



**Uralla Shire Council Business Paper  
28 September 2015**



16 September 2015

**ORDINARY MEETING OF COUNCIL  
1.00pm Monday 28 September 2015**

Notice is hereby given that a meeting of the Council of Uralla will be held at Council Chambers, Salisbury Street, Uralla on **Monday, 28 September 2015 commencing at 1.00pm.**

Damien Connor  
**GENERAL MANAGER**



**- BUSINESS AGENDA -**

# Ordinary Meeting of Council

**28 September 2015**  
**1:00pm**

- 1. Opening & Welcome**
- 2. Prayer**
- 3. Acknowledgement of Country**
- 4. Apologies/Requests for Leave of Absence**
  - Cr L Cooper
- 5. Disclosures & Declaration of Interests**
- 6. Confirmation of Minutes of Previous Meeting & Minutes to be Noted**
  - Bundarra 355 Committee
- 7. Announcements**
- 8. Tabling of Reports & Petitions**
- 9. Presentations**
  - Tara Toomey – Seasons of New England 2016
- 10. Deputations**
- 11. Urgent Supplementary & Late Items of Business**
- 12. Written Reports from Delegates & Councillor Reports**
  - Item 1: Cr F Geldof - Weights of Loads Delegate Report
- 13. Mayoral Minute - Nil**
- 14. Recommendations for Items to be Considered in Confidential Section - Nil**
- 15. Reports from the General Manager - Nil**
- 16. Reports from the Corporate & Community Committee**

<b>Called:</b>	<b>Pg 4</b>	1.21.09.01	Funding request – Bundarra Bowling Green Committee
<b>Called:</b>	<b>Pg 9</b>	1.21.09.02	Proposed Ward Boundaries Alteration – 2016 Local Government Election
<b>Called:</b>	<b>18</b>	1.21.09.03	Draft Communications Plan
<b>Called:</b>	<b>33</b>	1.21.09.04	2014/15 Operational Plan Performance Report
<b>Called:</b>	<b>63</b>	1.21.09.05	Confidentiality of Information Policy
<b>Called:</b>	<b>71</b>	1.21.09.06	Conflicts of Interest Policy
<b>Called:</b>	<b>81</b>	1.21.09.07	Fraud and Corruption Prevention Policy
<b>Called:</b>	<b>91</b>	1.21.09.08	Privacy Management Plan and Policy
<b>Called:</b>	<b>120</b>	1.21.09.09	Disclosure of Pecuniary Interest Returns – Annual Completion and Tabling
<b>Called:</b>	<b>122</b>	1.21.09.10	2014/15 End of Financial Year (EOFY) Budget Review Statements
<b>Called:</b>	<b>135</b>	1.21.09.11	Cash at Bank and Investments

## **17. Reports from the Environment, Development & Infrastructure Committee**

<b>Called:</b>	<b>Pg 4</b>	2.21.09.01	Works Progress Report to 31 August 2015
<b>Called:</b>	<b>Pg 7</b>	2.21.09.02	Works Planning Report September 2015
<b>Called:</b>	<b>10</b>	2.21.09.03	Emu Crossing land gazettal
<b>Called:</b>	<b>19</b>	2.21.09.04	Thunderbolts Way road acquisition gazettal
<b>Called:</b>	<b>23</b>	2.21.09.05	2014-2015 Yearly Waste Data Reports
<b>Called:</b>	<b>27</b>	2.21.09.06	Adoption of Infrastructure Asset Management Policy
<b>Called:</b>	<b>33</b>	2.21.09.07	ZNET Launch
<b>Called:</b>	<b>36</b>	2.21.09.08	DIVISION DECISION: Planning Proposal D&J HEAGNEY, ROWAN AVENUE< URALLA – Exhibition Completed.

## **18. Motions on Notice - Nil**

## **19. Schedule of Actions – As at 21/09/2015**

## **20. Confidential Business - Nil**

## **21. Authority to Affix the Common Seal**

- ITEM 1: DA 69/2014– Mr J & Mrs M Lauder
- ITEM 2: DA 80/2013-2 - Mr D & Mrs M Ward
- ITEM 3: DA 13/2014-2– Mr J Goode & Mr B Miller & Mrs R Miller

## **22. Meeting Close**

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## CONFIRMATION OF MINUTES

28 September 2015

6. Confirmation of Minutes

CONFIRMATION OF MINUTES

## **CONFIRMATION OF MINUTES**

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**Minutes to be confirmed or received and noted at Council Meeting held on 28 September 2015**

- Council Meeting held 24 August 2015 **(to be confirmed)**
- Bundarra 355 Committee, Monday August 10 August, 2015 **(to be noted)**

## **Bundarra 355 Committee**

### **Meeting Minutes**

Monday August 10 August 10, 2015

#### **Opening**

The regular meeting of the Bundarra 355 Committee was called to order at 7.30pm on Monday August 10 in Bundarra School of Arts Hall by Bob Crouch.

#### **Present**

Bob Crouch, Mel Lowell, Damien Connor, John Layton, Jeff Dezius, Jenny Dezius, Laura McLean, Dawn Hodgson, Penny Harvey, Theresa Layton, Dave Lowell and Spencer Hall.

Apologies None

#### **Approval of Agenda**

No Agenda distributed.

#### **Approval of Minutes**

The minutes of the previous meeting were approved, Moved by Jeff, seconded by John, all in favour.

#### **Open Issues**

Mel to follow up that signatories on accounts have been changed from Kim Harvie to Theresa Layton.

Septic Systems – still waiting for reply from council on some concerns regarding the aerated system at the caravan park. Motion that we seek advice from the council if this water is safe, is there any health hazards? Jeff moved, Spencer seconded. If it is safe, why isn't the water pumped into the river? Is there signs to notify people, especially children not to play in it? Damien will seek advice on this matter.

What happened to the report that council was going to produce, after gathering information regarding people's septic systems as discussed at the public meeting? It was suggested this report would be used to obtain funding for sewerage in Bundarra.

Damien spoke about the Department of Water having \$20-30 million available for fixing country water and sewerage, which is 50/50 funded. It is very competitive to apply for this grant and there is an extensive eligibility list. Council has put in an expression of interest for the first stage. The economic reality is that this would be a huge challenge and no guarantees that council could make the finances work as it would need to be

subsidised out of Bundarra and wider thru the shire, and would need community feedback to make this happen.

Caravan Park – administration fee to the Commercial Hotel has been set at a fixed rate. The site charges have been increased to \$20/night. The council is looking at occupancy in the long term, as the caravan park is not a major liability, but looking to make it break even. Does the council have any issues with permanent residents at the park? There is no policy at the moment, but would need the views of the community on this.

Bridge Name- two names have been put forward, with a final decision to be made at the Council meeting on the 24<sup>th</sup> August. At the last meeting, there was two presentations by local Uralla residents which were very informative on the history and significance of both names.

Garden pots in park near General Store – Crossing the Divide happy to help with sculpture idea discussed at previous meeting. This idea on the back burner as the council have already replaced the soil and plants in the pots. Thank you to the council for this. Bob still to ask about moving the small pot at the end of Souter Street to the park.

Signs in the Park near General Store – Theresa tabled a quote from Print Anything, Inverell for signs 2400 x 1200 would cost \$375 +gst, artwork \$45+gst. The signs would be full colour, laminated UV, with a 7-9 year outdoor life. For an extra \$65 the signs can be anti-graffiti. This price is based on us supplying the map. Dave and Theresa to continue working on a final map design, then to go to Robert Bell for approval. John let the committee know that the Lions club support us replacing the sign.

Bundarra Website – motion that we ask Abstractal, a local web design business to come to our next meeting for a brainstorming session, and quote on setting up a website for Bundarra. Moved by Mel, seconded by Theresa. Mel has spoken to the council and our domain name has been renewed as it had expired. Mel to contact Abstractal about coming to our next meeting, so please start thinking about what you might like on the website.

Pine tree at island near school has been trimmed.

Tennis Courts – Laura explained that the courts have been gifted by the church back to the council as they are technically part of the Nature Park. Damien will check on the ownership of the courts and see if they are on its insurance registry. The council don't have the facilities to maintain the courts, and there is no local tennis club due to the cost of insurance. This leaves the courts in limbo, once ownership of the courts is confirmed, maybe this committee can work together with council to get some funding to fix them up. Mel to follow up the school if they have all the materials to finish the fencing. Damien

tabled McDonalds Community Grants, Mel to look at this and see if we can apply. Olivia Woods at the council is available to help with grant applications.

Hall Events – Mel transferred funds back to the council before the end of financial year, that had been received for the Sound and Fury show as it didn't go ahead.

Vacuum cleaner for the hall – Theresa tabled a quote for wet and dry cleaner, cost \$127. Damien said to contact Desley, his personal assistant for the money to get this.

RTC Treasurers Report – Moved by Jenny, seconded by Jeff.

### **New Business**

Hall toilets- Theresa moved if we could have paper towel holders and soap dispensers placed in all 3 toilets, Dave seconded. Mel to contact Desley at council about this.

Expectations of a 355 Committee.

Damien thanked us for allowing him to come to the meeting and recommends that we should be a 355 committee run under the responsibility of the council. The benefit of this would be good governance for the council, and the freedom for us to make decisions and get things done without the paperwork, and less frustration. The council would give the committee protection, by giving us a formal constitution to run as a 355 committee of the council. The council would constitute what our powers are, and we would be able to operate as an advisory committee with trustworthy discussions both ways, better communication, able to prioritise projects for our community, and help engage the council with the Bundarra community. The committee would have to report to the council, provide financials and declare any conflicts of interest.

Bob will get an electronic copy of the 355 Committee protocols to everyone to read and discuss at the next meeting.

The RTC grant has been fully acquitted, and is at the discretion of the RTC Committee, currently the funds are held in a term deposit.

### **Agenda for Next Meeting**

Ideas for Bundarra website, brainstorming with Cameron and Susana from Abstractal.

Discuss the decision to become a 355 committee of Council, and set up a charter.

Email from Steve Kellett presented by Dawn to be discussed regarding the museum and courthouse.

**Adjournment**

Meeting was adjourned at 9.30 by Bob Crouch. The next general meeting will be at 7.00 on 7th September, in Bundara School of Arts Hall.

Minutes submitted by: Mel Lowell

Approved by: Bob Crouch



**COUNCILLOR REPORTS &  
WRITTEN REPORTS FROM  
DELEGATES**

**28 September 2015**

**12. Councillor Reports & Written Reports from Delegates**

**COUNCILLOR REPORTS**



## COUNCILLORS REPORT

<b>Submitted by:</b>	<i>Cr. Fred Geldof</i>
<b>Reference:</b>	<i>Item 1</i>
<b>Subject:</b>	<i>Weights of Loads Delegates Report</i>

### **SUMMARY:**

*As Council Delegate of the Mid North WOL this report provides a summary of the meeting held 14 September 2015.*

### **COUNCILLOR'S RECOMMENDATION:**

*That the delegates report for the Mid North Weights of Loads Meeting held at Greater Taree City Council on 14 September 2015 be noted.*

*This is the recommendation of the Councillor Fred Geldof.*

### **BACKGROUND:**

*As Council Delegate of the Mid North Weights of Loads Committee, I attended and chaired the ½ yearly meeting held at Greater Taree Council on 14 September 2015.*

### **REPORT:**

*As usual the meeting was productive. The key points from the meeting are:*

- It was resolved to purchase a set of Weigh In Motion Scales (WIMS).*
- Leave of WOL Inspectors of concern, especially from a safety viewpoint as there are occasions when an inspector has to work by themselves.*
- Statistics provided indicate the number of interceptions is consistent; however breaches and revenue from breaches are declining.*
- The next meeting is to be held in Uralla on 7 March 2016.*

### **KEY ISSUES:**

- With the purchase of WIMS, suitable sites for their operation need to be found. This may require council at some future time to consider the sealing of a suitable area for their operation. This is not of immediate concern.*
- Declining revenue will have an effect on the WOL Budget, however statistics indicate the use of WIMS will result in a greater breach rate.*

**CONCLUSION:**

*It is recommended that the report be noted and the benefit of being a member of the Mid North WOL be recognised.*

**ATTACHMENTS:**

- *Agenda Mid North WOL Meeting held in Taree on 14 September 2015*
- *Minutes Mid North WOL Meeting held in Tamworth 9 March 2015*
- *Supervising Engineers Report*
- *Financial Report.*
- *Statistical Information*



**Councillor**

**MID NORTH WEIGHT OF LOADS GROUP  
MANAGEMENT COMMITTEE MEETING**

**A G E N D A**

**MEETING DATE: Monday, 14 September 2015**

**MEETING PLACE: Greater Taree City Council Committee Room  
Level 2, Council Offices, 2 Pulteney Street, Taree (\*see map attached)**

- 10.00am - Morning Tea
- 10.30am - Meeting commences
- Apologies
  - Adoption of Minutes - meeting held 9 March 2015
  - Business Arising from Minutes
  - Report by Supervising Engineer
  - Presentation (to be confirmed)
  - General Business
- 12.00pm - Luncheon



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## **MINUTES OF THE MID NORTH WEIGHT OF LOADS GROUP**

### **MEETING HELD AT TAMWORTH REGIONAL COUNCIL CHAMBERS, TAMWORTH**

**MONDAY 9 MARCH 2015**

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The meeting commenced at 10.30am.

#### **PRESENT**

Armidale/Dumaresq Council – David Steller  
Dungog Shire Council – Cr Tony McKenzie  
Gloucester Shire Council – Cr Jim Henderson, Gil Gendron  
Greater Taree City Council – Richard Wheatley  
Liverpool Plains Council – Cr Andrew Laurie, Greg Tory  
Port Macquarie Hastings Council – John Hanlon  
Tamworth Regional Council – Craig Orvad, Brendan Moran  
Uralla Shire Council – Cr Fred Geldof, Robert Bell  
Roads & Maritime Services – Mark Stewart  
MNWOL Group Inspectors – Michael Elliott and Warren Johnson

#### **APOLOGIES**

Jodie Broadbent, Manager ATA NSW  
Graham Simmonds – PM Compliance, RMS  
Walter Davey – RMS  
Armidale/Dumaresq Council – Cr Andrew Murat  
Bellingen Council – Cr Garry Carter, John Starr, Phil Buchen  
Coffs Harbour City Council – Greg Powter  
Dungog Shire Council – Steve Hitchens  
Gloucester Shire Council – Cr Katheryn Smith, Danny Green  
Kempsey Shire Council – Robert Scott, Trevor Dickson, Tony Green  
Walcha Shire Council – Matt Fanning

In the absence of the current Chair, Cr Katheryn Smith, Councillor Fred Geldoff chaired the meeting.

#### **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the meeting held at Port Macquarie Hastings Shire Council Chambers, Port Macquarie on Thursday 20 November 2014 were adopted.

#### **BUSINESS ARISING:**

Nil.

## **Report by Secretary/Supervising Engineer**

### **1. Financial Report to 31 December 2014**

This report also showed the result to the end of the financial year 2013/14.

The financial report to 31 December 2014 was noted.

