow Council to fill vacancies at a lower cost than that of holding a by-election.

If Council resolves that a countback election is to be held to fill any casual vacancies, the General Manager is required under the *Local Government (General) Regulation, 2021* to notify the election manager of the ordinary election within seven (7) days of the resolution.

DRAFT

08.02 WRITTEN RETURN OF INTERESTS

File Number:	C2.2.2
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	01. FORM_Written Return of Interests 02. A Guide to Completing Returns of Interests
Precis:	All Councillors must lodge a Written Return of Interests after being elected
Budget:	\$ -

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

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

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

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

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

08.03 DISCLOSURES OF POLITICAL DONATIONS AND ELECTORAL EXPENDITURE

File Number:	A2.39
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	01. Disclosures reporting periods and due dates 2021-2022
Precis:	Councillors must disclose political donations and electoral expenditure
Budget:	\$ -

All Councillors must submit political donations and electoral expenditure disclosures to the NSW Electoral Commission periodically during their term of office.

There are three (3) types of disclosures to submit each year: two (2) half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

Councillors must also submit disclosures in relation to their capacity as a candidate in the 2021 local government elections. These being two (2) half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

A timeline of the relevant disclosure obligation periods and lodgement dates for 2021/2022 is attached; the first disclosure must be submitted **by 25 February 2022**.

Detailed information about political donations and electoral expenditure disclosures is available on the [NSW Electoral Commission website](#).

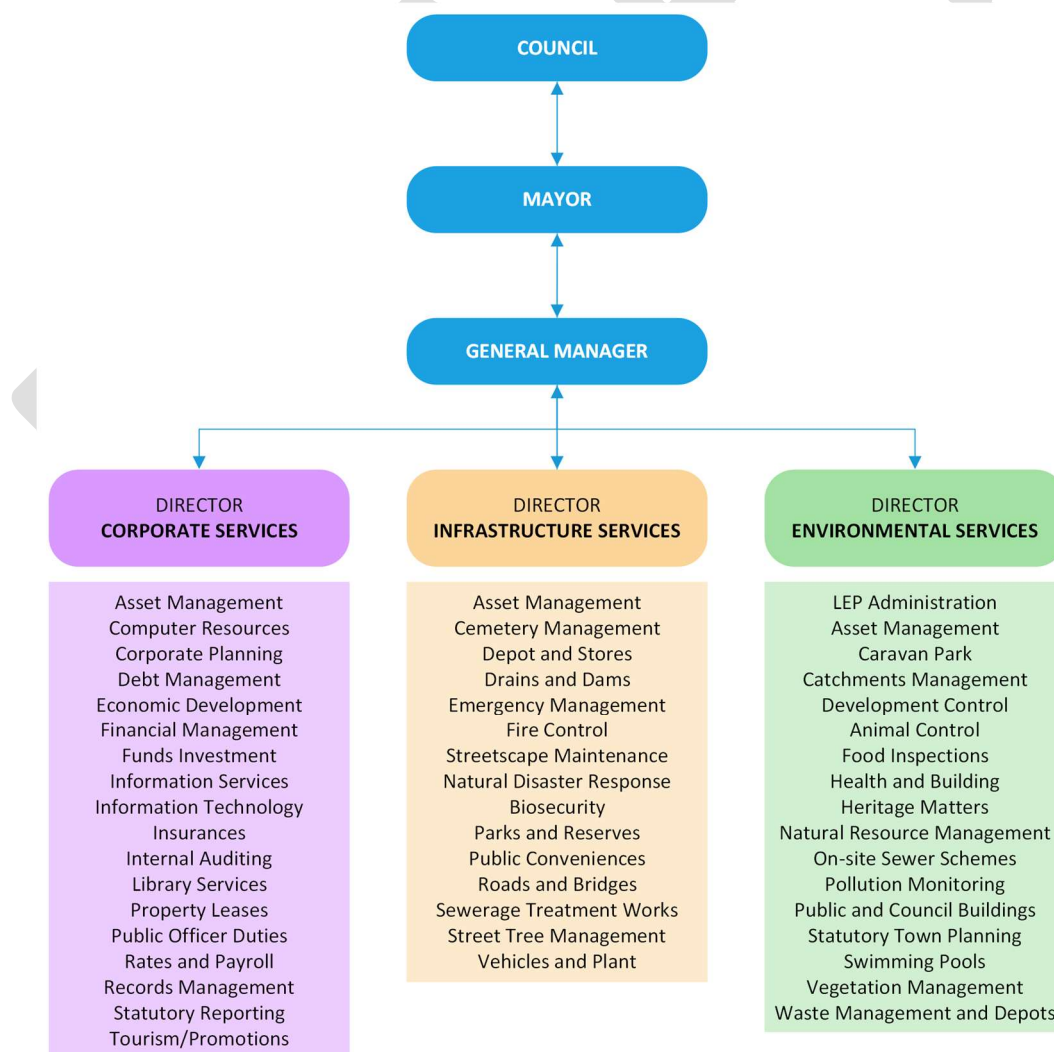
Section 328A of the *Local Government Act, 1993* stipulates that the General Manager must keep a register of copies of current declarations of disclosures of political donations lodged with the NSW Electoral Commission by or on behalf of Councillors. Council has a link on its website to the NSW Electoral Commission's website, which facilitates access to declarations of disclosures. The link satisfies the requirements of the aforementioned section of the Act.

