



MINUTES of

ORDINARY MEETING OF COUNCIL

Held on 28 June 2022 at 4:00pm

Attendance at Meeting:

Councillors:

Mayor Robert Bell (Chair)
Cr R Crouch (Deputy Mayor)
Cr T Bower
Cr S Burrows
Cr L Doran
Cr B McMullen (via Zoom)
Cr O'Connor
Cr L Petrov
Cr T Toomey

Staff:

Ms K Jessep, General Manager
Mr S Paul, Chief Financial Officer/ Director Corporate Services
Mr T Seymour, Director Infrastructure & Development
Ms C Valencius, Director Community Services
Ms N Heaton, Manager Governance
Ms F Stace, Manager Human Resources (for Item 15.3)
Ms W Westbrook, Minute Clerk

UNIT/22/8450

MINUTES

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1 OPENING & WELCOME

The chair declared the meeting opened at 4:55pm.

2 PRAYER

The Chair recited the Uralla Shire Council prayer.

3 ACKNOWLEDGEMENT OF COUNTRY

The Chair read the acknowledgement of country and advised Councillors of events happening in NAIDOC Week.

4 WEBCAST INFORMATION

The Chair advised the meeting was recorded, with the recording to be made available on Council's website following the meeting and reminded attendees from making defamatory statements.

5 APOLOGIES & APPLICATION FOR LEAVE OF ABSENCES BY COUNCILLORS

The Chair advised there were no apologies received.

The Chair advised receipt of a leave of absence from Cr Bower.

Moved: Cr Crouch /Seconded: Cr Burrows

That Cr Bower leave of absence be approved.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

01.06/22 **CARRIED**

6 DISCLOSURES & DECLARATIONS OF INTERESTS

The Chair received the following declarations of pecuniary and non-pecuniary Conflict of Interest Declarations in relation to the 28 June 2022 Meeting

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr Crouch	15.11	Non-pecuniary, significant interest	Neighbour to property
Cr Bower	15.12	Non-pecuniary, significant interest	Former owner and supplied covenant
Cr Toomey	15.12 & 15.14	Non Pecuniary Less than significant interest	Non pecuniary
Cr Doran	15.14	Non Pecuniary Less than significant interest	Member of Uralla Shire Business Chamber committee

7 CONFIRMATION OF MINUTES

7.1 MINUTES ORDINARY MEETING OF COUNCIL HELD 24 MAY 2022

MOTION Moved: Cr Burrows /Seconded: Cr Petrov

That Council adopt the minutes of the Ordinary Meeting held 24 May 2022, noting that Cr Toomey's activity report was corrected in the Business Agenda 24 May 2022, as a true and correct record.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

02.06/22 CARRIED

7.2 MINUTES EXTRAORDINARY MEETING OF COUNCIL HELD 31 MAY 2022

MOTION Moved: Cr Crouch /Seconded: Cr Bower

That Council adopt the minutes of the Extraordinary Meeting held 31 May 2022 as a true and correct record.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

03.06/22 CARRIED

7.1 MINUTES EXTRAORDINARY MEETING OF COUNCIL HELD 7 JUNE 2022

MOTION Moved: Cr O'Connor /Seconded: Cr Crouch

That Council adopt the minutes of the Extraordinary Meeting held 7 June 2022 as a true and correct record.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

04.06/22 CARRIED

8 TABLING OF REPORTS & PETITIONS

There were no reports or petitions tabled.

9 LATE, URGENT & SUPPLEMENTARY ITEMS

9.1 UNKNOWN LATE REPORT- WRITTEN DELEGATE REPORT – COMMUNITY CONSULTATIVE COMMITTEE – THUNDERBOLT ENERGY HUB WIND FARM

Council has received a late delegate report from Cr Burrows.

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Bower

That the late item of business be heard following Report 10.5.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

05.06/22 **CARRIED**

9.2 URGENT ITEMS - NIL

9.3 SUPPLEMENTARY ITEMS - NIL

10 WRITTEN REPORT FROM DELEGATES

10.1 WINTERBOURNE WIND FARM COMMUNITY CONSULTATIVE COMMITTEE DELEGATE REPORT

MOTION Moved: Cr Crouch /Seconded: Cr O'Connor

That Winterbourne Wind Farm Community Consultative Committee delegate report be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

06.06/22 **CARRIED**

10.2 COUNTRY MAYORS RURAL HEALTH FORUM REPORT

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

That Country Mayors Rural Health Forum delegate report be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

07.06/22 CARRIED

10.3 COUNTRY MAYORS ASSOCIATION MAY 2022 REPORT

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

That Country Mayors Association May 2022 delegate report be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

08.06/22 CARRIED

10.4 BUNDARRA SCHOOL OF ARTS HALL COMMITTEE ACTIONS REPORT

MOTION Moved: Cr Doran /Seconded: Cr O'Connor

**That Bundarra School of Arts Hall Committee Actions delegate report be noted; and
That Council receive information on the actions presented in the report to the July Council meeting.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

09.06/22 CARRIED

10.5 NEW ENGLAND WEEKS AUTHORITY DELEGATE REPORT

MOTION Moved: Cr Bower /Seconded: Cr Petrov

That New England Weeks Authority delegate verbal report be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

10.06/22 CARRIED

10.5A UNKNOWN LATE REPORT- WRITTEN DELEGATE REPORT – COMMUNITY
CONSULTATIVE COMMITTEE – THUNDERBOLT ENERGY HUB WIND FARM

Council has received a late delegate report.

