



## MINUTES of

### ORDINARY MEETING OF COUNCIL

Held on 23 March 2021 at 12:30pm

#### Attendance at Meeting:

##### Councillors:

Cr M Pearce (Mayor)

Cr I Strutt (Deputy Mayor)

Cr R Bell

Cr R Crouch

Cr M Dusting

Cr N Ledger

Cr T Toomey

Cr L Sampson

##### Staff:

Ms K Jessep, General Manager

Mr S Paul, Chief Financial Officer

Mr T Seymour, Director Development & Infrastructure (arrived 1:15pm)

Ms C Valencius, Executive Manager Corporate Services

Ms W Westbrook, Minute Clerk (departed 3:55pm)

Mr M Clarkson, Manager Planning & Development

Heidi McElnea, Communications & Engagement Officer (departed 5:00pm)

##### Apologies:

Cr Dusting

Cr O'Connor

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**1 OPENING & WELCOME**

The chair declared the meeting opened at 12:30pm.

**2 PRAYER**

The Chair read the prayer.

**3 ACKNOWLEDGEMENT TO COUNTRY**

The Chair read the acknowledgement to country.

**4 WEBCAST INFORMATION**

The Chair advised the meeting was recorded, with the recording to be made available on Council's website following the meeting.

**5 APOLOGIES & APPLICATION FOR LEAVE OF ABSENCE BY COUNCILLORS**

The Chair advised receipt of an apology from Cr Dusting.

The Chair advised receipt of an extension of a leave of absence from Cr O'Connor.

**MOTION Moved: Cr Crouch / Seconded: Cr Sampson**

**That Council approve an extension of leave for Cr O'Connor and receive an apology for Cr Dusting.**

01.03/21 CARRIED

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**6 DISCLOSURES & DECLARATIONS OF INTERESTS**

The Chair advised there were no disclosures or declarations.

<b>COUNCILLOR</b>	<b>ITEM OR REPORT NUMBER</b>	<b>PECUNIARY OR NON-PECUNIARY INTEREST</b>	<b>NATURE OF INTEREST</b>
Cr Sampson	17.2 Notice of Motion by Cr Bell	Non-Pecuniary	Acquaintance

**ANNOUNCEMENTS**

There were no announcements for the meeting.

**7 CONFIRMATION OF MINUTES**

Minutes to be confirmed at the 23 March Meeting:

**7.1 MINUTES OF ORDINARY MEETING 23 FEBRUARY 2021**

Minutes of Ordinary Meeting held, 23 February 2021, the chair called for any amendments.

Cr Ledger raised two (2) amendments.

**MOTION Moved: Cr Strutt / Seconded: Cr Toomey**

**That Council adopt the minutes of the meeting held 23 February 2021, with amendments as noted:**

1. Delete the Business Breakfast 23 February 2021 from Cr Ledger from Delegate report,
2. Vote against the motion be recorded 39.02/21, by Cr Ledger.

as a true and correct record of the Ordinary Meeting 23 February 2021.

02.03/21 CARRIED

**8 TABLING OF REPORTS & PETITIONS**

There were no tabling of reports or petitions.

**9 URGENT, SUPPLEMENTARY & LATE ITEMS/REPORTS OF BUSINESS**

**9.1 LATE REPORTS TO COUNCIL**

9.1.1 PREPARATION OF THE 2021 – 2022 OPERATIONAL PLAN

9.1.2 PUBLIC SPACES LEGACY PROGRAM PROJECTS

**PROCEDURAL MOTION Moved: Cr Strutt / Seconded: Cr Ledger**

**That the late Item(s) of business be heard following Item 15.11 in the Meeting Agenda.**

03.03/21 CARRIED

**9.2 URGENT ITEMS**

- NIL

**9.3 SUPPLEMENTARY ITEMS**

- ARIC Meeting 9 February 2021 re-tabled at the meeting for report 17.1 completeness.

**10 WRITTEN REPORT FROM DELEGATES**

**10.1 WRITTEN DELEGATE REPORT**

NIL

**10.2 ACTIVITIES SUMMARIES**

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<b>COUNCILLOR NAME:</b> Robert Crouch		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
09 March 2021	General Manager Workshop and Briefing for Councillors :- Framework; Councillor input to Budget; BCRERF Community Survey; Adverse Events Plan; Projects subject to grant funding and Public Spaces Legacy program; Unsealed Roads Upgrade Prioritisation and Draft Capital Works Program; LSPS Community Engagement Progress briefing.	Uralla
18 March 2021	Winterbourne Wind Farm Community consultative committee (report will be provided to the April meeting).	Walcha
23 March 2021	Council meeting	Uralla
Expenses Claims Tabled		\$0