### **Proposed Council Contributions for 2015/16 and Proposed Budget for 2015/16**

The Committee considered the proposed budget for 2015/16 based on a 3% increase in the Council member contributions for 2015/16.

#### **RECOMMENDED that:-**

1. A 3% increase in Council contributions for 2015/16 be implemented in line with the 10 year financial plan; and
2. The proposed budget as submitted based on a 3% Council contribution increase be endorsed.

### **2. Meeting with RMS on 19 February 2015 by the NSW Groups Executive**

The Group considered the Minutes of the meeting as submitted and requested clarification on the status of the MoU from the RTA representative, Mark Stewart. Mark advised that the MoU was currently still with the legal branch of the RMS. However, it was anticipated that it would soon be released.

### **Statistics**

The statistical report as presented was noted. It was requested that in future the split of hours between Member Councils also include separate line item (also to be shown in the pie chart) that represents the officers' time spent in administration (administration component would include hours Officers spent at the Administration Centre issuing the breaches, the operational meetings, training, vehicle maintenance and works programming etc).

### **Meeting with Inspectors- 2 February**

The Minutes of the meeting with the Inspectors was noted.

**RECOMMENDED** that the Supervising Engineer pursue Port Stephens and Guyra Councils with a view to requesting they consider membership of the Group.

### **Extended Sick Leave by Staff**

Discussion took place on the potential of utilising relief Weight of Load Officers should a period of extended leave or sick leave be taken by one of the 4 Officers.

#### **RECOMMENDED that:-**

1. The Group not engage relief staff during periods of extended sick leave or other leave and
2. Weight of Load Officers pursue the possibility of utilising the Member Councils Rangers.

## Use of WIMS

The Committee resolved that the Supervising Engineer provide a report on the implications of purchasing a set of WIMS to the next Group meeting. The report should include the lifespan, site requirements and any statistical information gained whilst utilising the loan RMS WIMS.

## Presentation by Weight of Loads Liaison Inspector Warren Johnson

Warren updated the Group on the recent Weight of Loads Inspector activities.

## Presentation by Mark Stewart of the RMS representing Graham Symonds, the Manager of Compliance Operations

Mark reported the following:-

- The RMS is keen to continue training of the various Group Weight of Load Officers, however it was suggested that the Groups should endeavour to co-ordinate training in order to improve the efficiency of the RMS training program.
- Breaching of Light Vehicles less than 4.45 tonnes – The RMS policy is to only breach light vehicles on weight limit roads and bridges. The RMS policy is to contact the Police should an excessive overload of a light vehicle be suspected and a potential safety hazard risk be assessed.
- NHVR contact – it was requested that all NHVR contact be through the RMS representative Graham Symonds.

## General Business

1. Richard Wheatley requested clarification on the current process of NHVR issuing permits.

Mark Stewart advised that a permit could be issued by the NHVR to anyone. However, the NHVR or RMS is to negotiate with Council prior to the issuing of any permit. Mark also advised that Graham Symonds could assist with information relating to vehicle permits.

2. Craig Ovard requested clarification on what action the Group could take with B Doubles off route, in situations where the B Double trailer was observed without the prime mover. It was suggested that nothing could be done unless the Officers could observe the prime movers and trailers being utilised.

## NEXT MEETING

The Group considered the possibility of changing the meeting day from a Monday, however it was resolved that the second Monday of the month had proven to be the most acceptable day for the majority of delegates.

**RECOMMENDED** that the next meeting of the Mid North Weight of Loads Group be held at Greater Taree City Council on Monday 14 September 2015.

There being no further business, the meeting closed at 12.30pm.

**MID NORTH WEIGHT OF LOADS GROUP  
REPORT BY SECRETARY/SUPERVISING ENGINEER  
9 March 2015**

Item	Page No
1. Financial Report for the Year Ending 30.6.2015 .....	1
2. Financial Report for the Period Ending 31.8.2015 .....	3
3. Purchase of WIMS (Weigh in Motion Scales) .....	5
4. Statistics .....	8

## **1. Financial Report for the Year Ending 30 June 2015**

Attached is a financial report for the year ending 30 June 2015.

### **Notes:**

1. Fine income is down significantly on predicted. This is mainly due to extended sick leave by one WOL officer and MNWOL policy not to utilise relief staff.
2. Vehicle changeover accounts for two vehicle changeovers with one being an upgrade from 2 passenger ute to 5 passenger 2wd twin cab.
3. Closing accumulated funds decreased from \$92,905 to \$89,663.
4. Equipment reserve has increased from \$87,663 to \$89,663.
5. There was an overall operating deficit of \$7,098.

### **RECOMMENDATION**

That the report be noted.

Manager Engineering

FY2015					
Actuals	Oncost	Actuals + Committed + Oncost	Budget	Remaining Budget	% used

Weight of Loads							
<b>Revenue</b>							
4010.492	Council Contributions	(266,481)	-	(266,481)	(266,286)	195	100%
4010.686	RTA Grant	(194,833)	-	(194,833)	(192,770)	2,063	101%
4010.706	Interest on Investments	(3,844)	-	(3,844)	(3,000)	844	128%
4010.687	RTA Roads Fines	(1,896)	-	(1,896)	(5,000)	(3,104)	38%
4010.688	Council Roads Fines	(32,970)	-	(32,970)	(47,657)	(14,687)	69%
4010.690	Council Roads Legal Costs	(1,997)	-	(1,997)	(1,500)	497	133%
4010.689	RTA Roads Legs. Costs	(1,670)	-	(1,670)	(500)	1,170	334%
	<b>Sub Total</b>	<b>(503,691)</b>	<b>-</b>	<b>(503,691)</b>	<b>(518,713)</b>	<b>(15,022)</b>	<b>97%</b>
<b>Expense</b>							
4005.100	Employee Expenses	224,214	105,381	329,594	319,000	(10,594)	103%
4005.114	Superannuation	18,185	-	18,185	22,260	4,075	82%
4005.102	Conference expenses	101	-	101	3,000	2,899	3%
4005.111	Telephone Expenses	1,669	-	1,669	1,800	131	93%
4005.107	Advertising	-	-	-	3,000	3,000	0%
4005.116	Legal	5,291	-	5,291	11,000	5,709	48%
4005.144	Accommodation	45,681	-	45,681	38,000	(7,681)	120%
4005.231	Insurance	10,167	-	10,167	8,500	(1,667)	128%
4005.280	Training	370	-	370	3,000	2,630	12%
4005.291	Administration	14,954	6,232	21,183	19,000	(2,183)	111%
4005.362	Uniforms	1,139	-	1,139	1,100	(39)	103%
4005.679	Vehicle No 1	8,521	-	8,521	16,000	7,479	53%
4005.680	Vehicle No 2	9,793	-	9,793	16,000	6,207	61%
4005.678	Vehicle Changeover	29,428	-	29,428	19,000	(10,428)	155%
4005.683	Scales Maintenance	3,092	-	3,092	4,500	1,408	60%
4005.129	Provision for Bad Debts	-	-	-	1,000	1,000	0%
4005.684	Chemical Costs	24,914	-	24,914	23,600	(1,314)	106%
4005.790	Other Expenses	1,667	-	1,667	3,500	1,833	48%
	Transfer to reserve			2,000	2,000		
	<b>Sub Total</b>	<b>399,176</b>	<b>111,613</b>	<b>510,789</b>	<b>515,260</b>	<b>2,471</b>	<b>100%</b>
	<b>NET (SURPLUS)/DEFICIT</b>	<b>(104,515)</b>	<b>111,613</b>	<b>9,098</b>	<b>(1,453)</b>	<b>(10,551)</b>	<b>826%</b>

RESERVES			
Opening Accumulated Funds		92,905	92,905
Opening Debtors		60,100	60,100
Opening Equipment Replacement Reserve		87,663	87,663
<b>Total Opening Reserves</b>		<b>240,668</b>	<b>240,668</b>
<b>Surplus/ (Deficit)</b>		<b>(9,098)</b>	
Transfer to/from reserve		2,000	
Movement in Debtors		311	(311)
<b>Closing Accumulated Funds</b>		<b>84,118</b>	<b>92,905</b>
<b>Closing Equipment Replacement Reserve</b>		<b>89,663</b>	<b>87,663</b>
<b>Total Cash available</b>		<b>173,781</b>	<b>180,568</b>
Interfund Balance	CHECK	173,781	
Closing Debtors		59,789	59,789
<b>Total Closing Reserves</b>		<b>233,570</b>	<b>240,357</b>

## **2. Financial Report for the Period Ending 31 August 2015**

Attached is a financial report for the first 2 months of the financial year to 31 August 2015.

### **RECOMMENDATION**

That the report be noted.

Manager Engineering

FY2016				
Actuals + Committed + Oncost	Budget	Remaining Budget	Proposed Variation	% used

Weight of Loads						
<b>Revenue</b>						
4010.492	Council Contributions	(272,877)	(273,475)	(598)		100%
4010.686	RTA Grant	-	(197,974)	(197,974)		0%
4010.706	Interest on Investments	-	(3,081)	(3,081)		0%
4010.687	RTA Roads Fines	(615)	(5,135)	(4,520)		12%
4010.688	Council Roads Fines	(3,070)	(48,943)	(45,873)		6%
4010.690	Council Roads Legal Costs	-	(1,540)	(1,540)		0%
4010.689	RTA Roads Legal Costs	-	(513)	(513)		0%
	Sub Total	(276,562)	(530,661)	(254,099)		52%
<b>Expense</b>						
4005.100	Employee Expenses	54,850	330,000	275,150		17%
4005.114	Superannuation	-	25,000	25,000		0%
4005.102	Conference expenses	419	3,000	2,581		14%
4005.111	Telephone Expenses	134	1,630	1,496		8%
4005.107	Advertising	-	3,000	3,000		0%
4005.118	Legal	1,204	9,000	7,796		13%
4005.144	Accommodation	4,675	39,140	34,465		12%
4005.231	Insurance	6,395	8,500	2,105		75%
4005.280	Training	-	3,000	3,000		0%
4005.291	Administration	3,027	24,000	20,973		13%
4005.362	Uniforms	-	1,100	1,100		0%
4005.679	Vehicle No 1	1,317	16,000	14,683		8%
4005.680	Vehicle No 2	1,868	16,000	14,132		12%
4005.678	Vehicle Changeover	-	20,000	20,000		0%
4005.683	Scales Maintenance	2,355	4,500	2,145		52%
4005.129	Provision for Bad Debts	-	1,000	1,000		0%
4005.684	Clerical Costs	-	24,855	24,855		0%
4005.790	Other Expenses	161	3,500	3,339		5%
END	Transfer to reserve					
	Sub Total	76,406	533,225	456,819	0	14%
	<b>NET (SURPLUS)/DEFICIT</b>	<b>(200,156)</b>	<b>2,564</b>	<b>202,720</b>	<b>-</b>	<b>-7806%</b>

### **3. Purchase of WIMS (Weigh in Motion Scales)**

#### **Background**

The Group requested a brief report on the benefits and costs of purchasing and operating a set of WIMS.

During 2014 MNWOL Inspectors borrowed a set of WIMS from the RMS Taree office.

#### **Benefits**

The WIMS allowed a quick scan of all HV traffic (in one direction). Any trucks identified as over limit by the WIMS were detained for a static weigh check utilising the normal (PAT) scales.

This allows an accurate determination of the compliance rate of all trucks passing a given point over a given time.

The delay for any truck not overloaded is minimal – these vehicles are quickly assessed and free to proceed.

The operation is very similar to the major RMS weigh stations on the Highway.

Attached is a graphical representation of the results from the WIMS trial compared with the normal operation. It should be noted that the breach rate was about double that of the conventional approach (ie 7.35% of 4.13%).

While the percent of income from fines is not the main focus of the group, improved efficiency of operation is. The use of WIMS would appear to improve the detection of overloads and thus breaches. If increased income from increased fines can be achieved without detrimental impact on the Group's education focus, then it is desirable!

The WIMS does require more stringent site conditions and so their use is more location limited than the PAT's. However, they can be operated by only 3 inspectors which is becoming more common with the Group's policy not to utilise relief inspectors.

#### **Costs**

A new set of *HAENNI* WIMS was quoted at \$39,000.

They have a life expectancy of a minimum of 10 years.

The current static PAT scales also have a minimum life expectancy of 10 years, however the Group's units have generally exceeded this and replacement is occurring at approximately 15 years.

The replacement cost of the PAT's is approximately \$35,000.

As can be seen from the financial report there is currently some \$87,000 in the MNWOL plant replacement reserve.

The 2 sets of PAT's are currently in their 10<sup>th</sup> and 3<sup>rd</sup> year of the 15 year cycle.

The annual replacement cost of both sets of the PAT's based on a 15 year life cycle is \$4,667pa and the WIMs over 10 years is \$3,900pa. A total cost of \$8,567pa.

\$2,000pa wa added to the plant replacement reserve in 2014/16 and was considered adequate. If the WIMs are purchased the annual plant reserve payments would need to ensure adequate funding for future replacement of all scales.

### Summary

The RMS WIMs are no longer available for borrowing.

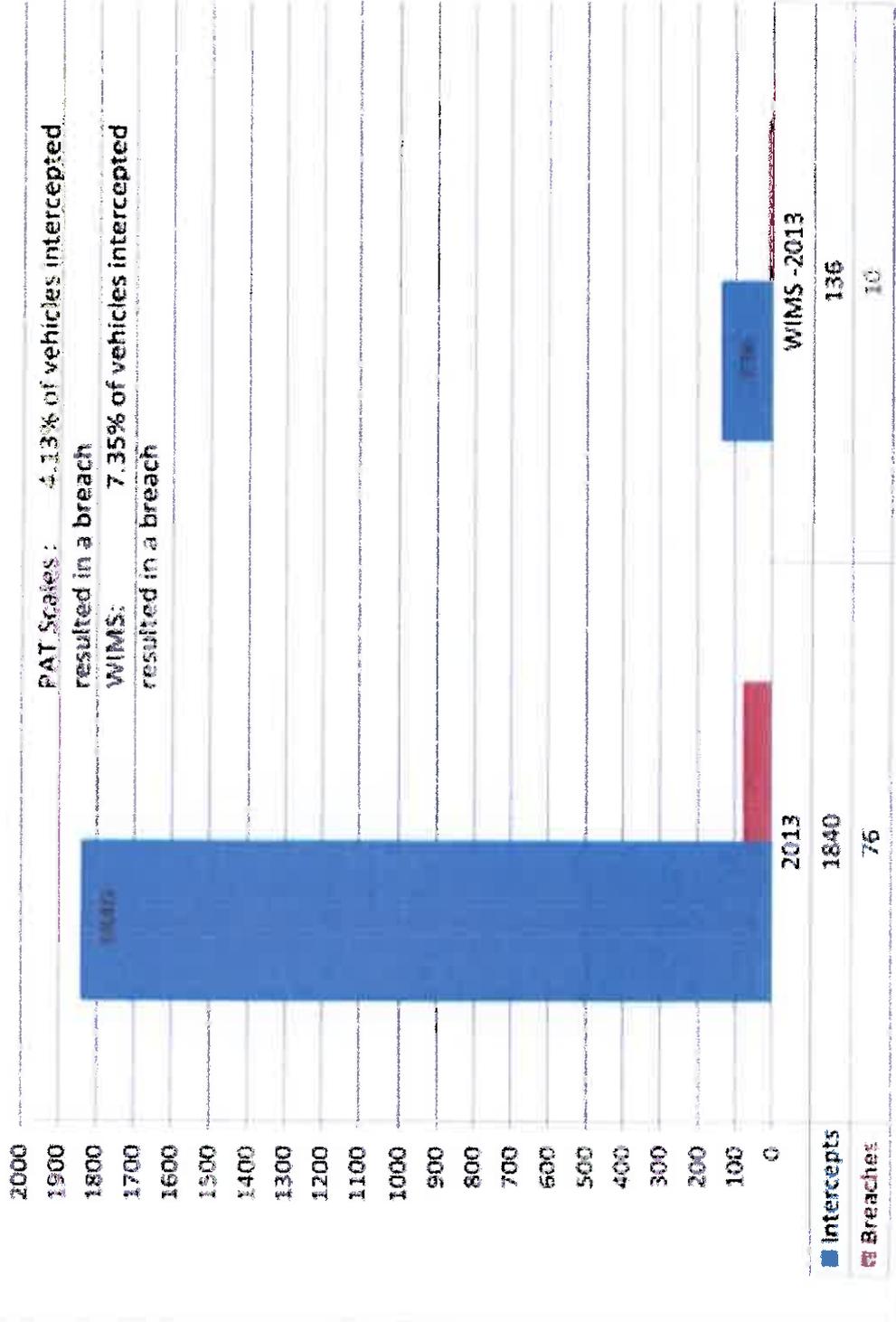
WIMs have demonstrated their benefits in improved efficiency of operation and increased levels of overlaod detection.