MOTION Moved: Cr Burrows /Seconded: Cr Crouch

That Community Consultative Committee Thunderbolt Energy Hub Wind Farm delegate report be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

11.06/22 CARRIED

10.6 ACTIVITIES SUMMARIES

Councillors provided a verbal account of activities/meetings they have attended for the month.
The Chair advised the Delegates report have been tabled.

MOTION Moved: Cr O'Connor /Seconded: Cr Burrows

That delegate activity reports received be noted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

12.06/22 CARRIED

11 ITEMS PASSED IN BULK

Nil

12 MAYORAL MINUTE

12.1 MAYORAL MINUTE – DELEGATE TO THE NEW ENGLAND RENEWABLE ENERGY ZONE
REFERENCE GROUP

MOTION Moved: Cr Crouch /Seconded: Cr Doran

That the delegate for the Renewable Energy reference Group be changed from the Deputy Mayor to the Mayor in accordance with the terms of reference.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

13.06/22 CARRIED

13 PUBLIC FORUM/PRESENTATIONS

13.1 SPEAKER 1: BRADLEY WIDDERS

Note: Bradley Widders was an apology due to illness.

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Burrows
That Item 15.12 be heard before Item 14.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

14.06/22 CARRIED

Crs Toomey & Bower having declared an interest left the meeting 5:05pm

15.12 DEVELOPMENT APPLICATION 23-2022 SHED – 2 SOMERSET CLOSE URALLA

MOTION Moved: Cr O'Connor /Seconded: Cr Crouch

- I. That Council approves Development Application 23/2022 for 360 square metre shed ancillary to a dwelling at 2 Somerset Close Uralla, being Lot 7 DP 1253533 subject to the following conditions of consent:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

(a) **Compliance with National Construction Code & insurance requirements under the Home Building Act 1989**

(b) **Please Note:** A reference to the National Construction Code is a reference to that Code as in force on the date the application is made for the relevant:

- (a) development consent, in the case of a temporary structure that is an entertainment venue, or
- (b) construction certificate, in every other case.

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
3. For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW H102 of Volume One of the *National Construction Code*.

(c) **Erection of signs**

(d) **Please Note:** This does not apply in relation to:

- (a) building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- (b) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- (c) a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifier for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.
5. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(e) **Notification of *Home Building Act 1989* requirements**

(f) **Please Note:** *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

6. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the relevant owner-builder permit.
7. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.

GENERAL CONDITIONS

8. The development shall be implemented in accordance with:
 - (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
 - (b) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

9. The owner of the property is to ensure that any structure is installed:
 - (a) to meet the setback requirements of the approved plans,
 - (b) to be located within the confines of the lot, and;
 - (c) so that it does not interfere with any easements or covenants upon the land.

Reason: To avoid any structures being erected in a location where it would be inappropriate.

10. The proposed development is subject to the Uralla Shire Council Sections 7.11 and 7.12 Developer Contributions Plans. Section 7.12 contributions are required to be paid prior to the issue of a construction certificate, complying development certificate or a Section 68 approval for a manufactured home. Section 7.11 contributions are required to be paid quarterly unless otherwise specified.

Reason: To ensure appropriate contributions towards infrastructure within the Shire.

11. The structure is to be inspected at the following stages of construction:
- before the pouring of footings**
 - before covering drainage (under hydrostatic test)
 - before pouring any reinforced concrete structure **
 - before covering the framework for any wall, roof or other building element **
 - before covering waterproofing in any wet area**
 - before covering any stormwater drainage connections
 - when the building work is completed and all conditions of consent have been addressed**

** denotes a critical stage inspection (a mandatory inspection under Section 6.18 of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a *development where a critical stage or other nominated inspection has not been carried out.

Council has limited capacity for inspections, which may only be on specific days. Please contact Council well in advance to arrange an inspection.

*All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer

Reason: To ensure compliance with appropriate standards.

12. A Construction Certificate must be obtained from a Certifier before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
13. Occupancy of the building is not to take place until the Principal Certifier (PC) has carried out a final inspection and an Occupation Certificate issued.
- Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*
14. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:
- (a) By piping onto a hardened surface and directed away from the building.
 - (b) By piping 3.0 metres clear of any building to a rubble pit.
- Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*
15. Prior to the issue of a final certificate of completion, the applicant shall obtain approval from Council under the Local Government Act 1993 to operate the approved on-site sewage management system.
- Note: Applications to operate an on-site sewage management system must be renewed every 1, 3 and 5 years (as applicable).
- Reason: To ensure compliance with appropriate standards.*
16. Any rainwater tank must be installed so that the overflow is on the downhill side of the dwelling/building at a minimum distance of 3 metres from any boundary of the property or any structure so as to prevent damage to any structure.
- Reason: To prevent structural damage to buildings and protect public health.*

17. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.

The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.

Reason: Statutory requirement.

18. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.

Reason: Statutory requirement.

Note: A certificate of compliance is a written document, in an approved form, that certifies that the plumbing and drainage work to which it relates is code compliant.

19. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:

- a) The owner of the land or the owner's agent,
- b) The Council.

Reason: Statutory requirement.

20. Prior to the issue of the Construction Certificate, the developer is to provide evidence satisfactory to the Certifier that arrangements have been made for the installation of fibre-ready pit and pipe infrastructure to the premises so as to enable fibre to be readily connected. The developer must demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

Reason: To ensure the availability of adequate communications infrastructure.

21. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

22. The shed is not to be used as a domicile or for an industrial purpose without prior written approval from Council.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

23. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifier (if the PC is not Council) at least two days before the proposed date of commencement.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

24. The owner of the property is to ensure that any building is constructed:
- (a) to meet the setback requirements of the approved plans,
 - (b) to be located within the confines of the lot, and;
 - (c) so that it does not interfere with any easements or covenants upon the land.
- Reason: To avoid any buildings being erected in a location where it would be inappropriate.*
25. The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-
- | | |
|--------------------------|---|
| Monday to Saturday | 7.00 AM to 5.00 PM |
| Sunday & public Holidays | No construction activities are to take place. |
- Reason: To ensure that public amenity is not unduly affected by noise.*
26. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.
- Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*
27. The builder shall provide a temporary sanitary service to the building site before building operations are commenced.
- Reason: To provide effective sanitation of the site during building construction.*
28. All construction materials, sheds, skip bins, spoil, temporary water closets etc. shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.
- Reason: To preserve the amenity of the locality and protect stormwater systems.*
29. Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with council's drainage system shall not be used.
- Reason: To ensure that Council's stormwater system is protected.*
30. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of Council or the PCA.
- Reason: To ensure compliance with approved plans.*
31. Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- (d) divert uncontaminated run-off around cleared or disturbed areas,
 - (e) erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - (f) prevent tracking of sediment by vehicles onto roads,
 - (g) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.
- Reason: To prevent pollution from detrimentally affecting the public or environment.*

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

32. Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the developer to the satisfaction of Uralla Shire Council's Director Infrastructure & Regulation.

Reason: To ensure that public infrastructure is maintained.

ADVISORY NOTES – GENERAL

33. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
34. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
35. 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.
36. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
37. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized 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 810 443.
38. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 of *Roads Act 1993* approval must be obtained from Council. Please contact Council to obtain an application form.
39. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

Following debate a DIVISION was called with the result recorded as follows:

For: Mayor Bell, Crs, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,

Against: Nil

Absent: Crs Bower, Toomey

15.06/22 **CARRIED**

Crs Toomey & Bower returned to the meeting 5:18pm

14 REPORT OF COMMITTEES

14.1 FINANCIAL ADVISORY COMMITTEE HELD 14 JUNE 2022

To be presented at the 26 July 2022 Ordinary Meeting.

15 REPORTS TO COUNCIL

15.1 CASH AT BANK AND INVESTMENTS

MOTION Moved: Cr Toomey /Seconded: Cr Bower

That Council Note:

- i. The cash position as at 31 May 2022 consisting of cash and overnight funds of \$7,203,550, term deposits of \$12,812,458 totalling \$20,016,007 of readily convertible funds; and
- ii. The loan position as at 31 May 2022 totalling \$1,756,211; and
- iii. The projected unrestricted cash position as at 30 June 2022 totalling \$ 599,000.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

16.06/22 CARRIED

15.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL'S DETERMINATION FOR MAYOR AND COUNCILLORS' REMUNERATION

MOTION Moved: Cr O'Connor /Seconded: Cr Doran

That Councillor remuneration for 2022/23 be fixed (at the same rate as 2021/22) at \$11,628; and the Mayor's remuneration for 2022/2023 be fixed (at the same rate as 2021/22) at \$20,952 (additional to the fee paid to the Mayor as Councillor).

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

17.06/22 CARRIED

15.3 WORKPLACE MANAGEMENT STRATEGY 2022

MOTION Moved: Cr O'Connor /Seconded: Cr Crouch

That Council endorse the Workforce Management Strategy 2022 with the following amendment:

- a. **Part 8 – 2.4 Change from 'Investigate opportunities for job sharing with surrounding Councils' to 'Investigate opportunities for job and resources sharing with surrounding Councils'.**

AMENDMENT MOTION Moved: Cr Toomey / Seconded: Cr Burrows

- a. **Part 8 – 2.4 Change from 'Investigate opportunities for job sharing with surrounding Councils' to 'Investigate opportunities for job and resources sharing with surrounding Councils'.**
- b. **The Workforce management Strategy will continue to be developed during the term of council.**

For: Crs Bower, Burrows, Crouch, Doran, O'Connor, Petrov, Toomey

Against: Mayor Bell, McMullen

Absent: Nil

18.06/22 CARRIED

MOTION Moved: Cr O'Connor /Seconded: Cr Crouch

That Council endorse the Workforce Management Strategy 2022 with the following amendment:

- a. **Part 8 – 2.4 Change from 'Investigate opportunities for job sharing with surrounding Councils' to 'Investigate opportunities for job and resources sharing with surrounding Councils'.**
- b. **The Workforce management Strategy will continue to be developed during the term of council.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

19.06/22 CARRIED

15.4 ADOPTION OF DELIVERY PROGRAM AND OPERATIONAL PLAN 2022-2023

PROCEDURAL MOTION Moved: Cr Doran /Seconded: Cr Toomey

To move to Committee of the Whole

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

20.06/22 CARRIED

Cr Doran left the meeting 6:10pm

Cr Doran returned to the meeting 6:11pm

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Burrows /Seconded: Cr Doran

To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

21.06/22 CARRIED

The Chair outlined details of the discussion held in committee.