<b>COUNCILLOR NAME:</b> Levi Sampson		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
9 March	General Manager Workshop and Briefing for Councillors :- Framework; Councillor input to Budget; BCRERF Community Survey; Adverse Events Plan; Projects subject to grant funding and Public Spaces Legacy program; Unsealed Roads Upgrade Prioritisation and Draft Capital Works Program; LSPS Community Engagement Progress briefing.	Chambers
23 March	Ordinary Meeting of Council	Chambers
Expenses Claims Tabled		\$62.56

<b>COUNCILLOR NAME:</b> Natasha Ledger		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
9 March 2021	General Manager Workshop and Briefing for Councillors :- Framework; Councillor input to Budget; BCRERF Community Survey; Adverse Events Plan; Projects subject to grant funding and Public Spaces Legacy program; Unsealed Roads Upgrade Prioritisation and Draft Capital Works Program; LSPS Community Engagement Progress briefing.	Chambers
13 March 2021	Computer Bank New England Directors Meeting	
21 March 2021	Opening Uralla Art Show	Uralla
23 March 2021	Ordinary Meeting of Council	Chambers
Expense Claims Tabled		\$376.72

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<b>COUNCILLOR NAME:</b> Tara Toomey		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
24 February 2021	Uralla Business Breakfast	Uralla
8 March 2021	UTEC Meeting	Chambers
9 March 2021	Friends of McMaugh's Bowls Day	
9 March 2021	General Manager Workshop and Briefing for Councillors :- Framework; Councillor input to Budget; BCRERF Community Survey; Adverse Events Plan; Projects subject to grant funding and Public Spaces Legacy program; Unsealed Roads Upgrade Prioritisation and Draft Capital Works Program; LSPS Community Engagement Progress briefing.	Chambers
22 March 2021	UTEC Meeting	Chambers
23 March 2021	Ordinary Meeting of Council	Chambers
Expense Claims Tabled		\$0

<b>COUNCILLOR NAME:</b> Robert Bell		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
23 March 2021	Ordinary Meeting of Council	Chambers
Expense Claims Tabled		\$0

<b>COUNCILLOR NAME:</b> Isabel Strutt		
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
08 March 2021	UTEC Meeting	Chambers
09 March 2021	Friends of McMaugh's Charity Bowls Day	Uralla Bowling Club
09 March 2021	General Manager Workshop and Briefing for Councillors :- Framework; Councillor input to Budget; BCRERF Community Survey; Adverse Events Plan; Projects subject to grant funding and Public Spaces Legacy program; Unsealed Roads Upgrade Prioritisation and Draft Capital Works Program; LSPS Community Engagement Progress briefing.	Chambers
17 March 2021	Deputising for Mayor for fortnightly 2AD radio interview – Rotary Art Show; Tech Savvy Seniors Program; development Youth Week program; activities can be enjoyed at the pool, tennis courts and sporting complex; Seasons of New England; Bundarra Sewerage scheme progressing; Local Strategic Planning Statement is on public display for comment.	Phone interview
19 March 2021	Official Launch of construction of the UPC/AC New England Solar Farm	Big Ridge Road
19 March 2021	UPC/AC Lunch	Top Pub, Uralla



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19 March 2021	Official Opening of 43 <sup>rd</sup> Annual Rotary Art Show	<b>Memorial Hall, Uralla</b>
22 March 2021	UTEC consultation on the draft Uralla Shire Open Spaces Strategy	Chambers
23 March 2021	Council Meeting	Chambers
Expense Claims Tabled		\$0

COUNCILLOR NAME:		Michael Pearce
DATE	COMMITTEE/MEETING/EVENT	LOCATION
24 February 2021	Mayor's Office - Admin	Uralla
25 February 2021	Mayor's Office – Admin.	
26 February 2021	Mayor's Office – Admin. Uralla branch – CWA, 95 <sup>th</sup> Anniversary. ( representing Council ) ( expanded on at meeting)	Uralla
1 March 2021	Mayor's Office - Admin	Uralla
2 March 2021	Mayor's Office - Admin	
3 March 2021	Mayor's Office – Admin. 2AD Radio interview. LEMC – Local Emergency Management Committee meeting ( Chair meeting, non-voting position ) ( expanded on at meeting)	Uralla
5 March 2021	Country Mayor's Association Board meeting.	Sydney
6 March 2021	Mayor's Office – Admin. Official opening of Uralla Tennis courts with Adam Marshall being an apology	Uralla
22 March 2021	Mayor's Office - Admin	Uralla
23 March 2021	Mayor's Office – Admin. March Council meeting.	Uralla
Expense Claims Tabled		\$269.28

The Chair advised the Delegates report have been tabled.