The Group is in a financial position to purchase a set of WIMs.

### **RECOMMENDATION**

1. That the Mid North Weight of Loads Group purchase a set of WIMs; and
2. That a program be developed to maximise the curent operation of the Mid North Weight of Loads Group operations **but** not decrease the level of service in areas where WIMs are not suitable.

# WIMS Comparison



#### **4. Statistics**

- (a) Activity Summary
- (b) Table detailing the numbers of hours spent in each Member Council's area
- (c) Table detailing distribution of hours per road type in each Member Council's area together with table detailing the total number of kilometres travelled per month (attached separately)
- (d) Statistics for 2013/14 – detailed report showing breaches by Council areas, showing load types, origin and destinations of vehicles and fines – to be distributed at the meeting.

#### **RECOMMENDATION**

That the statistical reports as presented be noted.

2012 Monthly Reports

Mid North Weight of Loads Statistical Reporting 2014/2015

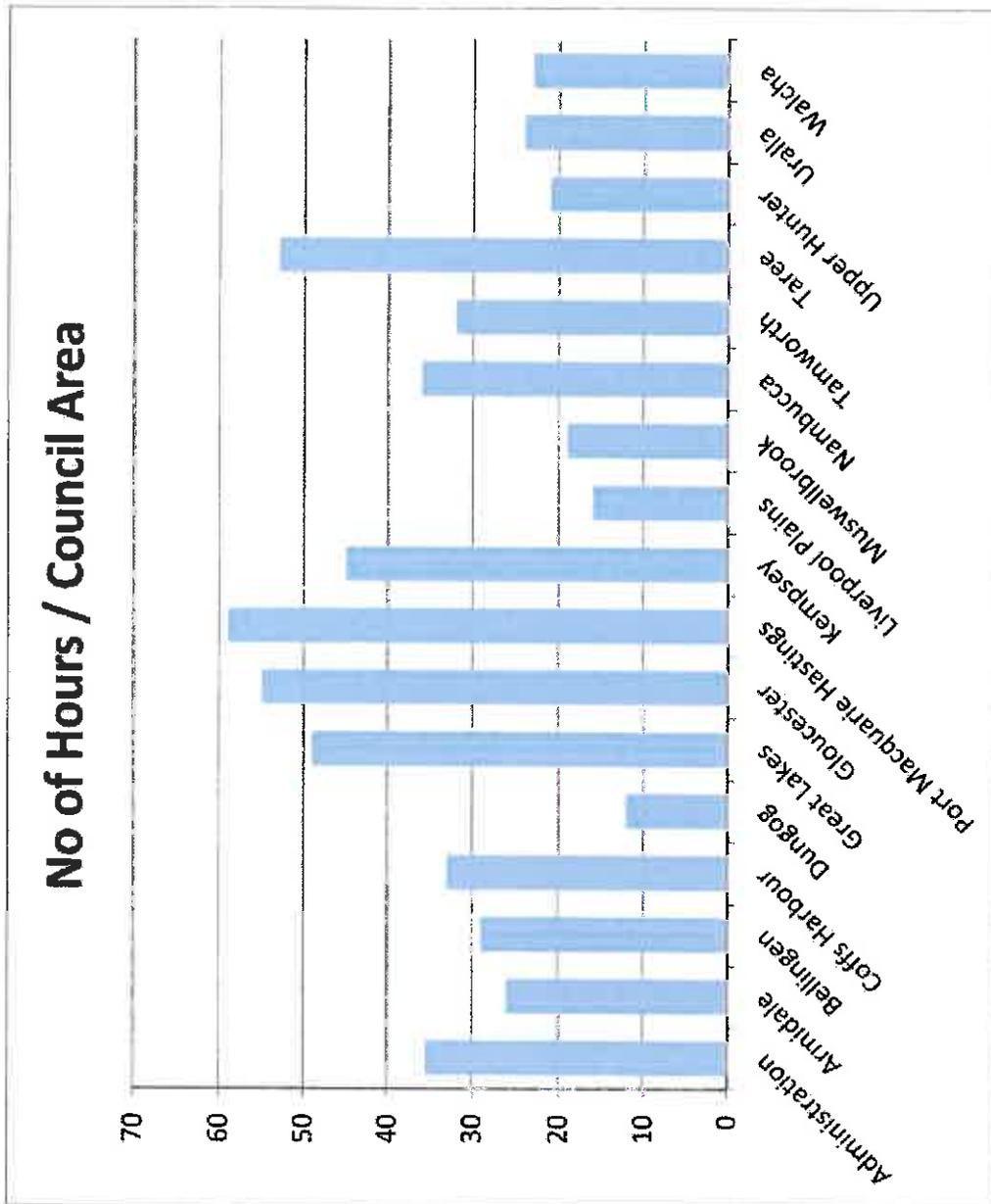
Activity summary

Month	Number of intercepts		Number of breaches	Weight breach category			Number of fines	Number of GANs	Compliance level	Breath reports withdrawn	Continuation report withdrawn	Fines withdrawn	GANs withdrawn
	Mobile intercepts	WM screening intercepts		Warning	Minor	Substantial							
Jul	108	-	3	1	2	0	3	-	97%	-	-	-	-
Aug	130	-	6	-	3	2	0	-	93%	1	-	-	-
Sep	160	-	7	-	2	3	2	-	90%	-	-	-	-
Oct	113	-	2	1	1	0	2	-	93%	-	-	-	-
Nov	111	-	6	-	2	2	1	-	93%	1	-	-	-
Dec	86	-	7	2	2	5	7	-	93%	-	-	-	-
Jan	71	-	1	-	-	1	1	-	98%	-	-	-	-
Feb	136	-	2	-	1	2	3	-	94%	-	-	-	-
Mar	120	-	4	-	1	2	2	1	97%	-	-	-	-
Apr	113	-	3	-	1	2	2	-	97%	-	-	-	-
May	116	-	3	-	-	1	2	-	97%	-	-	-	-
Jun	172	-	4	-	1	2	3	1	96%	-	-	-	-
TOTAL	1,167	-	49	4	16	28	41	3	97%	1	-	-	-

Time in council region

**Mid North Weight of Loads Statistical Reporting 2014/2015**

Council	Road Type	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
Gloucester	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	29	25	25	24	42	45	23	26	16	15	11	11	291
	Local	-	-	-	-	-	-	-	-	-	-	-	-	-
Armidale	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	13	19	19	19	6	9	9	7	4	10	7	7	123
	Local	-	-	-	-	-	-	-	-	-	-	-	-	-
Bellingen	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	13	5	14	2	5	2	2	3	2	5	3	1	29
	Local	-	-	-	-	-	-	-	-	-	-	-	-	-
Coffs Harbour	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	3	3	3	3	3	1	2	1	2	2	4	2	32
	Local	25	12	22	10	9	3	9	14	11	13	5	4	139
Dungog	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	-	-	-	-	-	-	-	-	-	-	-	-	-
	Local	5	5	7	2	6	6	7	6	4	5	4	6	69
Great Lakes	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	3	3	3	5	3	0	6	8	3	2	2	0	37
	Local	2	13	4	10	19	4	8	22	20	7	10	3	118
Guyra	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	-	-	-	-	-	-	-	-	-	-	-	-	-
	Local	-	-	-	-	-	-	-	-	-	-	-	-	-
Hastings	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	8	10	9	10	9	8	6	10	6	10	3	3	91
	Local	23	13	19	20	24	17	11	20	18	20	5	5	194
Kempsey	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	4	8	16	8	4	1	4	7	3	8	3	4	64
	Local	15	15	22	14	14	7	8	15	12	15	2	7	150
Liverpool Plains	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	3	1	1	1	1	1	1	4	6	4	1	1	23
	Local	5	7	7	5	10	13	7	15	13	8	10	7	111
Muswellbrook	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	3	2	1	2	2	2	1	1	1	1	0	4	18
	Local	6	11	10	9	7	15	5	7	6	5	5	8	97
Nambucca	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	4	3	4	4	3	1	2	3	2	5	6	2	38
	Local	13	6	13	4	7	1	4	14	13	14	4	5	86
Tamworth	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	5	7	7	3	3	4	4	7	8	7	5	3	62
	Local	22	24	32	20	17	15	15	20	28	22	20	1	208
Taree	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	4	5	5	8	5	3	6	8	4	4	2	2	57
	Local	18	11	13	6	11	11	13	16	20	13	7	3	143
Upper Hunter	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	2	1	1	1	0	5	2	3	3	4	1	5	31
	Local	6	12	11	11	10	19	9	15	11	3	8	8	124
Uralla	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	2	3	4	2	3	1	2	3	2	2	2	4	34
	Local	6	11	15	4	7	4	6	5	9	11	5	9	81
Wallsborough	Federal	-	-	-	-	-	-	-	-	-	-	-	-	-
	State	2	1	1	4	4	1	2	1	4	3	1	1	24
	Local	12	18	15	14	13	0	12	5	12	12	13	11	132



**Mid North Weight of Loads Statistical Reporting 2014/2015**

**Distribution of hours per road type**

Road Type	Measure	Gloucester	Armidale	Bellingen	Coffs Harbour	Dunging	Great Lakes	Guya	Hastings	Kempsey
Federal managed road	Hours	-	34	29	32	-	-	-	-	-
State managed road	Hours	297	123	90	134	69	118	37	-	91
Local managed road	Hours	203	157	119	167	89	355	-	-	150
<b>TOTAL</b>										
Federal managed road	Percentage		21%	24%	19%		24%			26%
State managed road	Percentage	100%	79%	76%	91%	100%	76%		68%	74%
Local managed road	Percentage	100%	100%	100%	100%	100%	100%	0%	100%	100%

Road Type	Measure	Liverpool Plains	Muswellbrook	Nambucca	Tamworth	Taree	Upper Hunter	Uralla	Walcha
Federal managed road	Hours	23	19	38	62	57	31	34	24
State managed road	Hours	117	97	95	259	143	124	51	152
Local managed road	Hours	135	116	134	307	280	355	125	178
<b>TOTAL</b>									
Federal managed road	Percentage	17%	16%	28%	21%	28%	20%	27%	13%
State managed road	Percentage	83%	84%	72%	79%	72%	80%	73%	67%
Local managed road	Percentage	100%	100%	100%	100%	100%	100%	100%	100%

**Total Kilometers Travelled**

Month	Kilometers travelled
Jan	5,532
Aug	11,612
Sep	11,889
Oct	8,344
Nov	9,005
Dec	7,522
Jan	6,511
Feb	9,906
Mar	9,097
Apr	9,721
May	6,085
Jun	6,109
<b>TOTAL</b>	<b>106,273</b>



REPORTS FROM THE  
CORPORATE & COMMUNITY  
COMMITTEE

28 September 2015

16. Reports from the Corporate & Community Committee

REPORTS FROM THE CORPORATE &  
COMMUNITY COMMITTEE

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	General Manager's Office
<b>Submitted by:</b>	General Manager
<b>Reference:</b>	1.21.09.01
<b>Subject:</b>	Funding request – Bundarra Bowling Green Committee

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	1.3 A diverse and creative culture
<b>Strategy:</b>	1.3.2 Work with the community and other partners to develop major cultural, recreation and community events and festivals
<b>Action:</b>	1.3.2.1 Work with Council's consultative panels to encourage events in the shire

### SUMMARY:

The purpose of this report is to present to Council a request for support and funding received from the Bundarra Bowling Green Committee in the amount of \$15,000 and other assistance associated with applying for grant funds.

### COMMITTEE'S RECOMMENDATION:

1. That Council provides a letter of support to the Bundarra Bowling Green Committee to assist in their submission of applications for grant funds;
2. That Council provides assistance to the Committee in the completion of grant applications for the proposed project; and
3. Council may give consideration to any funding or other assistance that may be provided if the Committee is successful in obtaining grant funding for the project.

### OFFICER'S RECOMMENDATION:

1. That Council provides a letter of support to the Bundarra Bowling Green Committee to assist in their submission of applications for grant funds;
2. That Council provides assistance to the Committee in the completion of grant applications for the proposed project; and
3. Council gives consideration to any funding or other assistance that may be provided if the Committee is successful in obtaining grant funding for the project.

### BACKGROUND:

The Bundarra Bowling Green Committee wrote to Council in late July requesting assistance with a bowling green construction project that they are attempting to have built on the site of the Bundarra Sport and Recreation Club.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

---

28 September 2015

Council's General Manager and Deputy Mayor met with members of the Committee on the evening of 10<sup>th</sup> August to discuss the proposed project and information gathered to date.

## **REPORT:**

A request from the Bundarra Bowling Green Committee has been sent to Council for the amount of \$15,000. The \$15,000 represents the cost estimate for the site excavation and preparation component of a proposed project to have two synthetic grass bowling greens installed at the Bundarra Sport and Recreation Club.

The overall project cost is estimated at \$214,000 plus a suggested contingency of 15%.

At a meeting held with the Committee in Bundarra on 10<sup>th</sup> August it was conveyed to the group that Council has staff experienced with constructing grant applications to other levels of government and other funding providers, and that they would be able to assist the committee with identifying a number of different grant funding sources that would be applicable to put an application for this project in to. It was also outlined they would be able to assist the committee in constructing their application.

There currently isn't an allocation in the 2015/16 budget or the 10 year Long Term Financial Plan to support this project in cash funding.