Cr Bower left the meeting 6:53pm

Cr Bower returned to the meeting 6:55pm

MOTION Moved: Cr Burrows /Seconded: Cr O'Connor

- I. That in accordance with Sections 533, 534, 535 and 536 of the NSW Local Government Act 1993, Council make and levy the rates and annual charges for 2022-23 as set out below:
- a) That in relation to Ordinary Rates, Council apply the 2.5% rate increase as determined by the Independent Pricing and Regulatory Tribunal (which includes the 1.8% permanent special variation under Section 508(2) of the Local Government Act 1993 (NSW));
- b) That pursuant to Section 494 of the NSW Local Government Act 1993, Council make and levy the following Ordinary Rates for the year 1 July 2022 to 30 June 2023:

Category & Sub-Category	Base Amount \$	Base Amount %	Ad-Valorem Rate in the \$
Farmland	\$310.00	7.56%	0.3286
Residential – Ordinary	\$310.00	49.67%	0.3286
Residential – Rural	\$310.00	33.85%	0.3286
Business	\$310.00	45.44%	0.3286
Mining	\$310.00	0.00%	0.3286

- c) That in relation to water supply charges and pursuant to Sections 501 and 502 of the NSW Local Government Act 1993, Council make and levy the following charges on all consumers connected to, or capable of being connected to, the Uralla or Bundarra water supply systems for water supply services for the year 1 July 2022 to 30 June 2023:

Location	Water Supply Access Charges
Uralla Water	\$415.00
Bundarra Water	\$415.00
	Water Supply Consumption Charges per KL

Uralla Water	\$3.00
Bundarra Water	\$3.00

- d) That in relation to sewerage service charges pursuant to Sections 501 and 502 of the *NSW Local Government Act 1993*, Council make and levy the following rates and charges on all residential consumers connected to, or capable of being connected to, the Uralla or Bundarra sewer system for sewerage services for the year 1 July 2022 to 30 June 2023:

Location	Residential Sewer Access Charges
Uralla Sewerage	\$678.00
Bundarra Sewerage	\$678.00

- e) That in relation to sewerage service charges pursuant to Sections 501 and 502 of the *NSW Local Government Act 1993*, Council make and levy the following rates and charges on all non-residential consumers connected to, or capable of being connected to, the Uralla or Bundarra sewer systems for sewerage services for the year 1 July 2022 to 30 June 2023:

Location and charge	Non-Residential Sewer Access Charges
Uralla Sewerage – Access	\$473.00
Bundarra Sewerage – Access	\$473.00
	Sewer Usage Charges per KL
Uralla Sewerage – Usage	\$1.57
Bundarra Sewerage – Usage	\$1.57

- f) That in relation to trade waste charges pursuant to Sections 501 and 502 of the *NSW Local Government Act 1993*, Council make and levy the following rates and charges on all non-residential consumers connected to, or capable of being connected to, the Uralla or Bundarra sewer systems for trade waste services for the year 1 July 2022 to 30 June 2023:

Location and charge	Trade Waste Annual Charges
Uralla Sewerage – Access	\$85.50
Bundarra Sewerage – Access	\$85.50
	Trade Waste Usage Charge per KL
Uralla Sewerage – Usage	\$1.50
Bundarra Sewerage – Usage	\$1.50

- g) That in relation to stormwater management services (drainage charges) pursuant to Section 496A of the *NSW Local Government Act 1993*, Council make and levy the following annual charge on all urban residential, business and industrial lots with impervious surfaces for stormwater management services for the year 1 July 2022 to 30 June 2023:

Charge per Lot	Stormwater Service Management Charge
Urban residential levy	\$25.00
Urban strata residential levy	\$12.50
Charge per 350m²	

Urban Business and industrial	\$25.00
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- h) That in relation to environmental levy pursuant to Section 501 of the NSW Local Government Act 1993, Council make and levy the following annual charge on all rateable properties as an environmental levy for the year 1 July 2022 to 30 June 2023:

Description	Charge
Environmental Levy	\$328.00

- i) That in relation to waste management charges pursuant to Sections 496 of the NSW Local Government Act 1993, Council make and levy the following annual charges for the provision of waste management collection services on each parcel of rateable land for which services are available for the year 1 July 2022 to 30 June 2023:

Waste Charge Description	Residential Charge
Uralla Residential	\$368.00
Bundarra Residential	\$368.00
Invergowrie Residential	\$368.00
Kentucky Residential	\$275.00
Additional General Waste 140L	\$240.00
Additional Recycling Bin 240L	\$128.00

- j) That in relation to waste management charges pursuant to Sections 503(2) of the NSW Local Government Act 1993, Council make and levy the following annual charges for the removal of material from non-rateable properties for the year 1 July 2022 to 30 June 2023:

Waste Charge Description	Non-Rateable Charge
Uralla & Bundarra Non-Rateable – 240L General	\$275.00
Uralla & Bundarra Non-Rateable – 140L General	\$213.00
Uralla & Bundarra Non-Rateable – 240L Recycling	\$128.00

- k) That in relation to waste management charges pursuant to Sections 501 of the NSW Local Government Act 1993, Council make and levy the following annual charges for the removal of material from non-residential properties for the year 1 July 2022 to 30 June 2023:

Waste Charge Description	Non Residential Charge
Uralla Commercial – 240L General	\$275.00
Uralla Commercial – 140L General	\$213.00
Bundarra Commercial – 240L General	\$275.00
Uralla & Bundarra Commercial – 240L Recycling	\$128.00

- l) That the interest rate on overdue rates and charges, pursuant to Section 566(3) of the NSW Local Government Act 1993, be the maximum rate of interest payable on overdue rates and charges for the 2021-2022 rating year of 6.00% from 1 July 2022 to 30 June 2023 as determined by the Office of Local Government.