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**11 ITEMS PASSED IN BULK**

The Mayor called for agenda items dealt with, in bulk, by exception – as per Section 13 of Council's Code of Meeting Policy.

**Councillors indicated which items of business they wished to speak on or may vote against. The following item was then moved:**

**15.1 CASH AT BANK AND INVESTMENTS**

**MOTION Moved: Cr Ledger/ Seconded: Cr Strutt**

**That Council:**

1. Note the cash position as at 28 February, 2021 consisting of cash and overnight funds of \$3,116,069, term deposits of \$15,507,319 totalling \$18,623,388 of readily convertible funds.
2. Note the loan position as at 28 February, 2021 totalling \$2,049,219.

04.03/21 CARRIED

**12 MAYORAL MINUTE**

Nil.

**13 PUBLIC FORUM/PRESENTATIONS**

**13.1 SPEAKER 1: PHILLIP BROWN – ITEM 17.2 NOTICE OF MOTION – PENALTY NOTICES 314399526 & 314392574**

The Chair introduced the Speaker.

The Speaker made a presentation to Council in relation to Item 17.2 speaking for the motion.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

**14 REPORT OF COMMITTEES**

Nil



15 REPORTS TO COUNCIL

15.2 DIVISION DECISION - DA-9-2021 SHED ADDITION TO EXISTING OFFICE – 25 ROWAN AVENUE URALLA

MOTION Moved: Cr Crouch / Seconded: Cr Bell

That Council approve the Development Application 9/2021 for a shed addition to the existing office at 25 Rowan Avenue Uralla (Lot 23 DP 1005006) subject to the following conditions of consent:

• **PRESCRIBED CONDITIONS** (under Environmental Planning and Assessment Regulation 2000)

1. **Compliance with National Construction Code & insurance requirements under the Home Building Act 1989**

2. **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.

- 3. The work must be carried out in accordance with the requirements of the *National Construction Code*.
- 4. 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.
- 5. 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*.

6. **Erection of signs**

7. **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.

- 8. 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.

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9. 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.

**GENERAL CONDITIONS**

10. 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.*

11. 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.*

12. 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 109C 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.*

13. 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.*

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14. 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.*

15. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, and a stormwater management plan must be approved by the Council's Director of Infrastructure and Development or nominee prior to the issue of a Construction Certificate.

*Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*

16. Building construction and associated facilities must comply with Disability (Access to Premises – Buildings) Standards 2010.

*Reason: To ensure an appropriate standard of access to the premises.*

17. Parking facilities, including one disabled car park, are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off-street Car Parking and Australian Standard 2890.6 – Off Street Parking for People with Disabilities.

*Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.*

18. Any rainwater tank must be installed so that it is:

- (a) Not interconnected in any way with Council's water supply without a backflow prevention device.
- (b) If it is connected with Council's water supply, then it must have a backflow prevention device that is compliant with AS 3500 National Plumbing and Drainage Code - Compendium

*Reason: To prevent structural damage to buildings and protect public health.*

19. 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*

20. 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.

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21. 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*

22. 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.*

23. 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.*

**CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING**

24. 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**

25. 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.*

26. 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.*

27. 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.*

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28. 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.*

29. 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.

- (d) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (e) 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,
- (f) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (g) 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.*

30. 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**

31. 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 & Development.

*Reason: To ensure that public infrastructure is maintained.*

**05.03/21 CARRIED: Following debate a DIVISION DECISION was called with the result recorded as follows:  
FOR: Cr M Pearce, Cr R Bell, Cr R Crouch, Cr N Ledger, Cr L Sampson, Cr I Strutt, Cr T Toomey.  
AGAINST: Nil**



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15.3 DIVISION DECISION - DA-10-2021 CARPORT AND ADDITION TO EXISTING SHED – 2 DEPOT ROAD  
URALLA

PROCEDURAL MOTION Moved: Cr Bell / Seconded: Cr Ledger

To move to Committee of the Whole

06.03/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Ledger / Seconded: Cr Sampson

To resume Standing Orders

07.03/21 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved Cr Bell / Seconded Cr Ledger

That Council:

1. Lay item, 15.3 Recommendation part #1 – Carport extension, on the table to enable consideration of late plan amendments.
2. Approve the shed addition for Development Application 10/2021 at 2 Depot Road Uralla (Lot 4 DP 1092795) subject to the following conditions of consent:

*PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)*

1. *Compliance with National Construction Code & insurance requirements under the Home Building Act 1989*

2. **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:

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

3. The work must be carried out in accordance with the requirements of the *National Construction Code*.
4. 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.
5. 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*.

6. **Erection of signs**

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

- (d) 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
- (e) 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.
- (f) 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.