## **COUNCIL IMPLICATIONS:**

### **1. Community Engagement/ Communication**

A meeting was held between the General Manager, Deputy Mayor and members of the Bundarra Bowling Green Committee to discuss the project in mid August.

### **2. Policy and Regulation**

➤ Community Grants Policy.

### **3. Financial (LTFP)**

There is currently no allocation in the 2015/16 budget or the 10 year Long Term Financial Plan to support this project.

### **4. Asset Management (AMS)**

No effect

### **5. Workforce (WMS)**

No effect

### **6. Legal and Risk Management**

Not applicable

### **7. Performance Measures**

Not applicable

### **8. Project Management**

Not applicable

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

Prepared by staff member: Damien Connor  
Approved/Reviewed by Manager: Damien Connor  
Department: General Managers Office  
Attachments:  
    A. Funding request letter  
    B. Initial project cost estimates

**Damien Connor**

---

**From:** Peter Gregory [REDACTED]  
**Sent:** Monday, 20 July 2015 9:11 PM  
**To:** Damien Connor  
**Subject:** Bundarra Bowling Green Meeting

Dear Damien,

I Peter Gregory Chairperson of the Bundarra Bowling Green Committee are in the process of trying to build a bowling green out at the Bundarra Sport & Rec Club. We have a quote from a Armidale Construction Company and one of the cost is Site Prep & Excavation/ Material, we are wondering, would the Shire Council look at putting up some or all the cost for that part of the quote please. The last quote for that part was \$15,000, but the Construction Company is in the process of giving me a up to date quote, so I will bring that with me when we meet at the Bundarra Sport & Rec Club at 6pm on the 10 Aug.

Regards  
Peter Gregory

# Attachment B

## Budgets:

Site Preparation & Excavation:	\$ 15,000.00 + GST
Ditch walls & Storm water Installation:	\$ 34,900.00 + GST
Bowling green Base Constructions:	\$ 48,500.00 + GST
Bowling Green (Woven Carpet & Underlay)	\$ 82,450.00 + GST
Greens Furniture (Seating, Score Boards etc)	<u>\$ 14,000.00 + GST</u>
Total	\$ 194,850.00 + GST

Concrete paths & Synthetic grass surrounds - \$ 120.00 sq/m

I would advise adding a 15% contingency to these figures to accommodate any unforeseen possibilities as I have only used average historical costs for this estimate.

Please let me know if I can assist further.

Sincerely yours,



# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	General Manager's Office
<b>Submitted by:</b>	General Manager
<b>Reference:</b>	1.21.09.02
<b>Subject:</b>	Proposed Ward Boundaries Alteration – 2016 Local Government Election

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.2	An efficient and effective organisation
<b>Strategy:</b>	4.2.7	Ensure compliance with all regulatory and statutory requirements and that operations are supported by effective corporate governance
<b>Action:</b>	4.2.7.1	Ensure that Council has in place a robust and adequate Governance framework

### SUMMARY:

The purpose of this report is to present to Council the proposed revised ward boundaries in-line with the 2012 referendum decision to change the number of Uralla Shire Council's wards from three to two.

### COMMITTEE'S RECOMMENDATION:

That:

1. Council endorses the revised ward boundaries as outlined in the report and the attached map plans; and
2. The plans be placed on public exhibition for a period of 28 days with submissions to be received for a period of 42 days; and
3. Any submissions received along with the finalised proposal be presented to the November Ordinary Council meeting for final adoption and subsequent notification of the NSW Electoral Commission.

### OFFICER'S RECOMMENDATION:

That:

1. Council endorses the revised ward boundaries as outlined in the report and the attached map plans; and
2. The plans be placed on public exhibition for a period of 28 days with submissions to be received for a period of 42 days; and
3. Any submissions received along with the finalised proposal be presented to the November Ordinary Council meeting for final adoption and subsequent notification of the NSW Electoral Commission.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

---

28 September 2015

## **BACKGROUND:**

A referendum question concerning the number of wards was put to the Uralla Shire community at the Local Government Election in September 2012. Resultantly the vote was carried to change the number of wards in Uralla Shire Council from three to two.

In accordance with section 211 of the Local Government Act 1993, Councils are required to keep their ward boundaries under review with the number of electors between the largest and smallest wards not allowed to vary by more than 10%. When this is the case a Council needs to begin the process of reviewing its ward boundaries and must also consult with the Electoral Commissioner.

Following the change from three wards to two wards Uralla Shire Council is required to go through the ward boundary change process in order to ensure that the two new wards have numbers of electors in them that do not vary by more than 10% from each other.

Contact has been made and initial consultation undertaken with the NSW Electoral Commission (NSWEC) with regard to altering Council's ward boundaries.

Information and mapping data has also been obtained from the Australian Bureau of Statistics (ABS) in the form of the ABS Statistical Area Level 1 (SA1) mapping data. This information must be used by Councils when submitting ward alterations to the NSWEC.

In accordance with section 210A of the Local Government Act 1993, Council must also undertake consultation, public notice and exhibition of the proposed ward boundaries for a period of at least 28 days and must also accept submissions on the proposed boundaries for a period of 42 days.

Any submissions received during the consultation period along with the map plans must be provided to Council following completion of the exhibition period for consideration and final adoption of the ward boundaries. Following this, the adopted boundary maps along with other data must be provided to the NSWEC prior to 14<sup>th</sup> December 2015.

## **REPORT:**

A review of the Council area has been undertaken utilising the ABS Statistical Area Level 1 (SA1) data in order to allocate electors to one of two ward areas for Uralla Shire Council, and to keep the number of electors in each ward within a 10% variation of each other.

Accordingly the proposed ward boundaries (as per attached map plans) have now been constructed as the most logical split in order to keep the elector numbers as similar as possible. The new boundaries would result in the following elector numbers contained within each:

WARD A – 2,253

WARD B – 2,241

Attached to this report are a number of map plans that display the proposed two new wards, as well as showing the alignment of the previous three Council ward boundaries.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

---

28 September 2015

## COUNCIL IMPLICATIONS:

### 1. Community Engagement/ Communication

Initial consultation has been undertaken with the New South Wales Electoral Commission.

Public exhibition and consultation must be undertaken in-line with section 210A of the Local Government Act 1993, prior to final adoption of the new boundaries by Council in November.

### 2. Policy and Regulation

- NSW Local Government Act 1993.
- OLG Circular 11-26.

### 3. Financial (LTFP)

The cost of constructing new boundaries data, maps and undertaking public exhibition and consultation is to be contained within existing budget allocations.

### 4. Asset Management (AMS)

No effect

### 5. Workforce (WMS)

No effect

### 6. Legal and Risk Management

Changes to a Council's ward boundaries must comply with the requirements of the Local Government Act 1993 and the final adopted boundaries, along with other required data, must be provided to the NSWEC prior to 14<sup>th</sup> December 2015 for the 2016 Local Government Elections.

### 7. Performance Measures

Not applicable

### 8. Project Management

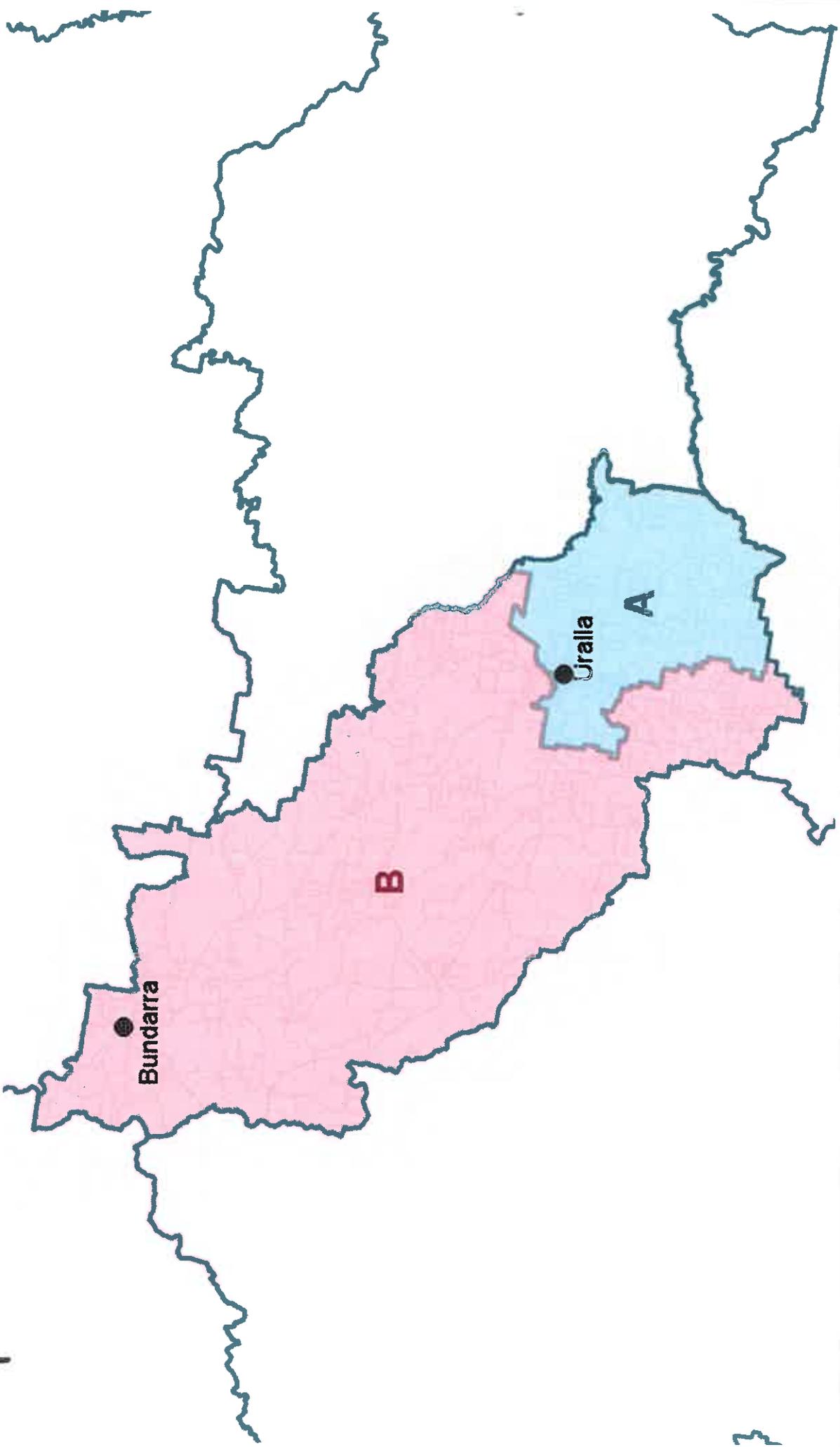
Not applicable

Prepared by staff member:	Damien Connor
Approved/Reviewed by Manager:	Damien Connor
Department:	General Manager's Office
Attachments:	C. Proposed Ward Boundary Maps D. NSWEC Ward Boundary Change Report

# Proposed New Wards

Created on 1/09/2015 11:06 AM

# Attachment C



Uralla Shire Council  
 22 Salisbury Street  
 URALLA NSW 2838  
 Ph: (02) 6738 6300  
 Fax: (02) 6736 9439  
 Email: [uralla@uralla.nsw.gov.au](mailto:uralla@uralla.nsw.gov.au)

**Important Notice!**  
 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.  
 This information has been prepared for Council's internal purposes and for no other purpose. No warranty is made about the accuracy or suitability of the information for use for any purpose other than that for which it was prepared. The Council does not warrant the accuracy or suitability of this data, neither the Uralla Shire Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur in reliance on this information.  
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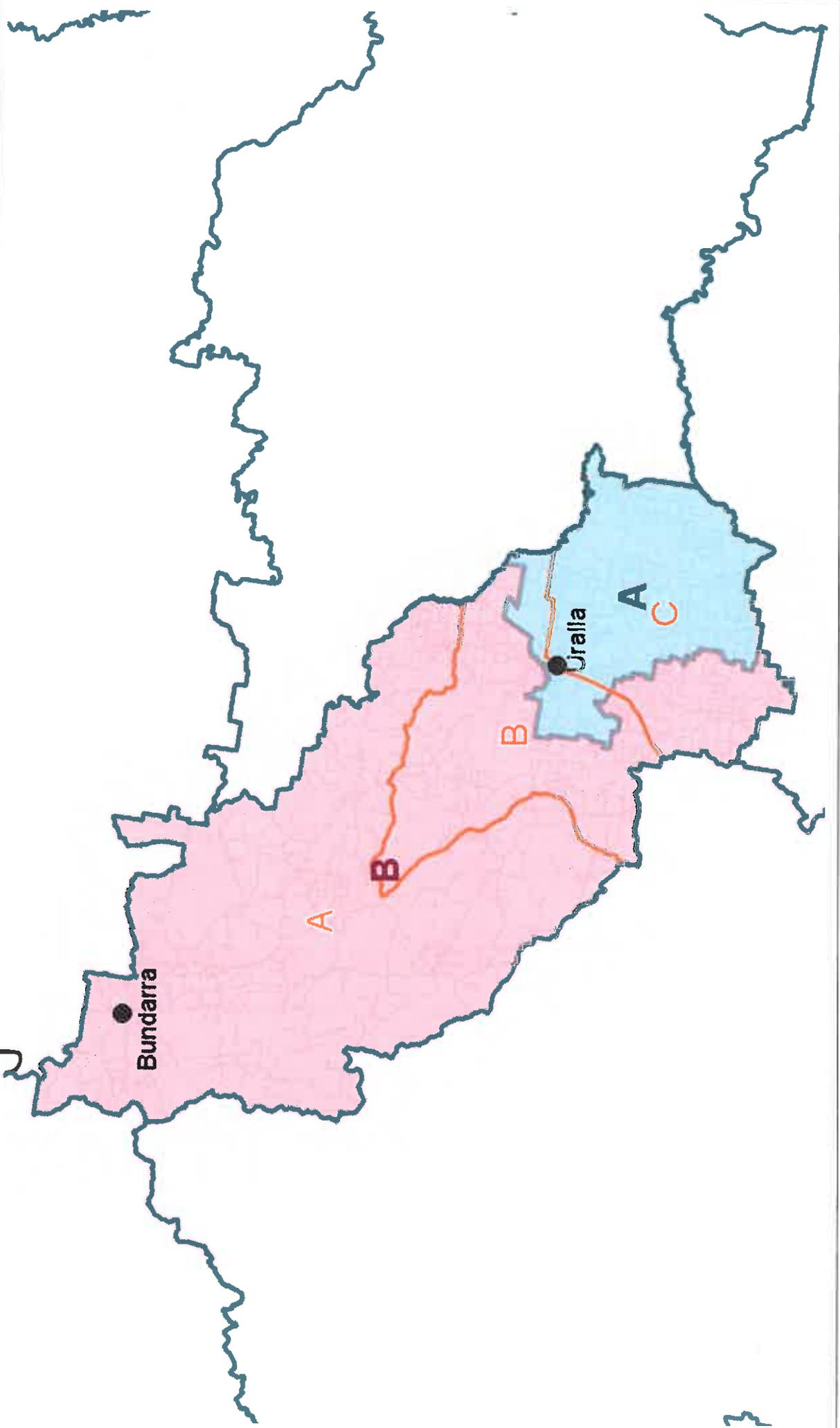
This North, Grid North and Magnetic North are shown diagrammatically for the centre of the Uralla Local Government Area. Magnetic North is correct for 2010 moving eastward by 1.024" in about five years.  
 This map was produced on the GEODETIC DATUM OF AUSTRALIA 1994 (GDA94) which is based on the Geocentric Datum of Australia 1994 (GDA94). Heights are referenced to the Australian Height Datum (AHD) for most practical purposes. Coast contours and satellite derived (SD) contours are based on the World Coastal Datum 1994 (WCD94) and are the same.