II. That Council:

- a) Amend the publicly exhibited Delivery Program as follows:**
- (1) Activity 2.2.2 – add ‘housing’**
 - (2) Activity 2.3.12 – Maintain and renew building infrastructure - also for year 1 and 2**
 - (3) Add a new activity: advocate for legislative change for RFS assets to be removed from Council**
 - (4) 1.3.1 ‘support a culture inclusive of the Arts’**
 - (5) Add 2.2.2 ‘encourage business to provide a Taxi service**
 - (6) 2.1.5 add ‘optimising the benefits to the community’**
 - (7) 2.2.5 add the word ‘responsive’**
 - (8) Delete 2.3.7**
 - (9) 3.1.9 add ‘in consultation with community’**
 - (10) 3.2.1 add ‘provide education and information to assist in providing’ and delete ‘enforcement’**
 - (11) 4.3.3 add the word ‘effectively’ own and operate**
- b) Notes that the an independent review of the draft 2022-23 budget is underway per resolution OM25.02/22 and will continue into the first quarter of the financial year and that Council may make further amendments to the Operational Plan (and budget) through the quarterly budget review process; and**
- c) Amend the publicly exhibited Operational Plan (and budget) as follows:**
- (1) Add an action: Update the Business Case and Prepare Plans for the staged extension of McMaugh Gardens (funding source to be voted by Council at QBR51 following)**
 - (2) Update with 28 June 2022 census data**
 - (3) Transforming the Organisation – intervention 5 Source new revenue opportunities - ADD: 6. Encourage development and growth**
 - (4) Clarify FTE per service area, not split between operating and capital budget**
 - (5) 3.3.8.1 add the word ‘Uralla’**
 - (6) Amend 1.2.3.2 and .3 ‘transport asset management plan’ in full**
 - (7) Community Care Service area add an action to promote the services to our community for TCSO and TCT to increase awareness and use of services**
 - (8) Delete 1.3.7.1 (grant funding not achieved)**
 - (9) Economic Development Service Area add an action to pursue funding for a project to develop a printable Shire map**
 - (10) Action 1.2.9 to match activity**
 - (11) Action 2.1.4 to match activity**
 - (12) 4.3.15.4 add ‘cross functional’**

d) **Approve expenditure and vote funds as detailed in the 2022 - 2026 Delivery Program and 2022-23 Operational Plan as amended in accordance with Part 9, Division 5, clause 211(2) of the *Local Government (General) Regulation 2005*.**

iii. **Adopt the 2022 - 2026 Delivery Program as amended and 2022-23 Operational Plan as amended, including the 2022-23 Statement of Revenue Policy incorporating the annual budget.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

22.06/22 CARRIED

PROCEDURAL MOTION Moved: Cr Doran / Seconded: Cr Burrows

To move in to Committee of the Whole

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

23.06/22 CARRIED

PROCEDURAL MOTION Moved: Cr Burrows / Seconded Cr Crouch

To resume standing orders

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

24.06/22 CARRIED

The Chair outlined details of the discussion held in committee

MOTION Moved: Cr Crouch / Seconded: Cr Burrows

That Council adopt the 2022/23 fees and charges.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

25.06/22 CARRIED

PROCEDURAL MOTION Moved: Cr Doran / Seconded: Cr Burrows

The Chair called for a short adjournment at 7:00pm

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

26.06/22 CARRIED

The meeting resumed at 7.27pm

15.5 COUNCILLORS EXPENSES AND FACILITIES POLICY

MOTION Moved: Cr O'Connor /Seconded: Cr Crouch

That the revised Councillor Expenses and Facilities Policy be adopted.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

27.06/22 CARRIED

15.6 COUNCILLOR AD STAFF INTERACTION (2022) POLICY

MOTION Moved: Cr Crouch /Seconded: Cr Toomey

The Councillor's Access to Records and Staff Interaction (2015) Policy be repealed.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

28.06/22 CARRIED

15.7 AUDIT RISK AND IMPROVEMENT COMMITTEE REVIEW

MOTION Moved: Cr Burrows /Seconded: Cr Toomey

- i. Council terminate the appointment of the current ARIC independent members; and**
- ii. Council review ARIC performance and define Council's expectations of ARIC in terms of s428A of the Local Government Act, 1993; and**
- iii. That the sitting fees for the Audit Risk and Improvement Committee independent members be reviewed in line with neighbouring Councils; and**
- iv. Council call for expressions of interest for new membership of the Audit Risk and Improvement Committee once the fees have been determined.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

29.06/22 CARRIED

15.8 BUNDARRA SCHOOL OF ARTS HALL COMMITTEE TERMS OF REFERENCE

MOTION Moved: Cr Doran /Seconded: Cr Crouch

That:

- i. the amended Terms of Reference for the S355 Bundarra School of Arts Hall and Community Consultative Committee be adopted;
- ii. the current members be re-appointed; and
- iii. expressions of interest for members be called for the vacant positions.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

30.06/22 CARRIED

15.9 URALLA TOWNSHIP AND ENVIRONS COMMITTEE TERMS OF REFERENCE

MOTION Moved: Cr Toomey /Seconded: Cr Doran

- i. That the version submitted on 21 February 2022 by Crs Toomey & Doran Terms of Reference for the S355 Uralla Township and Environs Committee with amendments to retain the Media delegation requirements and the public notification requirements consistent with the Section s355 Bundarra School of Arts Hall and Community Consultative Committee be adopted; and
- ii. the current members be re-appointed; and
- iii. expressions of interest for members be called for the vacant positions.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