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8. 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:
  - (d) showing the name, address and telephone number of the principal certifier for the work, and
  - (e) 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
  - (f) stating that unauthorised entry to the site is prohibited.
9. 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.

**10. Notification of *Home Building Act 1989* requirements**

**11. 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.*

12. 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.
13. 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**

14. This approval is for the shed addition only. The proposed carport is not approved.  
*Reason: To ensure compliance with the Uralla Development Control Plan and to avoid any structures being erected in a location where it would be inappropriate.*
15. The development shall be implemented in accordance with:
  - (c) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
  - (d) 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.*

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16. 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.*

17. 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 109C 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.*

18. 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.*

19. 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.*

20. 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 to the street gutter.
- (b) By piping to a rainwater tank and then via the overflow to the street gutter.

*Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*

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21. 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*

22. 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.

23. 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*

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 CONSTRUCTION COMMENCING**

25. 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**

26. The owner of the property is to ensure that any building is constructed:

- (h) to meet the setback requirements of the approved plans,
- (i) to be located within the confines of the lot, and;
- (j) 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.*

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27. 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.*

28. 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.*

29. 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.*

30. 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.*

31. 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.*

32. 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.

- (k) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (l) 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,
- (m) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (n) 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.*

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33. 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:
- (o) divert uncontaminated run-off around cleared or disturbed areas,
  - (p) erect a silt fence to prevent debris escaping into drainage systems or waterways,
  - (q) prevent tracking of sediment by vehicles onto roads,
  - (r) 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.*

34. 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.*

35. Development involving bonded asbestos material and friable asbestos material:

- (s) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011,
- (t) the person having the benefit of the development consent must provide the principal certifier with a copy of a signed contract with such a person before any development pursuant to the consent commences,
- (u) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
- (v) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the development consent must give the principal certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

*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**

36. 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.*

**08.03/21 CARRIED: Following debate a DIVISION DECISION was called with the result recorded as follows:  
FOR: Cr M Pearce, Cr R Bell, Cr R Crouch, Cr N Ledger, Cr L Sampson, Cr I Strutt, Cr T Toomey.  
AGAINST: Nil**



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**15.4 DIVISION DECISION - URALLA DEVELOPMENT CONTROL PLAN (DCP) AMENDMENT NO 5**

**PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Crouch**

**To move to Committee of the Whole**

**09.03/21 CARRIED**

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION Moved: Cr Strutt / Seconded: Cr Bell**

**To resume Standing Orders**

**10.03/21 CARRIED**

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Strutt / Seconded: Cr Crouch**

**That Council:**

1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a second period of not less than 28 days; and
2. Provide the draft amendment No. 5 of the Uralla Development Control Plan 2011 to the Department of Planning, Industry and Environment for consideration and comment; and
3. Subject to no submissions received, adopt the Uralla Development Control Plan 2011 as amended.

**11.03/21 CARRIED:** Following debate a DIVISION DECISION was called with the result recorded as follows:  
**FOR:** Cr M Pearce, Cr R Bell, Cr R Crouch, Cr N Ledger, Cr L Sampson, Cr I Strutt, Cr T Toomey.  
**AGAINST:** Nil

**15.5 DRAFT URALLA SHIRE COUNCIL ADVERSE EVENTS PLAN**

**PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Sampson**

**To move to Committee of the Whole**

**12.03/21 CARRIED**

Councillors held a detailed discussion in committee regarding the report.

Cr Ledger left the meeting 1:30pm.

Cr Ledger returned to the meeting 1:31pm.

**PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Strutt**

**To resume Standing Orders**

**13.03/21 CARRIED**

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Ledger**

**That Council resolve to:**

1. Undertake a workshop;
2. Place the draft Uralla Shire Council Adverse Events Plan on public exhibition for a period of 28 days- with the following minor amendment:
  - a. Part 3 action 3.2 change 'centre' to 'support'.
3. Provide the draft Uralla Shire Council Adverse Events Plan to representatives of the Local Emergency Management Committee and the Regional Emergency Management Officer for consideration and comment; and



4. Subject to no substantive submissions received, adopt the Uralla Shire Council Adverse Events Plan.  
LAPSED for want of a Secunder.

MOTION Moved: Cr Toomey / Seconded: Cr Bell

That the General Manager:

1. Review the Adverse Events Plan and correct errors, including incorrect names for NSW Government campaigns and for organisations;
2. Review the plan for compliance against the guidelines including areas of focus that appear in the guidelines but are not included in this plan (these are listed on page 9 of the Drought Communities Extension Programme Guidelines);
3. Review the plan with a focus on supporting the community;
4. Revise the wording to ensure it reflects our community more accurately, particularly under the headings of "Land Use" and "Economy and Industry";
5. Ensure a copy of the Uralla Shire Council Community Engagement Strategy 2017 is placed on the Uralla Shire Council website, social media pages and advice of such is provided in the Council newsletter;
6. Provide a copy of the Uralla Shire Council Local Emergency Management Plan to the next Ordinary meeting of Council and ensure that it is published on Council's website;
7. Provide a copy of the Local Emergency Risk Management Committee study referred to on page 238 to the next ordinary meeting of Council.