Projection: GDA94 / MGA zone 56  
 Date: 1/09/2015  
 Drawn By: Melody Styles

Map Scale: 1:625221 at A4

# New and Existing Wards

Created on 1/09/2015 10:42 AM



Uralla Shire Council  
 33 Shilling Street  
 URALLA NSW 2338  
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**Important Notice!**  
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**Important**  
 The map was produced on the GEODETIC DATUM OF AUSTRALIA 1994 and all measurements are in metres above Mean Sea Level (MSL). Heights are referenced to the Australia Height Datum (AHD) for most practical purposes. Geoid coordinates and satellite derived (SD) heights based on the World Geodetic Datum 1984 (WGS84) are also shown.

True North, Grid North and Magnetic North are shown diagrammatically for the centre of the Uralla Local Government Area. Magnetic North is correct for 2008 allowing a variation of 0.04° in about five years.

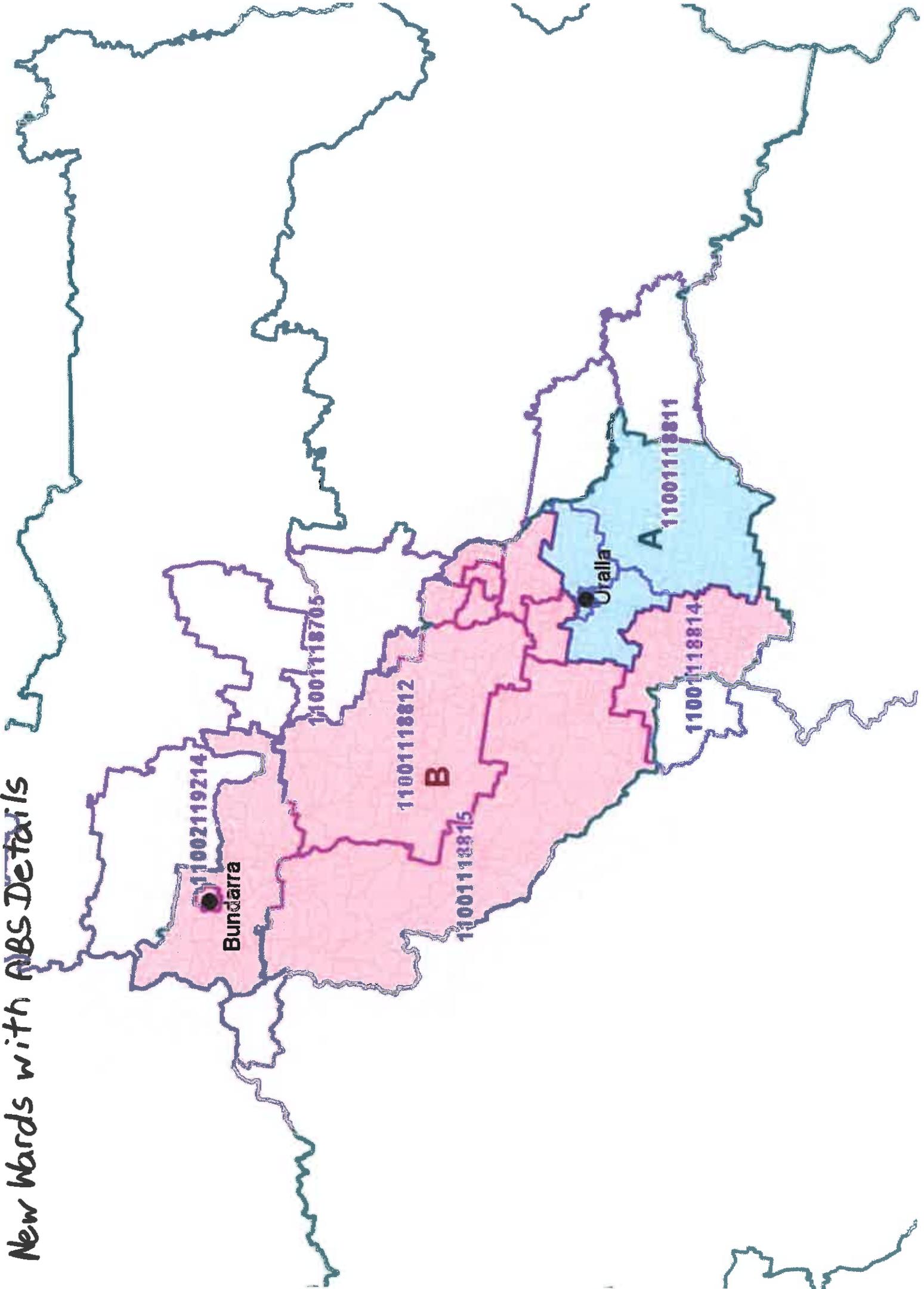
Projection: GDA94 / MGA zone 56

Date: 1/09/2015

Drawn By: Melody Styles

Map Scale: 1:625221 at A4

New Wards with ABS Details



## Ward Boundary Report

(Version 10)

### Statement of Compliance

This report is provided by Uralla Shire Council to fulfil our obligations under section 210A of the Local Government Act 1993 No 30.

1. Is this the public exhibition report (Yes/No)?	Yes
2. If question 1 answer was Yes when is the public exhibition scheduled to commence?	29th September 2015
3. Is this the final approved boundary report (Yes/No)?	No
4. If question 3 answer was Yes when did the Council approve the resolution for the boundary alteration?	n/a
5. Do the boundaries of proposed/final wards correspond to the boundaries of appropriate subdivisions (within the meaning of the Parliamentary Electorates and Elections Act 1912) and census districts (Yes/No)?	Yes, 2011 SA1
6. Do the proposed/final boundaries comply with section 210 (7) of the Local Government Act (Yes/No)?	Yes
7. Have all the required details of the Ward Summary Report (tab/worksheet in this spreadsheet) been completed (Yes/No)?	Yes
8. Has the SA1 Detailed Report (tab/worksheet in this spreadsheet) been completed using 2011 SA1s (Yes/No)?	Yes
9. What is the date of extraction of the EX35 report used to determine enrolment in SA1s?	27/08/2015
10. Has the Split SA1 Report (tab/worksheet in this spreadsheet) been completed where applicable (Yes/No)?	n/a
11. If Question 10 is yes, What is the date of extraction of the Address Dump report used to determine enrolment in split Sa1?	n/a
12. Have ward boundaries been provided to NSWEC in electronic form eg PDF or similar (Yes/No)?	Yes
13. Has ward boundaries been provided to NSWEC in electronic MidMif format (Yes/No)?	Yes
14. What is the maximum percentage variation in enrolment contained in this report as determined by the method shown in Department of Local Government Circular to Councils 11-26?	0.53%

**Report Approved by:** Damien Connor

**Position:** General Manager

**Date:** 31st August 2015

### LGA Ward Summary

Ward Name	Ward Total	Comment
WARD A	2253	Highest
WARD B	2241	Lowest
	<b>4494</b>	
Difference between Lowest to Highest	12	Subtract the enrolment of the lowest ward from the highest ward
% Variation as per LG Circular 11-26	<b>0.53%</b>	Divide the difference by the enrolment of the highest ward
For further information regarding calculating the percentage variation please refer to DLG circular 11-26 <a href="http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Circulars/11-26.pdf">http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Circulars/11-26.pdf</a>		
<b>NOTE:</b> The ward names provided in this document will be used for all electoral purposes e.g. Electoral rolls, ballot papers etc.		

### CCD Detail Report

Ward Name	SA1 Number	Number of Electors	Ward Total	Changed for 2016 (Y/N)	Split (Y/N)	Comment
WARD A	1-11-87-05	1	2253	N	N	
WARD A	1-11-88-05	307	2253	N	N	
WARD A	1-11-88-06	246	2253	N	N	
WARD A	1-11-88-07	275	2253	N	N	
WARD A	1-11-88-12	109	2253	N	N	
WARD A	1-11-88-15	180	2253	N	N	
WARD A	1-11-92-06	291	2253	N	N	
WARD A	1-11-92-14	89	2253	N	N	
WARD A	1-11-88-06	4	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-08	229	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-12	43	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-14	15	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-15	48	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-14	223	2253	Y	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD A	1-11-88-16	193	2253	Y	N	MOVE FROM OLD WARD C TO NEW WARD A
WARD B	1-11-88-02	19	2241	N	N	MOVE FROM OLD WARD B TO NEW WARD A
WARD B	1-11-88-04	142	2241	N	N	
WARD B	1-11-88-09	69	2241	N	N	
WARD B	1-11-88-10	42	2241	N	N	
WARD B	1-11-88-13	74	2241	N	N	
WARD B	1-11-88-17	228	2241	N	N	
WARD B	1-11-88-18	280	2241	N	N	
WARD B	1-11-88-19	144	2241	N	N	
WARD B	1-11-88-01	318	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-02	263	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-03	336	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-04	99	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-09	68	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-10	2	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-11	112	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B
WARD B	1-11-88-13	45	2241	Y	N	MOVE FROM OLD WARD C TO NEW WARD B

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	General Manager's Office
<b>Submitted by:</b>	General Manager
<b>Reference:</b>	1.21.09.03
<b>Subject:</b>	Draft Communications Plan

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** A strong, accountable and representative Council  
**Strategy:** Engage with the community effectively and use community input to inform decision making  
**Action:** Develop a Communications and Media Plan and associated protocols

### SUMMARY:

The purpose of this report is to present the Draft Communications Plan for consideration and adoption.

### COMMITTEE'S RECOMMENDATION:

That Council adopts the Draft Communications Plan.

### OFFICER'S RECOMMENDATION:

That Council adopts the Draft Communications Plan.

### BACKGROUND:

Development of a Communications Plan is an Action Item in *The Forward Plan: Organisation Development Action Plan (Section 3.3 Community Engagement and Communication)*.

### REPORT:

The Communications Plan has been developed to guide how Uralla Shire Council staff members communicate internally and with the public. Clear and effective communication, with residents and between Council staff, is intrinsic to effective policy and service development. Having a Communication Plan is necessary to achieve ongoing improvements in open communication, both externally and internally.

This Plan applies to all employees of Council, including contractors, volunteers and people on work experience, to Councillors and to members of Community Consultative Panels and committees operating under Section 355 of the *Local Government Act 1993*.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## KEY ISSUES:

- Effective communication provides a strong foundation upon which Council can develop and maintain relationships with the community, and can assist Council to achieve its goals in a timely manner
- The Plan encompasses the following:
  1. Benefits of Effective Communication;
  2. Principles of Good Communication;
  3. General Communication Standards;
  4. External Communication;
  5. Internal Communication;
  6. Communication between staff members and Councillors;
  7. Use of Communication Devices;
  8. Stakeholder Groups;
  9. Communication Methods;
  10. Use of Social Media.

## COUNCIL IMPLICATIONS:

### 1. Consultation

The Plan should be used in conjunction with the Community Engagement Strategy and Community Engagement Toolkit when consulting with external stakeholders.

### 2. Policy and Regulation

- NSW Local Government Act 1993
- Local Government (General) Regulation 2005
- *Government Information (Public Access) Act 2009*
- Uralla Shire Council Workplace Standards of Conduct 2014
- Uralla Shire Council Customer Service Charter
- Community Engagement Strategy
- Access to Council Documents Policy
- Uralla Shire Council Complaints Handling Policy
- Media Liaison Protocol
- Grievance and Disputes Policy' and associated Procedures
- Code of Conduct
- Provision of Information to and Interaction Between Councillors and Staff
- IT User Agreement
- Use of Information Technology and Communications Resources Policy

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

**3. Financial (LTFF)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

Having a sound Communications Plan can reduce the risk of damage to Council's reputation associated with unauthorised comments being made.

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member: Cathy McBride – Communications Coordinator/Executive Support Officer  
Approved/Reviewed by Manager: Damien Connor  
Department: General Manager's Office  
Attachments: E. Communications Plan



# Communications Plan

(Version 1, September 2015)

## 1. Purpose

The purpose of this Plan is to provide a framework that guides how Uralla Shire Council staff members communicate internally and with the public.

Clear and effective communication, with residents and between Council staff, is intrinsic to effective policy and service development. Having a Communication Plan is necessary to achieve ongoing improvements in open communication, both externally and internally.

## 2. Scope

This Plan applies to all employees of Council, including contractors, volunteers and people on work experience, to Councillors and to members of Community Consultative Panels and committees operating under Section 355 of the *Local Government Act 1993*.

This Plan encompasses the following:

1. Benefits of Effective Communication;
2. Principles of Good Communication;
3. General Communication Standards;
4. External Communication;
5. Internal Communication;
6. Communication between staff members and Councillors;
7. Use of Communication Devices;
8. Stakeholder Groups;
9. Communication Methods;
10. Use of Social Media.



### 3. Aims

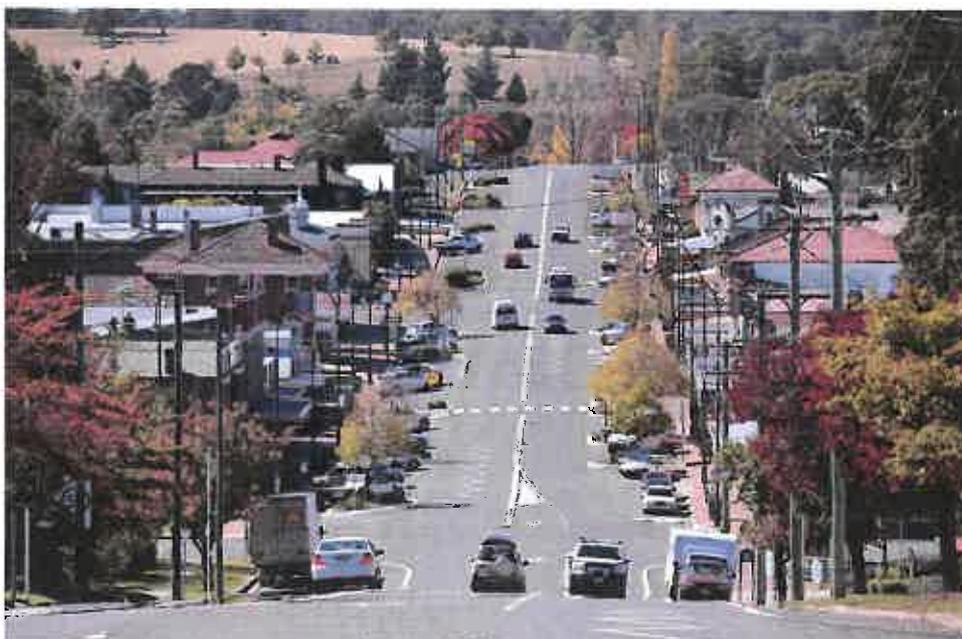
The aims of the Communication Plan and Policy are:

- To adhere to the best practice principles of effective communication;
- To improve staff motivation, productivity, loyalty and relationships by enhancing internal communication;
- To ensure the public, Councillors and staff are informed of Uralla Shire Council's decisions, policies, programs, events and issues in a timely and accurate manner;
- To increase community knowledge, so that customers are aware of the services that Council provides and the constraints under which it operates.