08.04 DIRECTORATE TITLE CHANGE

File Number: C2.5.1
Author: Executive Assistant
Authoriser: Acting General Manager
Attachments: nil
Precis: The Engineering directorate will now be known as Infrastructure Services
Budget: \$ -

The organisational structure of Weddin Shire Council, shown below, is divided into three (3) directorates that are responsible for different functions of Council.

The previously titled Engineering directorate has recently been renamed to Infrastructure Services so as to maintain consistency across the organisation and to clearly distinguish between the Director – Infrastructure Services (DIS) and Director – Environmental Services (DES) when using the abbreviated titles.



08.05 CODE OF MEETING PRACTICE

File Number:	C2.4.2
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	01. DRAFT POLICY_Code of Meeting Practice
Precis:	Council must review its Code of Meeting Practice
Budget:	\$ -

RECOMMENDATION

- i) Council approve the DRAFT Code of Meeting Practice to be placed on public exhibition for a period of 28 days.
- ii) A further report be submitted to Council following the public exhibition period.

RESOLUTION 004/2022

Moved: Cr Diprose
Seconded: Cr Cook

Consideration of the DRAFT Code of Meeting Practice be deferred to the Ordinary Council meeting to be held in February 2022 and the proposed changes be highlighted and discussed at the Pre-Meeting Briefing Session.

CARRIED**PURPOSE**

The purpose of this report is to ensure Council meets its obligations under Part 2 of the *Local Government Act, 1993* (the Act) in regards to Council meetings.

BACKGROUND

Section 360(3) of the Act states that: -

“A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.”

A DRAFT Code of Meeting Practice (DRAFT Code) has been prepared for Council’s consideration and adoption.

ISSUES AND COMMENTS

With the implementation of an alternative agenda management solution currently underway it is proposed to review the current Weddin Shire Council Code of Meeting Practice, previously adopted by the outgoing Council on 17 September 2020, so as to better reflect the ensuing changes this will have on the conduct of meetings.

POLICY/LEGAL IMPLICATIONS

The DRAFT Code of Meeting Practice, upon its adoption by Council, will replace the current Weddin Shire Council Policy No. 15.2.2 Code of Meeting Practice.

The DRAFT Code incorporates all mandatory provisions of the Model Code prescribed under the Act. Furthermore, the non-mandatory provisions contained in the DRAFT Code are not inconsistent with the mandatory provisions.

The preparation and public exhibition of the DRAFT Code is in accordance with section 361 of the Act.

FINANCIAL/RESOURCE IMPLICATIONS

The financial/resource implications of the preparation and public exhibition of the DRAFT Code are contained in existing budgets.

INTERNAL/EXTERNAL CONSULTATION

The DRAFT Code has been developed in consultation with Council staff involved in the current implementation of the new agenda management solution to ensure any anticipated changes are taken into account.

Councillors will be given the opportunity to peruse the DRAFT Code prior to consideration of the matter at the meeting.

If approved, the DRAFT Code will be placed on public exhibition to seek feedback and input which would then be included in a further report to Council for its consideration.