14.03/21 CARRIED

#### 15.6 REVIEW OF COUNCIL'S WASTE MANAGEMENT OPERATING AND SERVICE DELIVERY ENVIRONMENT

Cr Ledger moved the recommendation in the business paper.

PROCEDURAL MOTION Moved: Cr Bell / Seconded: Cr Toomey

To move to Committee of the Whole

15.03/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Strutt / Seconded: Cr Bell

To resume Standing Orders

16.03/21 CARRIED

The Chair outlined details of the discussion held in committee including Cr Bell's forshadowed alternate motion.

MOTION Moved: Cr Ledger

That Council:

Receives the reports as prepared by Proterra Consulting titled;

- USC Uralla Landfill - Site Development Plan V3
- USC Bundarra Landfill - Site Development Plan V2
- USC Kerbside Waste Collection Services Investigation V4
- USC Green Waste - Investigation V1

Adopts the recommendations in the reports, through:

**Uralla Waste Management Facility (UWMF):**

1. Procurement of a Waste Compactor in 2020/2021.
2. Procurement of a Wheel Loader in 2020/2021.
3. disposal of the current tip truck and excavator following delivery of wheel loader and compactor.
4. Undertaking investigations into the potential locations for overfilling above the current design fill plan at the Uralla Waste Facility, to produce a modified landfill profile design.
5. Undertaking an investigation into daily cover sources.
6. Procurement or commencement of contract services of a Hook lift truck and bins in 2021/2022 financial year.
7. Commencing discussions with neighbouring Councils regarding the potential for a region wide waste strategy.

**Bundarra Waste Management Facility (BWMF):**

8. Design and construction of a waste transfer station for BWMF.
9. termination of landfilling operations at the Bundarra Waste Management Facility (BWMF) to replace with a transfer station.
10. Commencing the transportation of waste from Bundarra transfer station to Uralla.
11. Coordination of transfer bin collection routes with Bundarra and Kingstown facility following construction of transfer station.
12. Undertaking investigation of options to transport waste to other landfills in the region
13. Undertaking the capping and rehabilitation of closed landfill cells at BWMF.
14. commencing discussions with neighbouring Councils regarding the potential for a region wide waste strategy.
15. Continuing kerbside waste collection services for the current locations with current service standards.

**Kerbside Collection Services:**

16. Continuing providing kerbside waste collection services to Walcha Shire Council.
17. Continuing as an opt-in kerbside green waste collection services for the Uralla township and look to expanding this service to the other townships in the Uralla Shire.
18. Considering extension of general waste and recycling kerbside collections services to near residents of major townships.
19. Investigating options for an external contractor to conduct kerbside waste collection services.
20. Investigating contract arrangement for collection and processing of co-mingled recyclables.
21. Investigating frequency and bin size of co-mingled recyclables.

**Uralla Green Waste Management:**

22. Continuing to mulch green waste from the green waste collection at Uralla Landfill and Bundarra Transfer Station.
23. Continuing the cessation of the trade of the mulch as a commercial product and use the product internally.
24. Not undertaking composting of food and organic waste at USC facilities.
25. Conducting waste education for the community through NIRW to reduce food and organic waste to landfill.
26. Conducting investigations into grants available through EPA for community food and organic waste enterprises.

LAPSED for want of a seconder.

Chair moved a short break 2:19pm

Chair resumed the meeting at 2:35pm

MOTION Moved: Cr Bell / Seconder: Cr Strutt

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That Council:

1. Receive the reports with modifications as required:
  - (1) USC Uralla Landfill - Site Development Plan V3;
  - (2) USC Bundarra Landfill - Site Development Plan V2;
  - (3) USC Kerbside Waste Collection Services Investigation V4;
  - (4) USC Green Waste - Investigation V1;
2. Design and construct a waste transfer station for BWMF.
3. Terminate landfilling operations at the Bundarra Waste Management Facility (BWMF) to replace with a transfer station.
4. Commence the transportation of waste from Bundarra transfer station to Uralla.
5. Coordinate transfer bin collection routes with Bundarra and Kingstown facility following construction of transfer station.
6. Undertake investigation of options to transport waste to other landfills in the region.
7. Undertake the capping and rehabilitation of closed landfill cells at BWMF.
8. Commence discussions with neighbouring Councils regarding the potential for a region wide waste strategy.
9. Continue kerbside waste collection services for the current locations with current service standards.
10. Continue to address the further points in the reports.