### 4. The Benefits of Effective Communication

Effective communication provides a strong foundation upon which Council can develop and maintain relationships with the community, and can assist Council to achieve its goals in a timely manner. Specific benefits of effective communication include:

- Assistance in building a positive reputation, and attracting business and residents to the shire;
- Strengthening of relationships with stakeholder groups;
- Greater Community Engagement in Council programs and plans;
- Improvement of customer satisfaction levels;
- Improvement in staff morale and job satisfaction, leading to increased productivity and staff retention;
- Provision of a platform of strength from which to manage a crisis.



## 5. Principles of Good Communication

Staff members should use the following principles when undertaking communications programs or campaigns:

- **Visibility:** To commence or maintain a strong, two-way communication relationship with stakeholders, it is important to be as visible as possible. Use of Council branding and key messages are important ways of maintaining visibility;
- **Simplicity:** Communication must be simple and straightforward out of respect for people's time, and to cater for differences in literacy levels. Use Plain English and avoid jargon and acronyms;
- **Repetition:** A repetitive schedule should be devised for messages to ensure they get the community's attention. The more a message is repeated, the more people will pay attention;
- **Value:** Messages need to have value for the community. Use the "What's in it for me?" principle and let people know how Council's work affects them;
- **Variety:** To ensure a message is received by as many people as possible, use a range of communication methods. People access information through different methods, according to their learning styles, skills and preferences, so one method alone will not get the message out to the whole community;
- **Listening:** Feedback on issues needs to be encouraged and processed. Community members will not engage with Council if they think they are not being listened to;
- **Evaluation:** Communication programs need to be evaluated for effectiveness;
- **Consistency:** The principles outlined above need to be followed on all occasions, to ensure consistently effective communication.



## 6. General Communication Standards

- Council will promote transparency and accountability in relation to its decision making process, and ensure the community is informed of key Council resolutions, services, programs and initiatives;
- Where appropriate, Council will represent the views of the community and act as an advocate to the State and Federal Governments;
- In all forms of communication, including verbal, printed or electronic, staff members are expected to adhere to the highest standards of ethical practice and professional competence;
- Staff members are to strive for excellence in customer service, in accordance with the Uralla Shire Council Customer Service Charter;
- Council branding must be used consistently, in accordance with the Uralla Shire Style guide and Service Plans for individual business units;
- All Councillors and staff members who attend meetings, seminars and conferences are expected to act in a professional manner;
- Non-bureaucratic communication is expected, including using a “Plain English” style to write all documents, without the use of jargon and undefined acronyms;
- Speeches and presentations given by Councillors or Senior Staff are to be thoroughly researched and well-written;
- Staff who write reports will consider communications and community engagement implications, with reference to the Community Engagement Strategy and Community Engagement Toolkit;
- Councillors will be offered appropriate and adequate information and training in order for them to assist in communicating Council messages and decisions to the public;
- Managers and other relevant staff will participate in media, communication and public speaking training.



## 7. External Communication

- Council will continue to produce a community newsletter every month, for distribution throughout the Shire;
- Council will continue to use the Community Engagement Strategy and associated toolkit, as well as Community Consultative Panels, to gauge the community's input;
- Public access to Council documents will be in accordance with Uralla Shire's 'Access to Council Documents Policy';
- Council will take appropriate action in response to complaints, in accordance with the Uralla Shire Council Complaints Handling Policy;
- All dealings with the media shall be in accordance with Council's Media Liaison Protocol;
- Each section of Council will develop key communication messages relating to its aims and functions, in conjunction with its Business Service Plans. Key messages will then be used consistently in external communication;
- Council will have an appropriate presence and recognition at major community events which it has sponsored, be it in cash or in kind;
- Council will develop protocols relating to the content of the Uralla Shire Council website;
- Council will maintain an up-to-date copy of the Uralla Shire policy register on the Council website, in accordance with the requirement of the *Government Information (Public Access) Act 2009*;
- Council will use the events section of the website to list major community events in cases where information has been supplied by community organisations, as well as events associated with Council.



## 8. Internal Communication

- Council will foster a cooperative and collaborative approach to communication across divisions and worksites;
- In accordance with the 'Uralla Shire Council Workplace Standards of Conduct', all staff members are expected to work co-operatively with other team members, share appropriate information and treat everyone with respect and courtesy;
- In accordance with the 'Uralla Shire Workplace Standards of Conduct,' all managers and supervisors are expected to maintain strong working relationships and encourage open communication. This includes giving clear instructions, encouraging others to ask clarifying questions, listening to staff members' comments, providing a reasonable and realistic time frame for completion of tasks, giving constructive criticism and/or praise;
- All managers and supervisors are expected to keep staff well informed about issues that affect them e.g. training, new policies, procedures or legislation relevant to their roles;
- Employees are to be encouraged to share their ideas and suggestions for improvement with their supervisors;
- Front counter staff are expected to relay messages and other information to the relevant staff member/s without delay;
- All staff are required to attend the General Manager's quarterly briefing sessions;
- Council shall use the Work Health and Safety (WH&S) Committee to engage and involve staff in WH&S issues;
- Council shall use the Uralla Shire Council Consultative Committee to engage and involve staff in workplace issues;
- Important information relevant to all staff is to be distributed via pay slip attachments in consultation with the Payroll Officer;
- Copies of the Council Meeting Minutes are sent out each month to all staff who have Council email addresses.



## 9. Communication between Staff and Councillors

- Communication between staff and Councillors is strictly governed by Council's 'Code of Conduct' and 'Provision of Information to and Interaction between Councillors and Staff' policy. All staff must be familiar with these documents;
- In accordance with Council's 'Code of Conduct' and 'Provision of Information to and Interaction Between Councillors and Staff' policy, staff members other than the General Manager are not permitted to discuss operational matters with Councillors;
- In accordance with Council's 'Code of Conduct', Councillors conducting private business must receive **exactly** the same treatment and level of service as any other resident.

## 10. Use of Communication Devices

- Council's 'IT User Agreement' and 'Use of Information Technology and Communications Resources Policy' govern usage of communication devices supplied by Uralla Shire;
- Council recognises that there will be occasions when it is necessary for staff members to contact family members or personal associates to attend to essential matters. To facilitate this and to encourage a flexible and family friendly workplace, Council will permit staff to have limited use of personal communication devices during work hours;
- Use of communication devices for purposes other than essential personal business should be confined to employee's personal time i.e. before or after work or during meal breaks.



## 11. Stakeholder Groups

Previous research has identified that most Australians fall into one of the following groups:

- a) **People who are engaged and happy with their Council** – They have had positive experiences with their Council, and are advocates for it;
- b) **Inexperienced People** – this group is open minded, but doesn't know much about their Council's activities or Local Government in general;
- c) **People who are engaged but unhappy** – They have had a bad experience with their Council, and this taints their opinion;
- d) **Less engaged sceptics** – They are sceptical about Local Government in general, and don't think they get value for money.

Residents may move within these groups, according to the experiences they have with their Council. It is important to note that bad interactions create dissatisfaction, regardless of previous experiences. Good communication programs can overcome lack of awareness, but are less successful in combatting negativity. Therefore, it is imperative that communication programs are supported by high and consistent customer service standards.

Previous industry research has suggested that overall residents tend to be:

- Satisfied with Councils' facilities and services;
- Unaware of Councils' strategic directions;
- Dissatisfied with community engagement.

This indicates the importance of using good communication principles to inform and educate people about Uralla Shire Council's activities and strategies and about the functions and constraints of Local Government in general.



## 12. Communications Methods

What you say, how you say it and what you say it with all require equal consideration when trying to find the right balance between cost and effectiveness, consistency and repetition.

It is also important that Council's actions are in line with its messages. Making excessive promises or creating unrealistic expectations will only serve to create a very negative impression that is hard to reverse.

Different audiences will access, use and respond to different messages and media in quite varied ways. For example, young people may respond favourably to a website message that Council is committed to providing recreational activities for youth, whereas older people may not see the message or may think Council is wasting money. Therefore, it is important to always take audience into account when deciding which communication methods to use. Further information on communication methods is available in the Uralla Shire Council's Community Engagement Toolkit.



### 13. Social Media

Social media is the term used for internet-based tools for sharing and discussing information among people. It refers to user-generated information, opinion and other content shared over open digital networks.

Social media may include (but is not limited to) the following:

- Social Networking Sites (e.g. Facebook, LinkedIn);
- Video and photo sharing websites (e.g. YouTube, Pinterest, Flickr);
- Blogs;
- Wikis and online collaborations (e.g. Wikipedia);
- Forums and discussion boards/groups (e.g. Google Groups);
- Podcasting and Video on Demand (VoD);
- Instant Messaging (including SMS).

Social media also includes other emerging electronic / digital communication applications.

Websites that include functionalities such comments sections, discussion areas and like buttons are also social media spaces.

At the time of writing, Uralla Shire Council is still formulating social media procedures. However, many Council officials use social media in a private capacity, and should understand the potential risks of damage to Council's reputation that may arise from personal use of social media.

Council's Code of Conduct states that Council officials are expected to "act in a way that enhances public confidence in the integrity of local government." This may extend to private online behaviour. While Council does not seek to discourage or unduly limit officials' private usage of social media, the following guidelines must be followed:

- Only discuss publicly available information;
- Do not imply that you are authorised to speak as a representative of the Council;
- Do not give the impression that the views you express are those of Council;
- Do not use council email addresses, council logos or other council branding, which may give the impression of official support of your comments;
- Never disclose any confidential or personal information obtained through carrying out Council duties;
- Do not use social media to threaten, harass, bully or discriminate against another Council official/contractor/volunteer;
- Do not mention your Council position when providing online endorsements, recommendations or referrals via social media.



## 14. Acknowledgements:

Uralla Shire Council's Communications Plan has been informed and influenced by the following documents:

- Glen Innes Severn Council Communication Policy, 2014;
- Glen Innes Severn Council Social Media Policy, 2013;
- Gunnedah Shire Council Communications and Media Engagement Policy, 2012;
- Local Government Association of South Australia Communications Plan and Guide, Draft Version, 2011.



### Disclaimer Information

Copyright:

Prepared By: Communications Coordinator/ Corporate Executive Support Officer

Version: 1

Version no.	Updated by:	Date:	Nature of changes
0.1	General Manager's Office	July 2015	Initial draft reviewed
0.2	Executive	August 2015	Consideration of draft
0.3	General Manager's Office	September 2015	Changes recommended by Executive incorporated into draft
1.0	Council	September 2015	

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	General Manager
<b>Reference:</b>	1.21.09.04
<b>Subject:</b>	2014/15 Operational Plan Performance Report

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4.3 Deliver the goals and strategies of the Community Strategic Plan.

**Strategy:** 4.3.2 Implement and maintain a performance management framework to enable clear reporting against milestones and key indicators in Council's strategic planning documents.

**Action:** 4.3.2.2 Report on the actions delivered and progress made in the implementation of Council's Delivery Program

### SUMMARY:

The purpose of this report, and the Operational Plan Performance Report that accompanies it, is to present Council with a summary of the actions delivered from within the 2014/2015 Operational Plan and to reflect the progress made in achieving the goals of Council's Delivery Program.

### COMMITTEE'S RECOMMENDATION:

That Council receive and note the 2014/15 Operational Plan results and note the resultant progress to date in delivering the goals and strategies of Council's Delivery Program.

### OFFICER'S RECOMMENDATION:

That Council receive and note the 2014/15 Operational Plan results and note the resultant progress to date in delivering the goals and strategies of Council's Delivery Program.

### BACKGROUND:

Section 404 (5) of the Local Government Act 1993 requires that progress reports on Council's Operational Plan and Delivery Program are provided to the Council at least every six months.

### REPORT:

The Delivery Program is Council's commitment to the delivery of services and implementation of strategies over a four year period (Council term) to achieve the community's goals detailed in the Community Strategic Plan. It is the key accountability mechanism for Council in the delivery of the community's goals and aspirations.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

The Operational Plan is a sub-set of the Delivery Program and provides details of the individual actions that will be undertaken during a financial year to achieve the Delivery Program's strategies.

Responsibility for the delivery of Operational Plan actions is allocated to responsible business unit managers who also provide progress information, which for the 2014/15 financial year is detailed in the attached Performance Report.

The following rating assessments have been applied in assessing the delivery of each Operational Plan action:

- **Completed**– Action has been completed within budget, on-time and to the standard required.
- **Carry- over**– Considerable progress has been achieved in the delivery of the action, but it has not yet been finalised. The action is expected to be completed in the first half of the new financial year.
- **Deferred/Cancelled** – Action has been deferred or cancelled by Council resolution.
- **Not completed** – Action has not currently been completed or is not progressing within required timeframes or to required standard, but remedial action is within the control of the responsible manager.

A summary of Council's performance is as follows:

Completed	Carry-over	Not completed	Deferred
73	7	4	4

Items not completed during the 2014/15 year are as follows:

1. Buildings and Amenities Asset Management Plan;
2. Buildings and amenities routine maintenance programs;
3. Open Space and Recreation Strategy;
4. McMaugh Gardens Asset Management Plan.

Items that have been considerably progressed but have not yet been finalised at the end of year are as follows:

1. Plant, Fleet and Depot Asset Management Plans;
2. Waste Management Asset Management Plan;
3. Timber Bridge Capacity testing;
4. Bundarra main street footpath;
5. Water Demand Management Plan and Yield Study;
6. Emu Crossing Bridge approaches;
7. Technology Strategic Plan.

All of the projects in the carry-over category are scheduled to be completed prior to the end of the calendar year.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

---

28 September 2015

## **SUMMARY:**

Overall, the last financial year has been an extremely busy, successful and rewarding one for staff and the organisation in the delivery of Council's Operational Plan actions and Delivery Program strategies. Assessment of the Operational Plan has resulted in a 91% completion score, which when considering that the plans were intentionally ambitious is considered very successful. Also contributing to the challenge of balancing the workloads of staff and the delivery of the Operational Plan during the financial year was the impost of the State Government's Fit for the Future program, which was announced in September 2014 and required considerable resources across the following 8-9 months.

Major progress has been made in the development of the organisation and ultimately the improvement in the delivery of services to the community during 2014/15, and it is expected that 2015/16 will be another very productive year in progressing the goals and aspirations of the local community.