31.06/22 CARRIED

15.10 AUSTRALIA DAY COMMITTEE DRAFT TERMS OF REFERENCE

MOTION Moved: Cr Burrows /Seconded: Cr Doran

That Council lay the matter on the table subject to Crs Burrows and Doran providing feedback to management.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

32.06/22 CARRIED

Cr Crouch having declared an interest left the meeting 8:00pm

15.11 DEVELOPMENT APPLICATION 3-3022 SUBDIVISION OF FOUR LOTS INTO SIX LOTS
FITZROY STREET URALLA

PROCEDURAL MOTION Moved: Cr Doran /Seconded: Cr Toomey
To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

33.06/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr O'Connor /Seconded: Cr McMullen
To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

34.06/22 CARRIED

The Chair outlined details of the discussion held in committee

PROCEDURAL MOTION Moved: Cr Doran/ Seconded: McMullen

That Council lay the matter on the table until issues presented can

Following debate a DIVISION was called with the result recorded as follows:

For: Crs Doran, McMullen

Against: Mayor Bell, Crs Bower, Burrows, O'Connor, Petrov, Toomey

Absent: Cr Crouch

LOST

FORSHADOWED MOTION Moved: Cr O'Connor /Seconded: Cr Petrov

- I. That Council resolve to approve Development Application 3/2022 for a four into six lot subdivision at Fitzroy Street Uralla, being Lots 1-3 and 17 Section 4 DP 759022 subject to the following conditions of consent:**

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

- a) Compliance with National Construction Code & insurance requirements under the Home Building Act 1989***

Please Note: A reference to the National Construction Code is a reference to that Code as in force on the date the application is made for the relevant:

- (a) development consent, in the case of a temporary structure that is an entertainment venue, or*
- (b) construction certificate, in every other case.*

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.

Erection of signs

Please Note: *This does not apply in relation to:*

- (c) *building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or*
- (d) *Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*
- (e) *a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.*

2. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) *showing the name, address and telephone number of the principal certifier for the work, and*
 - (b) *showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and*
 - (c) *stating that unauthorised entry to the site is prohibited.*
3. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Notification of Home Building Act 1989 requirements

Please Note: *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

4. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the relevant owner-builder permit.
5. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Shoring and adequacy of adjoining property

Please Note: *This does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.*

6. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - (a) protect and support the adjoining premises from possible damage from the *excavation*, and
 - (b) where *necessary*, underpin the adjoining premises to prevent any such damage.

GENERAL CONDITIONS

7. The development shall be implemented in accordance with:
- (a) All documentation and correspondence submitted by the *applicant*, or their agents, in support of the Development Application,
 - (b) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
8. The owner of the property is to ensure that any structure is installed:
- (a) to meet the setback requirements of the approved plans,
 - (b) to be located within the confines of the lot, and;
 - (c) so that it does not interfere with any easements or covenants upon the land.
- Reason: To avoid any structures being erected in a location where it would be inappropriate.*
9. This approval is for two stages being:
- Stage One being Lots 1 and residual lot.
 - Stage Two being Lots 2 to 6.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
10. A Construction Certificate must be obtained from a Certifier before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
11. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Regional Council Engineering Design Codes in force at the time, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
- Reason: To ensure works are completed in line with appropriate standards.*
12. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.
- Reason: To ensure works are completed in line with appropriate standards.*
13. Under-road conduits are to be provided to cater for electricity, telecommunications, gas supply or other underground utility services. Utility crossings of public roads are to be under-road bored and Council's Director of Infrastructure & Regulation advised of the intention to commence work at least 48 hours in advance. The developer and its agents are responsible for ascertaining the location of existing underground services before commencing work. Any damage to existing services or to the road construction is to be made good at the expense of the developer.
- Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.*

14. Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798-1990 Guidelines on Earthworks for Commercial and Residential Developments. The developer's structural engineering consultant shall:
- identify the source of the fill and certify that it is free from contamination; and
 - classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1.
- Reason: To ensure any fill used in construction is of an appropriate standard.*
15. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
- Reason: To ensure works are completed in line with appropriate standards.*
16. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.
- Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*
17. The internal water mains within the estate must comply with fire fighting minimum pressures and standards which are to be supplied in addition to peak instantaneous demands for a typical residential water demand.
- Reason: To ensure works are completed in line with appropriate standards.*
18. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.
- Reason: To prevent pollution from detrimentally affecting the public or environment.*
19. The proposed development is subject to the Uralla Shire Council Sections 7.11 and 7.12 Developer Contributions Plans. Section 7.12 contributions are required to be paid prior to the issue of a construction certificate, complying development certificate or a Section 68 approval for a manufactured home. Section 7.11 contributions are required to be paid quarterly unless otherwise specified.
- Reason: To ensure appropriate contributions towards infrastructure within the Shire.*
20. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.
- The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.
- Reason: Statutory requirement.*
21. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.
- Reason: Statutory requirement.*
- Note: A certificate of compliance is a written document, in an approved form, that certifies that the plumbing and drainage work to which it relates is code compliant.

22. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:

- a) The owner of the land or the owner's agent,
- b) The Council.

Reason: Statutory requirement.

23. Prior to the issue of any Subdivision Certificate, the developer is to provide evidence satisfactory to Council that arrangements have been made for the installation of fibre-ready pit and pipe infrastructure to the premises so as to enable fibre to be readily connected.. The developer must demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

Reason: To ensure the availability of adequate communications infrastructure.

24. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

25. The applicant must pay for the extension of Uralla Shire Council's water main and sewerage / effluent main to service the new lots created by the subdivision.