17.03/21 CARRIED

#### 15.7 WORKS PROGRESS REPORT

MOTION Moved: Cr Strutt / Seconded: Cr Sampson

That the report be received and noted for the works completed or progressed during February 2021 and works programmed for March 2021.

18.03/21 CARRIED

#### 15.8 PRIORITISATION OF CANDIDATE PROJECTS FOR UPGRADING GRAVEL ROADS TO SEALED ROADS

MOTION Moved: Cr Bell / Seconder: Cr Crouch

That Council:

1. Defer the adoption of the Roads Prioritisation until:-
  - (I) Council is provided with the full Rural Rating Model Score work sheet for upgrading roads from gravel to sealed surface, and
  - (II) Council's current Transport Asset Management Plan on sealed road pavement rehabilitation versus extending the sealed road network is confirmed.

19.03/21 CARRIED

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**15.9 PROPOSED CHANGE TO SCHEDULED ORDINARY MEETING DATE FOR JUNE 2021**

**MOTION Moved: Cr Strutt / Seconded: Cr Sampson**

That Council change the Ordinary Council meeting date from Tuesday 22 June 2021 to Tuesday 29 June 2021 and issue a Public Notice detailing the change in date.

**20.03/21 CARRIED**

**15.10 BIENNIAL REPORT ON COMPLAINTS**

**MOTION Moved: Cr Toomey / Seconded: Cr Strutt**

That the biennial report relating to complaints from 1 July to 31 December 2020 be received and noted.

**21.03/21 CARRIED**

**15.11 RESOLUTIONS REGISTER ACTIONS STATUS**

**PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Toomey**

To move to Committee of the Whole

**22.03/21 CARRIED**

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Strutt**

To resume Standing Orders

**23.03/21 CARRIED**

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Ledger / Seconded: Cr Crouch**

That Council receive and note the Resolution Action Status as at 17 March 2021.

**24.03/21 CARRIED**

**15.12 LATE REPORTS**

**9.1.1 PREPARATION OF THE 2021 – 2022 OPERATIONAL PLAN**

**PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Crouch**

To move to Committee of the Whole

**25.03/21 CARRIED**

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Sampson**

To resume Standing Orders

**26.03/21 CARRIED**

The Chair outlined details of the discussion held in committee.

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**MOTION Moved: Cr Toomey/ Seconded: Cr Strutt**

**That Council:**

1. note that the 2021/22 draft budget has been prepared (version 0.1) and that significant work is required to reduce the forecast operating deficit; and
2. undertake preliminary community engagement on service levels and associated expenditure and increased/new revenue opportunities; and
3. undertake further consideration of service levels and associated expenditure and increased/new revenue opportunities at the Budget Review and Finance Committee on 13 April 2021 commencing at 10:30am, to inform the next version of the 2021/22 draft budget meeting.

27.03/21 CARRIED

**9.1.2 PUBLIC SPACES LEGACY PROGRAM PROJECTS**

**PROCEDURAL MOTION Moved: Cr Strutt/ Seconded: Cr Bell**

**To move to Committee of the Whole**

28.03/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr Sampson left the meeting 3:53pm.

Cr Sampson returned to the meeting 3:54pm.

**PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Sampson**

**To resume Standing Orders**

29.03/21 CARRIED

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Sampson/ Seconded: Cr Ledger**

**That Council:**

1. Resolve to undertake the following projects, subject to funding of up to \$2,000,000 under the NSW Public Spaces Legacy Program, subject to community consultation on each project:
  - a) Main Street Precinct upgrade
  - b) Fuller Park upgrade
  - c) Pioneer Park upgrade
  - d) The Glen upgrade
  - e) Alma Park upgrade
  - f) Partial implementation of the adopted Pedestrian Access and Mobility Program; and
2. Authorise the General Manager to execute the pending funding deed keeping project details subject to community consultation and as flexible as possible; and
3. Undertake further community consultation during the detailed design phase of the projects; and
4. Determine how the operating costs of the new capital works projects be funded as part of future budgets.

30.03/21 CARRIED

Mayor called a short adjournment at 4.34pm.

Meeting reconvened at 4:46pm.



**16 MOTIONS ON NOTICE**

**16.1 NOTICE OF MOTION – WORKS PROGRAM**

MOTION Moved: Cr Toomey/ Seconded: Cr Crouch

1. That the General Manager implement Resolution 17.10/20 as a matter of urgency
2. The current documentation/consultant report being relied upon in determining roads priorities for the 2020/2021 program be provided to Council in full.

31.03/21 CARRIED

Cr Strutt requested her vote against the motion be recorded.