## **COUNCIL IMPLICATIONS:**

### **1. Community Engagement/ Communication (per engagement strategy)**

The Operational Plan report makes up a major part of Council's Annual Report. A copy of the report is displayed on Council's website for public viewing.

### **2. Policy and Regulation**

- NSW Local Government Act 1993
- NSW Local Government Regulation (General) 2005

### **3. Financial (LTFP)**

No change

### **4. Asset Management (AMS)**

No change

### **5. Workforce (WMS)**

No change

### **6. Legal and Risk Management**

Nil

### **7. Performance Measures**

This report outlines the achievement of key actions and performance indicators from within the Operational Plan and Delivery Program.

### **8. Project Management**

N/A

**Damien Connor**  
**General Manager**

## REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

Prepared by staff member: Damien Connor  
Approved/Reviewed by Manager: Damien Connor

Attachments: F. 2014/15 Operational Plan Performance Report

2012/2013 – 2015/2016 Delivery Program Performance Report for the Period Ending 30 June 2015

PEOPLE – Governance

Goal 1 – Uralla leadership is visionary, compassionate and inclusive, and promotes the needs of the Community

Performance Indicators	Measures	Status	Comment
<p><b>Civic Leadership</b> Strategies:</p> <ul style="list-style-type: none"> <li>• Provide regular community consultation and opportunities for people to have their say</li> <li>• Encourage and support community groups</li> <li>• Advocate the needs of the shire to State and Federal Governments</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Council and Standing Committee Meetings are conducted regularly and open to the public</li> <li>• Council's Code of Meeting Practice and policies are current and relevant</li> <li>• Standard report templates are implemented for Council's business papers</li> <li>• Business papers are distributed to Councillors and uploaded onto Council's website</li> <li>• Annual pecuniary interest declarations are completed and updated as required</li> <li>• Resolutions are enacted in a timely manner and without undue delay</li> <li>• Monitor, review and report on the progress of the Operational Plan and Delivery Program</li> </ul>	<p>Business Papers constructed, distributed and advertised on-time</p> <p>Minimum of 10 Council and Standing Committee meetings held annually</p> <p>All policies and codes reviewed in the period due</p> <p>Resolution progress schedule reported to Council monthly</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>	<p>Monthly meetings and standing committees held in each month required. Business papers constructed and advertising undertaken in-line with requirements. Code of Meeting Practice revised.</p> <p>New standing committee structure implemented. New report templates implemented.</p> <p>Numerous policies reviewed and revised.</p> <p>Schedule completed monthly and included in Business Paper.</p>

**Communication**

**Strategies:**

- Provide access to all public documents and comply with the integrated Planning and Reporting requirements
- Ensure regular community consultation and opportunities for the community to have their say

**Actions:**

- Develop a Communications and Media Plan and associated protocols
- Issue relevant press releases following Council meetings and for other major issues
- Construct and distribute a monthly community newsletter
- Undertake a review of all internal communication channels for efficiency and effectiveness
- Develop a community engagement operational guide and associated documents

Performance Indicators	Measures	Status	Comment
Major Council decisions and items of importance are communicated effectively to the public	Media releases issued for all identified issues	Completed	Media Releases issued for all significant items. Considerable exposure through regional media. Improved readability of monthly newsletter.
Communication and community engagement is handled consistently and effectively	Community Engagement Guide and Communications Plan developed	Completed	Community Engagement guide and communication plan constructed and adopted.

## Goal 2 – Council is operated efficiently and effectively

Performance Indicators	Measures	Status	Comment
<p><b>Finance and Supply</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>Comply with the statutory requirements of the Local Government Act, Local Government Award and other employment legislation, Australian Tax Office legislation and all relevant Accounting Codes and Standards</li> <li>Provide Managers and Supervisors with timely and accurate financial reporting to enable efficient management of Council's business units</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>Review Council's Revenue Statement particularly the rating structure to ensure equity, transparency and alignment</li> <li>Complete and lodge audited financial statements in-line with statutory requirements</li> <li>Complete budget review statements in-line with statutory requirements</li> <li>Provide financial reports to Management to assist decision making and control as required</li> <li>Collect rates and other charges and minimise Council's outstanding accounts balance</li> <li>Process payroll on a fortnightly basis in-line with the Local Government Award</li> <li>Ensure appropriate and effective internal controls are in place for all financial management and purchasing functions</li> <li>External audit of Council is organised and conducted and any management letters are addressed</li> </ul>			
Lodgement deadlines are met for annual financial statements and other statutory reporting	Reports lodged on-time	Completed	Annual financial statements audited and lodged on time. All other statutory reporting completed and lodged on time.
Employees and suppliers are paid in-line with parameters	Payments made on-time	Completed	All payments made without exception.
Rates collection targets are met	Outstanding rates and charges <7%	Completed	Outstandings trending at below 6%.

Performance Indicators		Measures	Status	Comment
<p><b>Governance &amp; Strategy</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Comply with the statutory requirements of the Local Government Act</li> <li>• Develop best practice methods and utilise for service delivery and undertake cooperative arrangements for the provision of services where economical</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Undertake reviews of all of Council's strategic resourcing documents</li> <li>• Construct, advertise and adopt Council's Operational Plan</li> <li>• Conduct regular meetings of the Executive and the Management Team</li> <li>• Provide appropriate leadership, direction and information to Council staff, management and executive</li> <li>• Construct and lodge Council's Annual Report</li> <li>• Review Council's Organisational structure</li> <li>• Construct a Risk Management Policy, Audit Committee Charter and establish an Internal Audit Committee and function</li> </ul>				
Senior management meet regularly and participate in strategic direction of the organisation	Executive Meetings conducted twice a month Management Team meet monthly	Completed	All meetings conducted.	
Review and reconstruct Council Integrated Plans	CSP, LTFP, AMS, WMS, DP & OP reconstructed	Completed	Scoping and action plan completed. Due for completion May 2015. Asset summaries completed. Documents completed and adopted in June with exception of AMS. Many new protocols developed and implemented.	
Protocols are adequate and relevant and are reviewed as they fall due	All protocols reviewed in the period due	Completed	Charter developed and adopted by Council. Committee EOI ran and members appointed. First meeting conducted and annual program adopted.	
Risk and Audit Committee implemented	Risk & Audit Committee Charter developed and committee established	Completed		

<p><b>Human Resources</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>● Provide a safe and comfortable working environment</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>● Construct a standard staff appraisal kit to be utilised in having all staff undergo an annual staff performance and planning assessment</li> <li>● Construct a Staff Manual and corporate induction process and utilise for all current and new employees</li> <li>● Construct a standard Position Description format and cut-over position descriptions onto the new format</li> <li>● Undertake an audit and gap analysis of skills and qualifications of Council staff</li> <li>● Coordinate WHS practices and meetings throughout the organisation and report to management</li> <li>● Identify and organise training options for all training and development requirements identified in annual assessments</li> <li>● Review Council's Workforce Management Strategy and ensure integration with other Resourcing Plans</li> <li>● Establish required Human Resources protocols and construct checklists to ensure consistency in the application of such</li> </ul>			
Performance Indicators	Measures	Status	Comment
Staff Performance appraisals completed	Appraisals completed for all staff	Completed	Appraisal systems completed rebuilt. All staff to have annual appraisal for the first time ever. Majority completed by end of year.
Workforce Management Strategy updated	Review and reconstruction of strategy completed	Completed	WMS completed and adopted.
Analysis of employees' current skills and qualifications	Skills audit undertaken and report documented	Completed	Completed as part of the annual staff appraisal process.

<p><b>Operations Resources</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Develop best practice in service delivery and cooperative arrangements for the provision of services wherever economical</li> <li>• Ensure that plant, equipment and vehicles are maintained</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Develop a Plant and Fleet Asset Management Plan</li> <li>• Develop a Depot Asset Management Plan</li> <li>• Complete a Quarries Asset Management Plan</li> <li>• Review the Plant and Fleet replacement protocol</li> </ul>			
Performance Indicators	Measures	Status	Comment
Asset Management Plans for Plant and Fleet, Depot and Quarries developed	Plans completed	Carry over	Draft Plant and Fleet Plans under construction. Depot summary data compiled.
Control over stock effectively managed	Write off < \$1,500/ annum	Completed	Both stock takes well within parameters.
Plant and equipment maintained to established service levels	Number of unplanned maintenance events	Completed	Service levels met.

Technology and Information		Measures	Status	Comment
<b>Strategies:</b> <ul style="list-style-type: none"> <li>Develop best practice and utilise service delivery and cooperative arrangements for the provision of services wherever economical</li> </ul>				
<b>Actions:</b> <ul style="list-style-type: none"> <li>Negotiate the continuation of delivery of IT services through a Managed Service arrangement</li> <li>Undertake full technology audit and review and construct a Technology Strategic Plan</li> <li>Investigate and implement wireless networks over Council's Administration building</li> <li>Construct a Customer Service charter and standards</li> <li>Begin roll-out of Customer Service training to all staff on a prioritised basis</li> <li>Develop a complaint management protocol and provide complaint management reporting to the Executive</li> <li>Ensure records are kept in accordance with the State Records Act and Council's archive protocol</li> <li>Ensure all public information requests are addressed in-line with GIPA Act</li> </ul>				
Performance Indicators	Measures	Status	Comment	
Technology Strategic Plan	Plan completed	Carry-over	Scheduled for consultant in late 2015.	
Customer Services Charter and standards	Charter and standards completed	Completed	Charter constructed and adopted.	
Complaint Management	Protocol established and implemented Measure – All complaints handled within timeframes	Completed	Policy and procedures constructed and adopted.	
Information requests processed	GIPA requests processed within statutory timeframes	Completed	GIPA requests received and processed within required timeframes.	

## PEOPLE – Safety and Wellbeing

### Goal 1 - All Shire residents feel safe

#### Emergency Services Management

##### Strategies:

- Liaise with the RFS and Fire and Rescue NSW to establish a mutually agreeable service level agreement for effective bushfire and urban fire protection
- Contribute to the local SES
- Ensure that the New England local emergency plan is current and accessible

##### Actions:

- Liaise with state emergency agencies
- Provide professional advice to New England Local Emergency Management Committee
- Provide representative on District Fire Committee

Performance Indicators	Measures	Status	Comment
Service level agreements (SLAs) for all state agencies to which Council contributes	SLAs in place	Completed	Council is represented on District Fire Committee and District Emergency Management Committee.

### Goal 2 - A healthy community is encouraged and promoted

#### Public Health

##### Strategies:

- Ensure food operators meet regulatory food standards
- Inspect septic tank and absorption method sewerage systems and encourage the use of on-site treatment systems

##### Actions:

- Carry out food premises inspections to ensure food handlers comply with the Food Act
- Orders are issued or served where necessary
- Register and licence sewerage treatment systems

Performance Indicators	Measures	Status	Comment
Registration and inspection of all sewerage treatment systems	Number of registration and inspections of sewerage treatment devices	Completed	1,655 treatment devices registered (152 identified as high risk) with 827 treatment devices having been inspected.
Food premises inspections	All food premises inspected	Completed	All premises inspected by May 2015.

## PEOPLE – Quality of Life

### Goal - The quality of life of the Shire's aged and disabled people is enhanced

Community Care		Measures	Status	Comment
<b>Strategies:</b> <ul style="list-style-type: none"> <li>• Deliver services through Council subsidiaries, Tablelands Community Support Options (TCSO) and Kamilaroi Ageing and Disability Service (KADS).</li> </ul>				
<b>Actions:</b> <ul style="list-style-type: none"> <li>• Development of a sustainable model to prepare for the changes to Consumer Directed Care for Aged Care, including direct employment of staff</li> <li>• Development of a disability service model that meets ongoing requirements of the National Disability Scheme</li> <li>• Construct a Business Plan for Community Care</li> <li>• Obtain accreditation for the National Disability Scheme (NDS)</li> </ul>				
Performance Indicators	Measures	Status	Comment	
HACC Contract requirements	Specified requirements are met	Completed	All contractual requirements are met. Monitoring occurs monthly on outputs.	
Annual satisfaction survey	Client satisfaction results above 75%	Completed	85+% satisfied or highly satisfied.	
Number of direct services provided by TCSO/KADS	Numbers increased	Completed	Direct services started in October for TCS – and April for KADS. The core of service provided is Elders and Disability group with slowly transferring domestic and personal care over to KADS Direct Care Staff.	
National Disability Scheme Accreditation	Accreditation achieved	Completed	NDS Verified. Aged Care Accreditation achieved.	

<p><b>Community Transport</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Provide transport options for the elderly and disabled through Tablelands Community</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Development of an expansion plan which incorporates the additional requirements identified in the 2014-15 growth funding agreement</li> <li>• Recruit additional volunteers</li> <li>• Construct a Business Plan for Community Transport</li> </ul>			
Performance Indicators	Measures	Status	Comment
Council's Community Transport funding agreement	Funding requirements are met	Completed	All contractual requirements are met. Monitoring occurs monthly on outputs.
Annual satisfaction survey	Client satisfaction results above 75%	Completed	75+% satisfied or highly satisfied.
Number of volunteers drivers	Numbers increased	Completed	4 new in 2014/15.
<p><b>McMaugh Gardens Aged Care Centre</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Operate the McMaugh Gardens Aged Care Centre</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Operate the facility in a financially viable manner</li> <li>• Develop an Asset Management Plan for the facility</li> <li>• Develop a Business Plan for the operation of the facility</li> <li>• Ensure maintenance of the facility to a standard that meets the requirements for accreditation</li> </ul>			
Performance Indicators	Measures	Status	Comment
Operating result	In surplus	Completed	Minor surplus forecast but assisted by some one off revenue streams. Full review of service pricing, structure etc. required in 15/16.
Business Plan	Plan completed	Completed	Planning day in January 2015.
Standard of facility	Accreditation requirements met	Completed	Full accreditation completed and passed.
Asset Management Plan	Plan completed	Not completed	Commencing in 2015-16.

## PEOPLE – Youth Development

### Goal - Young people are supported in educational, sporting, recreational and employment endeavours

Community Development and Recreation		Measures	Status	Comment
<b>Strategies:</b> <ul style="list-style-type: none"> <li>Assist the community to develop groups, events and functions</li> <li>Encourage and facilitate activities for young people</li> </ul> <b>Actions:</b> <ul style="list-style-type: none"> <li>Develop and implement a Community Development Strategy</li> <li>Develop and implement a Youth and Children Plan</li> <li>Contribute to Youth Week activities in partnership with Uralla Neighbourhood Centre</li> <li>Contribute to development of Open Space Strategy</li> </ul>				
Performance Indicators		Strategy completed	Deferred	Deferred through Council until 2015-16 Operational Plan.
Community Development Strategy				
Youth and Children Plan		Plan completed	Deferred	Deferred through Council until 2015-16 Operational Plan.