In order to expedite the delivery, this work may be carried out by a licenced contractor with the work being designed, witnessed, tested, and certified by a suitably qualified and practicing consulting engineer.

Uralla Shire Council applies the Armidale Regional Council Engineering Code for roads, drainage, water and sewer infrastructure design and specifications. Please refer to link below.

<https://www.armidalerregional.nsw.gov.au/development/planning-controls-guidelines/engineering-code>

In particular Specifications D11 & D12 of the above code applies to the Design and Construction of Water Supply and Sewerage Works respectively. Uralla shire Council requires that all road crossings be constructed by way of under boring with an outer conduit provided.

Reason: To ensure that costs associated with establishing the subdivision are borne by the developer

26. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.

27. The development must be provided with reticulated electricity. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity.

Reason: To ensure that development is adequately serviced by utilities

28. Prior to the issue of a subdivision certificate, the applicants shall provide evidence to the effect that all utility services not covered under Section 88B provisions, i.e. water, electricity, telecommunications, connected to or used in each of the lots within the development site are wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.

Reason: To ensure that subdivision is adequately serviced by utilities.

29. Prior to the issue of a subdivision certificate, an application for a subdivision certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.

Reason: To ensure provision of appropriate documentation.

30. Prior to the issue of the Subdivision or Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifier that arrangements have been made for:

(h) the installation of fibre-ready facilities to all individual lots and/or premises in a development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The developer must demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

and

(i) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a development project demonstrated through an agreement with a carrier.

Reason: To ensure that development is adequately serviced by utilities.

31. **Stage One**

That two lots are created by the subdivision of Lots 1, 2, 3 and 17 Section 4 DP 759022, one of about 815m², and the residual lot of about 6930m².

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council

32. The developer must create an easement to proposed Lot 1 burdening the residual lot under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is "easements for sewerage drainage" in favour proposed Lot 1.
- (b) It must be located centrally over the sewer line.
- (c) It must have a minimum width of 3 metres.

Reason: To protect infrastructure from inappropriate future development that may have an adverse impact on its repair, maintenance or replacement.

33. The developer must create an easement under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is an "easement for stormwater drainage" in favour of proposed Lot 1.
- (b) It must be located centrally over the stormwater line.
- (c) It must have a minimum width of 3 metres.

Reason: To protect infrastructure from inappropriate future development that may have an adverse impact on its repair, maintenance or replacement.

34. **Stage Two**

That five lots are created by the subdivision of the residual lot, one of about 2450m², one of about 1020m², one of about 1014m², one of about 819m² and one of about 1002m².

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

35. The developer is to construct a 6 metre wide bitumen access road with a 23 metre diameter cul-de-sac and roll-over kerbs. These works are to be at the developer's expense.

Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.

36. The Crown road providing access to proposed Lots 3 to 6 is to be transferred to Council at the developer's expense.

Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.

37. The developer must create easements to proposed Lot 2 under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is "easements for sewerage drainage" in favour proposed Lot 2.
- (b) It must be located centrally over the sewer lines.
- (c) It must have a minimum width of 3 metres.

Reason: To protect infrastructure from inappropriate future development that may have an adverse impact on its repair, maintenance or replacement.

38. The developer must create an easement under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is an "easement for stormwater drainage" in favour of proposed Lots 1 and 2.
- (b) It must be located centrally over the stormwater line.
- (c) It must have a minimum width of 3 metres.

Reason: To protect infrastructure from inappropriate future development that may have an adverse impact on its repair, maintenance or replacement.

39. A fire hydrant must be installed at the water main in the cul-de-sac.

Reason: For mains flushing and fire-fighting.

40. A stop valve must be installed at the connection to the water main on the West side of Hill Street.

Reason: So the new water main can be isolated.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

41. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifier (if the PC is not Council) at least two days before the proposed date of commencement.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

42. The owner of the property is to ensure that any structure is constructed:

- (a) to meet the setback requirements of the approved plans,
- (b) to be located within the confines of the lot, and
- (c) so that it does not interfere with any easements or covenants upon the land.

Reason: To avoid any buildings being erected in a location where it would be inappropriate.

43. The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

Monday to Saturday 7.00 AM to 5.00 PM

Sunday & public Holidays No construction activities are to take place.

Reason: To ensure that public amenity is not unduly affected by noise.

44. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

45. The builder shall provide a temporary sanitary service to the building site before building operations are commenced.

Reason: To provide effective sanitation of the site during building construction.

46. All construction materials, sheds, skip bins, spoil, temporary water closets etc. shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

Reason: To preserve the amenity of the locality and protect stormwater systems.

47. Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with council's drainage system shall not be used.

Reason: To ensure that Council's stormwater system is protected.

48. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of Council or the PCA.

Reason: To ensure compliance with approved plans.

49. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.

Reason: Requirement of Council as the Road Authority.

50. All demolition work to be undertaken in accordance with Australian Standard 2601 – The Demolition of Structures.

Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

51. Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the developer to the satisfaction of Uralla Shire Council's Director Infrastructure & Regulation.

Reason: To ensure that public infrastructure is maintained.