PROCEDURAL MOTION Moved: Cr Crouch/ Seconded: Cr Strutt

To extend the meeting beyond 5pm.

32.03/21 CARRIED

**16.2 NOTICE OF MOTION – GRANT FUNDING EXPENDITURE**

MOTION Moved: Cr Toomey/ Seconded: Cr Crouch

1. That Council maximises its grant funding opportunities to improve Council and community infrastructure and associated service levels, and in accordance with Council's strategic and operational plans.
2. That Council be provided with the monthly progress reports required by Resolution 38.12/19, from December 2019, including a list, values and progress status of projects approved by the committee to date.
3. That the Committee established by point 3 of resolution 38.12/19 be dissolved.
4. Decisions about projects funded by grants be made by Council at public meetings.

AMMENDMENT MOVED: Cr Strutt/ Seconded: Cr Ledger

1. That Council maximises its grant funding opportunities to improve Council and community infrastructure and associated service levels in accordance with Council's strategic and operational plans, taking into account the life-cycle cost analysis effect of the project on current and future budgets;
2. That Council be provided with the monthly progress reports required by Resolution 38.12/19, from December 2019, including a list, values and progress status of projects approved by the committee to date;
3. The committee appointed at the December 2019 Ordinary Council Meeting to facilitate timely management of the Drought Communities Extension Program Funding, be dissolved at the expiration of the program at the end of June 2021.

33.03/21 AMMENDMENT CARRIED

The Amendment became the Motion

MOTION Moved: Cr Bell / Seconded: Cr Strutt

1. That Council maximises its grant funding opportunities to improve Council and community infrastructure and associated service levels in accordance with Council's strategic and operational plans, taking into account the life-cycle cost analysis effect of the project on current and future budgets;



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2. That Council be provided with the monthly progress reports required by Resolution 38.12/19, from December 2019, including a list, values and progress status of projects approved by the committee to date;
3. The committee appointed at the December 2019 Ordinary Council Meeting to facilitate timely management of the Drought Communities Extension Program Funding, be dissolved at the expiration of the program at the end of June 2021.

34.03/21 CARRIED

**16.3 NOTICE OF MOTION – COMPLAINT HANDLING SYSTEM**

Cr Toomey withdrew the notice of motion (re: item 15.10).

**16.4 NOTICE OF MOTION – URALLA COURT HOUSE**

MOTION Moved: Cr Toomey / Seconded: Cr Bell

1. That Council endorses the application for funding of \$925,000 for the refurbishment of the Uralla Courthouse under the Bushfire Local Economic Recovery Fund subject to:
  - a. That the full cost of lodging the application for the \$925,000 grant for the refurbishment of the Uralla Court House (referred to in Councillor Bulletin January 29 2021) along with the internal source of the funding to prepare the application and the name of the grant applied for;
  - b. That the details of this application for grant funding in relation to the Court House be provided to Council in a manner that can be provided to our community, including plans and proposed use;
2. That Council does not submit applications for grants for capital work without Council approval;
3. Council prioritises their time on funding and developing the industrial land.

35.03/21 CARRIED

**16.5 NOTICE OF MOTION – COUNCIL INCREASE THE AVAILABILITY OF QUALIFIED BUILDING CERTIFIERS**

MOTION Moved: Cr Bell / Seconded: Cr Strutt

That Council:

1. Increase the availability of a qualified building certifier to undertake inspections on behalf of council to at least two days per week.
2. Review how the increased level of service noted above will be funded.

36.03/21 CARRIED

17 CONFIDENTIAL MATTERS

PROCEDURAL MOTION Moved: Cr Strutt/ Seconded: Cr Ledger

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

The matters referred to the Closed Session of the 23 March 2021 meeting are received by Council under Section 10A (1 a, b) & 2 (f,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:

(f) matters affecting the security of the council, councillors, council staff or council property,

(i) alleged contraventions of any code of conduct requirements applicable under section 440.

Reason: the notice of motion relates to continuous improvement requirements of Council's procurement and information technology systems which may affect the security of Council's assets (property and resources including cash). The raising of the issues may be perceived as being critical of staff and implying wrong-doing.

37.03/21 CARRIED

Crs Crouch, Toomey and Bell requested their vote against the motion be recorded.

REPORTS TO CLOSED SESSION

17.1 DOCUMENTS PRESENTED TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE

MOTION Moved: Cr Ledger/ Seconded: Cr Sampson

1. That the Minutes from the Audit Risk and Improvement Committee meeting held on 9 February 2021 be noted;
2. That the reports associated with those minutes, the Independent Consultants reports 8.1, 9.6 and 9.7 be noted;
3. That Council continue to seek to improve its budget and procurement processes as per the improvement plans;
4. That ARIC advised Council through the independent investigation report and noted there were no deviations between the Transport Asset Management Plan (February 2017) and the related 2019-20 budget allocations without Council's approval and recommend the implementation of the improvement plan.