CONCLUSION

It is recommended that the DRAFT Code be approved for public exhibition as presented so as to comply with the *Local Government Act, 1993* and to facilitate a smooth transition to the new agenda management solution.

08.06 LOCAL GOVERNMENT NSW (LGNSW) SPECIAL CONFERENCE

File Number:	A3.18.3
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	nil
Precis:	Council is invited to attend the 2022 LGNSW Special Conference
Budget:	\$ -

RECOMMENDATION

- i) Council appoint and nominate the Mayor as its official delegate for voting purposes at the 2022 LGNSW Special Conference.
- ii) Any other delegates be appointed to attend the 2022 LGNSW Special Conference.
- iii) The Acting General Manager be authorised to attend the 2022 LGNSW Special Conference in an advisory capacity.

RESOLUTION 005/2022

Moved: Cr Diprose
Seconded: Cr Best

- i) Council appoint and nominate the Mayor as its official delegate for voting purposes at the 2022 LGNSW Special Conference.
- ii) The Deputy Mayor be appointed as a delegate to attend the 2022 LGNSW Special Conference.
- iii) The Acting General Manager be authorised to attend the 2022 LGNSW Special Conference in an advisory capacity.

CARRIED

Each year, member councils across NSW attend an Annual Conference conducted by Local Government NSW (LGNSW). The Conference provides delegates an opportunity to share ideas, seek inspiration, and help determine the sector's policy directions for the coming year. Council, at its Ordinary meeting held 29 July 2021 resolved as follows: -

- i) Council appoint and nominate the Mayor as its official delegate for voting purposes
- ii) Cr Parlett be appointed and nominated as a delegate
- iii) the General Manager be authorised to attend.

Due to last year's COVID-19 restrictions and subsequent postponement of the local government elections, the annual event was split into two components. An AGM event was held online on 29 November 2021, in which LGNSW presented its annual and financial reports, and a Special Conference event is scheduled to take place from 28 February 2022 until 2 March 2022. The Special Conference will include the debate and resolution of motions at the Hyatt Regency Hotel, setting the LGNSW advocacy agenda for 2022.

It is recommended that Council determine its delegates to attend the Special Conference.

DRAFT

08.07 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 3

File Number:	R2.78
Author:	Acting General Manager
Authoriser:	Acting General Manager
Attachments:	01. LRCI Phase 3 Funding Allocations 02. LRCI Phase 3 Guidelines 03. Proposed Projects
Precis:	Council has been allocated \$1.2 million under Phase 3 of the LRCI Program
Budget:	\$ -

RECOMMENDATION

Council authorise the Acting General Manager to sign and accept the LRCI Grant Agreement and commence the tender process for the projects as listed.

RESOLUTION 006/2022

Moved: Cr Brown
Seconded: Cr Best

Council authorise the Acting General Manager to sign and accept the LRCI Grant Agreement and commence the tender process for the projects as listed.

CARRIED

Council has been offered \$1,270,670 under the Local Roads and Community Infrastructure (LRCI) Program. The program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement.

The following projects are proposed for funding and will see a positive impact on the Weddin Shire community:

- » \$83,300 for Shire wide signage
- » \$425,000 REAP (Renewable Energy Action Plan)
- » \$250,000 Festoon Lighting & decommission Essential Energy assets
- » \$150,000 Quandialla Pool
- » \$362,370 Council Administration Building Refurbishment

08.08 2022 AUSTRALIA DAY AWARDS

File Number:	C1.5.2
Author:	Executive Assistant
Authoriser:	Acting General Manager
Attachments:	nil
Precis:	The 2022 Australia Day Award winners are to be determined
Budget:	\$ -

Reference is made to item AGM.03 of the Acting General Manager's report to the Ordinary Council meeting held on 21 October 2021.