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

52. At the issue of a subdivision certificate and in perpetuity, the entire site must be managed as an inner protection area in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

When establishing and maintaining an inner protection area, the following requirements apply:

- (a) tree canopy cover should be less than 15% at maturity,
 - (b) trees at maturity should not touch or overhang the building,
 - (c) lower limbs should be removed up to a height of 2m above the ground,
 - (d) tree canopies should be separated by 2 to 5m,
 - (e) preference should be given to smooth-barked and evergreen trees,
 - (f) large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings,
 - (g) shrubs should not be located under trees,
 - (h) shrubs should not form more than 10% ground cover,
 - (i) clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation,
 - (j) grass should be kept mowed (as a guide, grass should be kept to no more than 100mm in height), and
 - (k) leaves and vegetation debris should be removed.
53. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of Planning for Bush Fire Protection 2019:
- (a) reticulated water is to be provided to the development where available;
 - (b) fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
 - (c) hydrants are not located within any road carriageway;
 - (d) reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
 - (e) fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
 - (f) all above-ground water service pipes are metal, including and up to any taps;
 - (g) where practicable, electrical transmission lines are underground;
 - (h) where overhead, electrical transmission lines are proposed as follows:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - ii. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
 - (i) reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
 - (j) all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
 - (k) connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
 - (l) above-ground gas service pipes are metal, including and up to any outlets.

ADVISORY NOTES – GENERAL

54. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

55. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
56. 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.
57. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
58. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized 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 810 443.
59. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 of *Roads Act 1993* approval must be obtained from Council. Please contact Council to obtain an application form.
60. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

- II. **Confirm the water flow into and under Hill St to require adequate drainage; and**
- III. **Council investigate the best mechanism to correct the boundary alignment and house set back on Lot No.152 DP 847705.**

Following debate a DIVISION was called with the result recorded as follows:

For: Mayor Bell, Crs Bower, Burrows, O'Connor, Petrov, Toomey

Against: Crs Doran, McMullen

Absent: Cr Crouch

35.06/22 **CARRIED**

Cr Crouch Returned to meeting 8.37pm.

15.12 DEVELOPMENT APPLICATION 23-2022 SHED – 2 SOMERSET CLOSE URALLA

Report was heard after Item 13, See resolution 15.06/22 page 9.

15.13 WORKS PROGRESS REPORT AS AT 30 MAY 2022

MOTION Moved: Cr Crouch /Seconded: Cr O'Connor

That Council note the report for the works completed or progressed during May 2022, and works programmed for June 2022.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

36.06/22 CARRIED

Crs Toomey and Doran having declared an interest left the meeting at 8:39pm

15.14 URALLA SHIRE BUSINESS CHAMBER AWARDS SPONSORSHIP

MOTION Moved: Cr O'Connor /Seconded: Cr Bower

That Council resolve to offer to sponsor the Uralla Shire Business Chamber Awards 2022 as a Silver Partner at a cost of \$100.

For: Mayor Bell, Crs Bower, Burrows, Crouch, McMullen, O'Connor, Petrov,

Against: Nil

Absent: Crs Doran, Toomey

37.06/22 CARRIED

Crs Toomey and Doran returned to the meeting at 8:42pm

15.15 COUNCIL APPOINTMENT OF DELEGATE TO BULGARANDA (MT YARROWYCK)

MANAGEMENT BOARD

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

Council delegate the General Manager as their appointee to Bulagaranda (Mt Yarrowyck) Management Board.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

38.06/22 CARRIED

15.16 REGISTER RESOLUTIONS ACTIONS STATUS

PROCEDURAL MOTION Moved: Cr O'Connor /Seconded: Cr Doran

To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

39.06/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Doran /Seconded: Cr Bower

To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

40.06/22 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr O'Connor /Seconded: Cr Toomey

That Council note the Resolution Action Status as at 22 June 2022.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

41.06/22 CARRIED

PROCEDURAL MOTION Moved: Cr Bower /Seconded: Cr Burrows

To extend the meeting past 9.00pm.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

42.06/22 CARRIED

16 MOTIONS ON NOTICE QUESTIONS WITH NOTICE

Nil

17 CONFIDENTIAL MATTERS

17.1 AWARD OF TENDER FOR ROTARY PARK REFURBISHMENT

PROCEDURAL MOTION Moved: Cr O'Connor / Seconded: Cr Doran

To move into Closed Session of Council

That Council move into closed session and close the meeting to members of the public and press for the following reasons:-

This report is presented to the CLOSED section of the 28 June 2022 Extraordinary Council meeting under section 10A (2)(d)(i) of the Local Government Act (NSW) 1993.

(1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed in subclause (2), or
- (b) the receipt or discussion of any of the information so listed.

(2) The matters and information are the following:

(d) commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it.

Reason for closing the agenda item: competitive procurement process.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

43.06/22 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Burrows

To return to Open Session of Council.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

45.06/22 CARRIED

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Doran

The resolutions of Closed Session of Council become the resolutions of Open Session of Council.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, Petrov, Toomey

Against: Cr O'Connor

Absent: Nil

46.06/22 CARRIED

18 COMMUNICATION OF COUNCIL DECISIONS

The Chair communicated the Council decisions from closed session:

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Doran

- I. That Council accept the tender from Wallace Constructions for the refurbishment of Rotary Park in Uralla for \$589,792.30 exc GST.
- II. That Council progress an investigation a variation for the inclusion of a dump-ezy point at Rotary Park or an alternate for location for Council's consideration within the budget.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, Petrov, Toomey

Against: Cr O'Connor

Absent: Nil

44.06/22 CARRIED

The Chair thanked Mr Simon Paul, Director Corporate Services/Chief Financial Officer for his service to Uralla Shire Council and wished him the best from Council.

19 CLOSURE OF MEETING

The meeting was closed at 9:27pm.

20 COUNCIL MINUTES CONFIRMED

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	02.07/22
DATE:	26 July 2022
MAYOR:	Robert Bell