PROCEDURAL MOTION Moved: Cr Toomey/ Seconded: Cr Strutt

That the motion be put.

38.03/21 CARRIED

The Mayor put the motion.

39.03/21 LOST

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6:39pm the Mayor left the room.

6:41pm the Mayor returned to the room.

**MOTION Moved: Cr Strutt / Seconded: Cr Bell**

- 1. That the unconfirmed Minutes from the Audit Risk and Improvement Committee meeting held on 9 February 2021 be noted; and**
- 2. Council endorse the following recommendations:**

8.1 Independent Consultant Report on Possible Deviation Between Approved 2020 Budget and Transport Asset Management Plan

- 1. That ARIC advise Council they have reviewed the Independent Investigation report and noted the budgeting and approval process deficiencies.**
- 2. That the recommendations in the TNR Investigation Report be noted and that the improvement plan be implemented:**
  - a. All aspects of the capital works programmes should be determined and finalised so the information can be provided to Council prior to adopting the annual operational plan and financial budget; and**
  - b. Council should assess and benchmark its resources to ensure that it has appropriate personnel to provide a robust asset management function and deliver on Council expectations; and**
  - c. Councillors and the management Team should review areas of discontent and develop processes, and where necessary policies, to ensure Council's operations are efficient, effective and compliant with applicable laws and regulations; and**
  - d. Management should identify budget variations and have them approved by Council in advance of commencing works. Protocols should be developed to ensure that the Management Team and Council are clear and content on the process of advising and approving budget variation; and**

9.6 Internal Audit Report on Hill Street Asphalt Overlay

- 1. That ARIC advise Council it has reviewed the Internal Audit Special Report – Asphalt Hill Street report and as a result conclude that a perception exists of a breach of delegation and a splitting of orders; and**
- 2. That an undertaking to review the procurement policies and procedures to ensure proper delegation process is followed.**

9.7 Audit Office of NSW Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2020

- 1. That the Audit Office of NSW Management Letter on the Interim phase of the audit for the year ended 30 June 2020 including the recommendations within the letter be noted;**
- 2. ARIC recommends to Council that the General Manager address the recommendations in the Audit Office letter; and**
- 3. ARIC recommend that sufficient resources are allocated to address this work.**

**40.03/21 CARRIED**

Cr Toomey requested her vote against the motion be recorded.

Minutes of the Uralla Shire Council at Ordinary Meeting  
held on 23 March 2021 at 12:30pm

**17.2 NOTICE OF MOTION – PENALTY NOTICES 314399526 & 314392574**

Cr Sampson, having previously declared a non-pecuniary, less than significant conflict of interest, decided to remain in the room to participate and debate on the item.

**PROCEDURAL MOTION Moved: Cr Bell / Seconded: Cr Strutt**

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

**The matters referred to the Closed Session of the 23 March 2021 meeting are received by Council under Section 10A (2 b, e, g) 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: [delete non-relevant sub-clauses]**

- (b) the personal hardship of any resident or ratepayer,**
- (e) information that would, if disclosed, prejudice the maintenance of the law,**
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,**

**Reason: the notice of motion relates to a regulatory enforcement matter, the personal affairs of a ratepayer and includes their legal representation.**

41.03/21 CARRIED

**17.2 NOTICE OF MOTION – PENALTY NOTICES 314399526 & 314392574**

**MOTION Moved: Cr Bell / Seconded: Cr Crouch**

**That Council advise the State Debt Recovery Office that Council does not wish to proceed with penalty notices 314839256 and 3148392574 issued to [REDACTED] in December 2020.**

42.03/21 CARRIED

Crs Strutt, Pearce & Ledger requested that his/her vote against the motion be recorded.

**MOVE TO OPEN SESSION**

**PROCEDURAL MOTION Moved: Cr Strutt / Seconded: Cr Bell**

**To return to Open Session of Council.**

43.03/21 CARRIED

Minutes of the Uralla Shire Council at Ordinary Meeting  
held on 23 March 2021 at 12:30pm

**18 COMMUNICATION OF COUNCIL DECISIONS**

**PROCEDURAL MOTION Moved: Cr Strutt/ Seconded: Cr Bell**

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

**44.03/21 CARRIED**

**19 CLOSURE OF MEETING**

The meeting was closed at 7:20pm.

**20 COUNCIL MINUTES CONFIRMED**

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	02.04/21
DATE:	27 April 2021
MAYOR:	Councillor Michael Pearce

CONFIRMED