Nominations for the 2022 Australia Day Awards were called in November/December 2021; the following have been received by Council: -

Category	Nominations
Citizen of the Year	David Sheehan
Senior Citizen of the Year	Jill Hodgson Anne Gault
Community Event/Organisation of the Year	Grenfell Community Health The Criterion Hotel Grenfell Car Club, Historic, Classic, Modern The Country Education Foundation of Grenfell Grenfell Lions Club Inc
Youth Achievement Awards	Jack Death Izabelle Murray Scarlett Nowlan Anna Hunt Marley Loader Genevieve McLelland
HSC Achievement Award	Anna Hunt

Winners of the various awards will be determined by the selection committee, comprising of the Mayor, Deputy Mayor and Acting General Manager. The results will be announced at the 2022 Australia Day ceremony to be held at Taylor Park, Grenfell. Awards will be presented at this time in Grenfell, with some awards to be presented at the relevant Australia Day ceremony held in the villages of Caragabal, Greenethorpe and Quandialla.

RESOLUTION 007/2022

Moved: Cr Brown

Seconded: Cr Best

Except where otherwise dealt with, the Acting General Manager Reports be adopted.

CARRIED

DRAFT

09 CORPORATE SERVICES REPORTS

09.09 AUDITED FINANCIAL STATEMENTS

File Number:	A1.2.1
Author:	Director Corporate Services
Authoriser:	Director Corporate Services
Attachments:	nil
Precis:	Council's external auditor has presented the 20/21 Financial Statements
Budget:	\$ -

RECOMMENDATION

- i) Council consider any submissions for the audited Financial Statements during the public exhibition period
- ii) Council note the audited Financial Statements for the financial year ending 30 June 2021.

RESOLUTION 008/2022

Moved: Cr Diprose

Seconded: Cr White

- i) Council consider any submissions for the audited Financial Statements during the public exhibition period
- ii) Council note the audited Financial Statements for the financial year ending 30 June 2021.

CARRIED

PURPOSE

This report provides a brief of the Council's Audited Financial Statements for 2020/21. In accordance with the Local Government Act 1993, the statements are presented to Council for information.

BACKGROUND

Council's external auditor, Intentus Chartered Accountants, has presented the audited financial statements for 2020/21. In accordance with s.418(3) and s. 420 of the Local Government Act 1993, Council is required to place the audited financial statements on public exhibition, and seek submissions, before the statements are presented to Council. The public exhibition period concludes at 5pm, Thursday 24 February. A presentation of the statements, and submissions received, will be presented to Council at its meeting on Thursday 17 February. A high-level overview is provided below.

Weddin Shire Council	2021 \$000	2020 \$000
Income Statement		
Total income from continuing operations	23,728	19,685
Total Expenses from continuing operations	12,517	13,794
Operating result from continuing operations	11,211	5,891
Net operating result for the year	11,211	5,891
Net operating result before grants and contributions provided for capital purposes	341	3,571
Statement of Financial Position		
Total current assets	16,694	10,531
Total current liabilities	10,389	3,782
Total non-current assets	237,432	223,582
Total non-current liabilities	5,116	4,450
Total equity	238,621	225,881
Other Financial Information		
Unrestricted current ratio (times)	5.90	6.31
Operating performance ration (%)	(0.25)	(4.12)
Debt service cover ratio (times)	9.24	10.16
Rates and annual charges outstanding ration (%)	7.96	6.83
Infrastructure renewals ratio (%)	526.65	163.89
Own source operating revenue ratio (%)	30.14	44.77
Cash expense cover ratio (months)	16.75	8.50

RESOLUTION 009/2022

Moved: Cr Best

Seconded: Cr Brown

Except where otherwise dealt with, the Corporate Services Reports be adopted.

CARRIED

The Acting General Manager presented the Environmental Services Reports in the absence of the Director – Environmental Services.

10 ENVIRONMENTAL SERVICES REPORTS

10.10 DEVELOPMENT APPLICATION 63/2021

File Number: T5.63.2021
Author: Director Environmental Services
Authoriser: Director Environmental Services
Attachments: Development Plans, SEE and Letter Requesting Variation to DCP
Precis: DA 63/2021 reported to Council for determination
Budget: \$ -

RECOMMENDATION

- i) 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.
- ii) Development Application No. 63/2021, for a garage and carport on Lot 6 Section A DP 6820, 45 South Street Grenfell, be approved subject to the following conditions:

RESOLUTION 010/2022

Moved: Cr Liebich
Seconded: Cr McClelland

- i) 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.
- ii) Development Application No. 63/2021, for a garage and carport on Lot 6 Section A DP 6820, 45 South Street Grenfell, be approved subject to the following conditions:

CARRIED

DIVISION required under the *Local Government And Planning Legislation Amendment (Political Donations) Act, 2008*

FOR: Crs Bembrick, Best, Brown, Cook, Diprose, Liebich, McClelland, McKellar, White
AGAINST: Nil

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Weddin Shire Council Reference
Site Plan	Applicant Undated	Stamped No. 63/2021
Elevation Plans	MA Steel 20/10/21	Stamped No. 63/2021
Statement of Environmental Effects	Applicant	Stamped No. 63/2021

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

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning and Assessment Regulation 2000 (see attached Advisory Note).
3. The northern, eastern and southern walls of the open carport section of the building must not be enclosed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

4. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Weddin Shire Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.
5. The Applicant is to submit to Weddin Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building Works'.
6. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. Controls shall be installed in accordance with the 'Guidelines for Erosion and Sediment Control on Building Sites' developed by the Department of Land and Water Conservation 2001 as published on the NSW Department of Planning, Industry and Environment website - <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Land-and-soil/guidelines-erosion-sediment-control-building-sites.pdf>

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

7. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.
8. All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace.
9. On the completion of the asbestos removal works, a Clearance Certificate is to be obtained in accordance with the Work Health and Safety Regulations 2011 and provided to Council.
10. All demolition work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.
11. In accordance with Clause 162A of the Environmental Planning and Assessment Regulation 2000, where Council is nominated as the Certifier, the works must be inspected by Council at the times specified below:
 - (a) After excavation for, and prior to the placement of, any footings;
 - (b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected;
 - (c) Prior to pouring any in-situ reinforced concrete building element;
 - (d) Prior to covering of the framework for any floor, wall, roof or other building element;
 - (e) Prior to covering waterproofing in any wet areas;
 - (f) Prior to covering any stormwater drainage connections; and
 - (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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

12. All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.
13. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

14. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
15. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
16. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
17. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged to a suitable location on the site in a manner that does not cause soil erosion or nuisance to adjoining properties.
18. As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system.
19. Prior to undertaking any works within the road reserve area, the Applicant must obtain consent from the roads authority (Council) pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.

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

20. The Applicant must not commence occupation or use of the garage and carport until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
21. Prior to the issue of a Whole Occupation Certificate, the applicant must construct and seal/concrete/pave an access crossing to the development site from Weddin Street in accordance with the consent from the roads authority (Council) pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. All costs associated with the construction of the access driveway shall be borne by the Applicant.

ADVICEAboriginal Heritage

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

Dial Before You Dig

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

Telecommunications Act 1997 (Commonwealth)

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

Water Supply

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

Assessment Report

Introduction

Development Application No. 63/2021 proposes a garage and carport on Lot 6 Section A DP 6820, 45 South Street Grenfell (the development site). Copies of the site plan, elevation plans and Statement of Environmental Effects are included in the Attachment to this report. The application was lodged by Mr J Martens.

Description of Site

The development site is located on the corner of South and Weddin Streets within the township of Grenfell. The site is also bordered by an un-named laneway along the southern boundary. The allotment has an area of 536.24m² and contains an existing dwelling, garage and covered outdoor area. The development site is one of two allotments which make up the property known as 45 South Street. Figure 1 below provides a locality plan of the development site.



Figure 1. Locality Map

Description of Proposal

The applicant proposes the demolition of an existing garage and the construction of a new garage and carport in the south-east corner of the allotment. The location of the proposed garage and carport has a setback of 300mm from the eastern property boundary which adjoins Weddin Street, and a 300mm setback from the southern property boundary which adjoins an un-named laneway. The eastern portion of the proposed building adjacent to Weddin Street will contain the open sided carport.

The proposed garage and carport will be of steel frame construction with dimensions of 12 metres long, 7 metres wide, with floor to eave height of 2.7 metres and an apex height of 3.638 metres. The roof and walls of the building will be constructed using colorbond, Monument in colour to match the roof of the existing dwelling and existing side boundary colorbond fence.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 63/2021:

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

Weddin Local Environmental Plan 2011

The subject land is zoned R1 General Residential under the provisions of Weddin Local Environmental Plan 2011. The proposed demolition of the existing garage and construction of a new garage and carport is permissible with consent in the R1 General Residential zone.

Clause 2.3(2) of the Weddin Local Environmental Plan 2011 requires that “The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone”. The objectives of the R1 General Residential zone are as follows:

Zone R1 - General Residential

Objectives of zone

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

The proposed garage and carport will be ancillary to the existing dwelling located on the development site. It is assessed that the proposed building is consistent with the R1 zone objectives.

State Environmental Planning Policies

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

State Environmental Planning Policy (SEPP) No 55—Remediation of Land

Under SEPP 55 a consent authority must not consent to the carrying out of any 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 development site that are likely to have resulted in the contamination of the land. A site inspection of the property did not reveal any evidence of contamination. The Statement of Environmental Effects submitted with the application does not mention any previous land use likely to have resulted in contamination of the site. It is assessed that no further investigation regarding land contamination is warranted.

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Koala Habitat Protection) 2021

SEPP (Koala Habitat Protection) 2021 applies to the Weddin Shire. An assessment of the proposed development has been undertaken in accordance with the requirements of the SEPP. It is assessed that the proposed development will not impact on any Koala habitat.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The development site is located within the R1 General Residential zone and therefore SEPP (Vegetation in Non-Rural Areas) 2017 applies to the land. The development does not propose the removal of any trees and therefore it is considered that the application complies with this SEPP.

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

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

S4.15 (1) (a) (iii) Any Development Control Plan (DCP)Weddin Shire Development Control Plan 2014*Chapter 5 – Urban Residential Development*

The proposed development has been assessed to comply with the applicable requirements of Chapter 5 of the DCP with the exception of clause 5.7, Setback to Street. This clause stipulates the minimum building line setback to be 6 metres and on a corner allotment, one of the setbacks to the street may be reduced as a secondary setback to a minimum of 3 metres. A reduction in the minimum building line will only be considered where there is sufficient reasons and justification for the proposed reduction having regard to the existing adjoining development.

The objectives of clause 5.7 as detailed in the DCP are:

- To ensure the established character and streetscape is retained;
- To ensure continuity within the existing streetscape;
- To integrate new development within the existing setback from the street;
- To provide sufficient space for landscaping at the front of dwellings to achieve integration with adjoining dwellings.

The new garage and carport building is proposed with a 300mm setback from the eastern property boundary which adjoins Weddin Street along with a 300mm setback from the southern boundary which adjoins an un-named laneway.



Figure 2. View of development site from Weddin Street.

Site inspection of the area has identified that the existing dwelling on the development site is already located within the 3 metre secondary road setback area. A number of other properties located on Weddin Street also have structures which are within the 3 metre secondary road setback area.



Figure 3. View of development site looking North showing the location of the existing dwelling in relation to the eastern boundary.

It is considered that the proposed reduced secondary road setback is suitable in this case due to the following:

- the existing dwelling on the site is already located within the 3 metre setback area;
- a number of other buildings in the surrounding area have reduced setbacks from Weddin Street;
- The open carport area of the proposed building will be located within the setback area and therefore will have less visual impact. A condition has been included in the recommendation to ensure that the carport section remains open and not enclosed; and
- The proposed development is assessed as being consistent with the existing streetscape and character of the area.

Chapter 15 – Public Consultation

The proposed garage and carport building has a combined floor area of 84m² and therefore was not required to be advertised and notified in accordance with the requirements of Chapter 15 of the Weddin DCP 2014.

S 4.15(1)(a)(iii) 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 the Council to also consider Clauses 92, 93, 94 and 94A of the Environmental Planning and Assessment Regulation. The following provides an assessment of the relevant Clauses of the Regulation:

- Clause 92 – The Government Coastal Policy does not apply to the Weddin Shire and therefore Clause 92(1) (a) and (b) are not applicable to this development proposal. The proposal does involve demolition work and therefore the requirements of Clause 92(2) have been considered. A condition of development consent has been included in the recommendation to require compliance with AS 2601-1991: The Demolition of Structures.
- Clause 93 – The proposal does not involve the change of a building use for an existing building, or the use of an existing building as a place of public entertainment and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 93 is unnecessary.
- Clause 94 – The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia is not applicable.
- Clause 94A – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

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

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

Context and Setting

The development site is located within a residential area in Grenfell. The site is located on the corner of South and Weddin Streets and is also bordered by an un-named laneway to the south. An existing dwelling, garage and covered outdoor area are located on the property.

The existing dwelling is currently located within the 3 metres secondary road setback area required by Councils DCP. A number of other properties within Weddin Street also contain structures which are within the secondary road setback area.

The open carport section of the proposed building is proposed within the secondary road setback from Weddin Street. The open style of the carport will lessen the visual impact of the proposed development. A condition has been included in the recommendation to ensure that the carport section remains open and not enclosed.

It is considered that the proposed development will be consistent with the existing context and setting of the area.

Access, Transport and Traffic

Vehicular access to the development site is currently gained via Weddin Street, which is a sealed Council road. A condition has been included in the recommendation to require the existing entrance to be upgraded to comply with Councils entrance standards.

Public Domain

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

Heritage

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

Other Land Resources

The land does not contain any recorded mineral deposits and the proposal will not negatively impact any water catchment areas.

Water, Sewerage and Stormwater

The application will not impact on existing water, sewer or stormwater infrastructure. The application is unlikely to create any adverse impacts on surface water or groundwater.

Soils

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

Air and Microclimate

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

Flora and Fauna

The proposal does not require the removal of any trees. The development is not expected to impact on any critical habitats or threatened species.

Waste

Any construction waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility.

Energy

The proposed building is not expected to greatly increase the use of energy. The development is not BASIX affected development and therefore a BASIX certificate is not required under the Environmental Planning and Assessment Regulation 2000.

Noise and Vibration

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

Natural Hazards

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

Technological Hazards

There are no identified technological hazards.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

The proposed development will not result in any negative social or economic impacts.

Site Design and Internal Design

The design of the development is satisfactory for the site and without any identified adverse impacts. A reduction of the required 3 metre secondary road setback to 300mm is considered acceptable in this case.

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity on site will occur during the construction phase.

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

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality. It is considered that the proposed development will not create adverse impacts within its local setting. It is assessed that the development will not impact upon any existing services. The development site is not identified as flood prone or bushfire prone and is not otherwise constrained by natural features. The site is considered suitable for the development subject to the imposition of appropriate conditions of consent.

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

Public Consultation

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

Public Authority Consultation:

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

Internal Referrals

The development application was referred to Councils Engineering Department for comment. Objections were raised to the development subject to the imposition of appropriate conditions of consent requiring the upgrading of the vehicular entrance to the site to comply with Councils Engineering Standards.

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

Community Interest

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

Section 7.11 & 7.12 Contributions

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

Conclusion

Development Application No. 63/2021 proposes a garage and carport on Lot 6 Section A DP 6820, 45 South Street, Grenfell.

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

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

The application proposes a variation to the secondary street setback requirements of Councils DCP. It has been assessed that the proposed variation is suitable in this case and will not adversely impact on the streetscape or character of the area.

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

RESOLUTION 011/2022

Moved: Cr Best
Seconded: Cr McKellar

Except where otherwise dealt with, the Environmental Services Reports be adopted.

CARRIED

11 CLOSED COUNCIL

RECOMMENDATION

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

11.11 T8/2021: Construction of Caragabal RFS Brigade Station Shed

This matter is considered to be confidential under section 10A(2)(d)(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information.

RESOLUTION 012/2022

Moved: Cr White
Seconded: Cr McKellar

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

11.12 T8/2021: Construction of Caragabal RFS Brigade Station Shed

This matter is considered to be confidential under section 10A(2)(d)(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information.

CARRIED

12 RETURN TO OPEN COUNCIL

RESOLUTION 013/2022

Moved: Cr Liebich

Seconded: Cr Diprose

The meeting return to Open Council.

CARRIED

13 REPORT ON CLOSED COUNCIL

13.01 T8/2021: CONSTRUCTION OF CARAGABAL RFS BRIGADE STATION SHED

RESOLUTION 012/2022

Moved: Cr Brown

Seconded: Cr McKellar

Council endorse the recommendation of the Evaluation Committee that a further Request for Tender (RFT) be called with an updated scope.

CARRIED

14 CLOSURE

RESOLUTION 014/2022

Moved: Cr White

Seconded: Cr Diprose

There being no further business, the meeting now close at 5:36pm.

CARRIED