Swimming Complex		Measures	Status	Comment
<b>Strategies:</b> <ul style="list-style-type: none"> <li>Provide high quality sporting facilities</li> <li>Encourage, facilitate and fund, where possible, activities for young people</li> </ul> <b>Actions:</b> <ul style="list-style-type: none"> <li>Maintain the swimming pools and surrounds in accordance with established service levels</li> <li>Test and maintain pool water quality in compliance with Department of Health guidelines</li> <li>Develop an Asset Management Plan for the facility</li> <li>Upgrade gap sealing of the pool to minimise water loss</li> </ul>				
Performance Indicators		Swimming Pool surrounds mowed weekly in season	Completed	Maintenance carried out.
Swimming complex grounds satisfactorily maintained				
Water quality maintained at or above Health Department guidelines		All tests comply with Health Department guidelines	Completed	Test results satisfactory.

## PEOPLE – Economic Opportunities and Tourism

**Goal 1- Commercial and tourism opportunities are promoted and supported to attract visitors and permanent residents to the Shire and ensure its economic strength and viability**

Tourism and Promotion		Measures	Status	Comment
<b>Strategies:</b> <ul style="list-style-type: none"> <li>Assist the Community to develop groups, events and functions</li> </ul>				
<b>Actions:</b> <ul style="list-style-type: none"> <li>Develop a comprehensive project plan and report on the redevelopment of the Visitor Information Centre precinct</li> <li>Manage the Visitor Information Centre to provide tourism services seven days a week</li> <li>Review and update Council's tourism website</li> <li>Provide financial support to major events including Thunderbolt's Festival, Seasons of New England and Lanterns Festival as the major partner of the events</li> </ul>				
Performance Indicators		Plan completed	Completed	Council resolution to move VIC to Library Foyer in 2015-16. Architect finalising plans.
Project plan for redevelopment of Visitor Information Centre Precinct		VIC open 7 days per week Volunteer numbers maintained/increased	Completed	Open 7 days – increased numbers of volunteers.
Appropriate service offered to tourists and visitors		Website traffic and exposure	Deferred	Deferred through Council until 2015-16 Operational Plan.
Tourism website redevelopment				

## PEOPLE – Social Inclusion

**Goal- Uralla is a socially inclusive environment where residents of all ages and abilities have opportunities to progress their skills, living standards and health**

<p><b>Library</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Provide access to information and education through the operation of a library</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Operate the library as a branch library of Central Northern Regional Library</li> <li>• Support the development of a community group to coordinate and grow the Uralla History Hub</li> <li>• Provide a variety of children's activities that promote literacy</li> </ul>						
Performance Indicators	Measures	Status	Comment			
Patronage of library facility and use of resources	Increase in numbers	Completed	10.2% increase in 2013-14 of Library visits			
Establishment of community driven group to coordinate Uralla History Hub	Community group established	Completed	Added to Arts & Culture Community Panel as agenda item.			
<p><b>Public Buildings and Amenities</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure there are a sufficient number of clean amenities throughout the shire</li> <li>• Provide Community Halls for functions, events and meetings</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Complete Asset Management Plan for all Public Buildings and Amenities</li> <li>• Liaise with Community Groups and Volunteers to assist in the maintenance of public halls and community buildings</li> <li>• Complete toilet upgrade at Bundarra School of Arts</li> <li>• Coordinate the upgrade works at the Visitor Information Centre</li> </ul>						
Performance Indicators	Measures	Status	Comment			
Public Buildings and Amenities satisfactorily maintained	Routine maintenance programs prepared and delivered in-line with established service levels	Not Completed	Planning in progress.			
Asset Management Plan for Public Buildings and Amenities developed	Plan completed	Not Completed	Summary data compiled only.			
Bundarra School of Arts – toilet upgrade	Upgrade completed within budget	Completed	A cleaner, safer amenity has now been provided for community functions.			

## PEOPLE – Arts and Culture

### Goal- Cultural activities are recognised and supported

Performance Indicators	Measures	Status	Comment
<p><b>Arts and Culture</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Assist in the continued work of the Uralla Arts Council</li> <li>• Assist in the continued work of the Uralla Historical Society</li> <li>• Further the development of the Glen as a sculpture park</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Collaborate with key stakeholders to develop a Cultural Plan for the Uralla Shire area</li> <li>• Continue to work with Uralla Arts Council and assist in the development of The Glen as a sculpture park</li> <li>• Continue to work with the Uralla Historical Society and provide Council's Thunderbolt Paintings for display at McCrossins Mill</li> </ul>			
Cultural Plan	Draft plan developed	Deferred	Deferred through Council until 2015-16 Operational Plan
Promotion of major cultural events	Seasonal banners erected and removed as required	Completed	Banners erected
Improved cultural and arts hosting public spaces and facilities at Alma Park	Grant applications lodged	Completed	Power now available at Alma Park. Assisted Uralla Arts in application for Theatre lighting.

## PLACE - Liveability

### Goal 1- Uralla's natural beauty and distinct natural environment is protected for future generations

Performance Indicators	Measures	Status	Comment
<p><b>Development Control</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Provide balanced and environmentally sensitive development</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates</li> <li>• Promote and provide pre-lodgement advice on all aspects of development</li> <li>• Ensure that building certification and inspection is carried out as per the Building Code of Australia and the requirements of the Building Professionals Board</li> </ul>	<p>Plans and policies reviewed and amended as required</p> <p>Completed within established performance monitoring timeframes</p> <p>Compliance is monitored and penalty notices issued</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>	<p>Continual process as per legislative change.</p> <p>Department of Planning &amp; Environment Performance Monitoring Report for all councils due to be released early 2015. Report given to Council March 2015.</p> <p>8 penalty notices issued.</p>
<p>Approvals and inspections completed within statutory time frames</p>			
<p>Compliance matters are enforced per the relevant Act</p>			

**Drainage**

**Strategies:**

- Provide improvements through the delivery of actions outlined in the Integrated Water Cycle Plan

**Actions:**

- Maintain and renew all stormwater drainage systems and kerb and gutter in accordance with established service levels
- Continue stream vegetation management program in Uralla Creek
- Maintain and clean out gross pollutant traps
- Construct new drainage system on the southern approach to Uralla
- Construct new kerb and gutter in East Street, Ivon Court and McCrossin Street, Uralla using mix of developer contributions and resident contributions.

Performance Indicators	Measures	Status	Comment
Stormwater drainage and kerb and gutter satisfactorily maintained	Infrastructure inspected annually Renewal and repairs undertaken	Completed	1 inspection completed. 1 section replaced.
Gross Pollutant traps maintained	Traps cleaned regularly	Completed	Traps cleaned on 3 occasions.

## Environmental Management

### Strategies:

- Protect and appropriately manage significant natural features, waterways and other landscapes across the Shire by supporting and partnering with the community and other agencies

### Actions:

- Train and coordinate environmental volunteers to assist with improving the condition of local environs
- Complete externally funded projects at Mt Mutton, Racecourse Lagoon, Bundarra Nature Park, Dangar's Lagoon, Wooldridge Fossicking reserve and Significant Roadside Vegetation areas
- Undertake a review of the Uralla/Rocky Creek Sub-Catchment Management Plan

Performance Indicators	Measures	Status	Comment
Priority environmental work undertaken	Externally funded projects completed to funding requirements	Completed	Externally funded portion of Dangar's Lagoon works (TSR/Wildlife Refuge Environmental Enhancement Project) are complete. Council continues to work in partnership with the Uralla Lions Club to maintain and improve amenity value at the Lagoon. Projects at other priority sites ongoing.
Environmental management works leveraged up	Number of volunteers trained Amount of work completed by volunteers	Completed	Review of the Uralla Sub catchment Action Plan has been completed.  8 working bees; 28 volunteers; 70 hours. Volunteers from the community continue to play a vital role in effective environmental management across the Shire. Working bees completed planting, weeding, litter pick-up, mowing activities.

<p><b>Land Use Planning</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Consult with the public on proposed amendments to planning instruments</li> <li>• To have a community satisfied with land use control</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Monitor and review Council's Local Environmental Plan and other strategic and supporting planning documents</li> <li>• Assess and maintain a sufficient supply of residential, lifestyle, agricultural, commercial and industrial zoned land</li> <li>• Review and monitor environmental protection measures for sensitive land.</li> <li>• Continue to implement the recommendations of Council's Heritage Strategy</li> <li>• Administer a Heritage Advisory Service and Local Heritage Assistance Fund</li> </ul>			
Performance Indicators	Measures	Status	Comment
Community engagement on planning proposals is undertaken appropriately	All engagement undertaken in accordance with Council's Community Engagement Strategy	Completed	Consultation for four planning proposals undertaken.
Reporting on the Local Environment Plan (LEP) and other strategic planning supporting documents is undertaken	The Local Environmental Plan and all strategic planning supporting documents are reviewed and remain current	Completed	Reporting undertaken as per legislative change with further review to be undertaken in 2015. Ongoing Development Control Plan reviewed, amended and adopted. 2 LEP amendments gazetted.
Heritage funding guidelines and reporting requirements are met	Funding requirements are met and reports lodged by the due date	Completed	Reporting requirements due May 2015; completed as per funding agreement.

**Parks and Open Spaces**

**Strategies:**

- Ensure parks and gardens are preserved and maintained

**Actions:**

- Maintain and renew all parks, gardens and public open spaces in accordance with established service levels
- Develop an overarching Open Space Strategy for the Uralla Shire guided by consultation with the community and key stakeholders
- Liaise with volunteers and other community groups to assist in the maintenance of parks, gardens and other public open spaces
- Seek external funding partnerships for the renewal and upgrade of parks and public spaces as identified in the Open Space Strategy

Performance Indicators	Measures	Status	Comment
Open Space Strategy development	Plan completed	Not Completed	Meeting conducted February 2015.
Parks and Gardens satisfactorily maintained	Maintenance program carried out	Completed	Parks and gardens well maintained.

## Waste Management

### Strategies:

- Plan and coordinate resource recovery under the Waste and Recycling Management Plan

### Actions:

- Install new waste and recycling bins at identified sites
- Coordinate primary schools waste and recycling education program
- Review kerbside waste and recycling services, including electronic mapping and feasibility of service extensions within the Shire
- Construct a Waste Management Asset Management Plan
- Construct a Waste Management Business Plan

Performance Indicators	Measures	Status	Comment
Waste diversion percentage	Increase from previous year	Completed	Waste diversion remains a priority of operations. Recycling audit figures May 2015.
Reduction in litter	NSW Litter Count Tool at selected site (longitudinal)	Completed	Most recent litter counts indicate an average 61% decrease in litter in identified litter hot spots.
Number of school students participating in schools waste education program	Increase from previous year	Completed	4 schools and 253 students participated in the schools' EnviroMentors waste education program in 2014. 2015 EnviroMentors occurred in three schools in June 2015.
Waste Management Asset Management Plan and Business Plan	Plans completed	Carry over	Council waste issues paper completed. Regional Waste Strategy is complete and awaiting NSW approval. Council plans to be developed and are to reflect the Regional Waste Strategy and NSW waste strategies. Asset summary complete. Asset Management Plan in progress. Business plan completed.

**Goal 2- Community Engagement and tourism are encouraged through the provision of recreation, leisure, and tourism facilities**

Sporting Grounds and Facilities	
<p>Strategies:</p> <ul style="list-style-type: none"> <li>• Provide high quality sporting facilities</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Maintain and renew all sporting fields and facilities in accordance with established service levels</li> <li>• Engage with the community and key stakeholders in order to guide the development of an overarching Open Space Strategy</li> <li>• Liaise with volunteers, sporting groups and other community groups to assist in the maintenance of sporting fields and facilities</li> <li>• Seek external funding partnerships for the renewal and upgrade of sporting fields and facilities as identified in the Open Space Strategy</li> </ul>	
Performance Indicators	Measures
Development of Open Space Strategy	Plan completed
Sporting Fields and facilities satisfactorily maintained	Standards in Service agreements met
Status	Comment
Carry over	First meeting February 2015. Tree replacement program currently being prepared.
Completed	Maintenance carried out as programmed.

## PLACE - Heritage

**Goal- The overall aesthetic value and heritage of the Shire is protected.**

Cemeteries			
Performance Indicators	Measures	Status	Comment
Strategies: <ul style="list-style-type: none"> <li>• Provide attractive and sympathetically maintained cemeteries whilst preserving the history</li> </ul> Actions: <ul style="list-style-type: none"> <li>• Maintain all cemeteries in accordance with established service level</li> <li>• Seek heritage funding to carry out restoration work at Uralla's old cemetery</li> <li>• Construct a new beam in Uralla Lawn Cemetery</li> </ul>	Lawn mowed regularly  Beam completed within budget and at a high standard	Completed  Completed	Maintenance carried out as programmed.
Cemeteries satisfactorily maintained			
Uralla Lawn Cemetery beam constructed			

**Goal 1- Uralla has safe and effective transport systems**

<p><b>Bridges</b>                      Strategies:  <ul style="list-style-type: none"> <li>• Maintain and upgrade bridges to improve longevity and safety</li> <li>• Lobby State and Federal Governments for funding to replace the low level Emu Crossing with an appropriate concrete bridge</li> </ul>                     Actions:  <ul style="list-style-type: none"> <li>• Construct Emu Crossing Bridge and approaches</li> <li>• Maintain culverts and bridges to established services and intervention points</li> <li>• Undertake geo-technical work and construct a draft project plan for the Abbingdon Creek Bridge site</li> <li>• Undertake capacity testing on all timber bridges</li> </ul> </p>					
Performance Indicators	Measures	Status	Comment		
Emu Crossing Bridge and approaches completed	Work completed within project parameter: quality, time and budget	Carry over	Road earthworks 60% completed to provide access for bridge works. Bridge complete. Approach road in progress. Due for completion mid October.		
Culverts and Bridges satisfactorily maintained	Culverts and Bridges inspected and repair work carried out to established service levels	Completed	Inspections being undertaken.		
Timber bridge capacity testing completed	Number of bridges tested	Carry over	Testing programmed. Working with Tamworth Regional Council to do inspection of 2 timber bridges.		

## Footpaths and Cycleways

### Strategies:

- Provide interconnected footpaths and cycleways

### Actions:

- Maintain existing paved surfaces at their established service levels
- Maintain unpaved footpaths at their established service levels
- Construct footpath extension work in Uralla and continue to concrete Bundarra main street

Performance Indicators	Measures	Status	Comment
Maintain existing paved surfaces at their established service levels	Maintenance and inspection program completed	Completed	2 inspections completed.
Maintain unpaved footpaths at their established service levels	Maintenance and inspection program completed	Completed	3 mowings completed.
Construct footpath extension work in Uralla and continue to concrete Bundarra main street.	Construction works completed	Carry over	Uralla complete, Bundarra programmed. To be undertaken in September 2015.

## Road Network

### Strategies:

- Provide, maintain, renew and replace Council's transport network including urban streets and sealed and unsealed roads

### Actions:

- Undertake maintenance grading program in-line with established service levels and intervention points
- Undertake bitumen maintenance program in-line with established service levels and intervention points
- Undertake gravel resheeting program in-line with established service levels
- Undertake bitumen resealing program in-line with established service levels
- Undertake sealed roads shoulder mowing program in-line with established service levels
- Construct the approaches to the new Emu Crossing Bridge at Bundarra
- Reconstruct and bitumen seal a 2 kilometre section of Bingara Road
- Reconstruct and bitumen seal a 2 kilometre section of Barraba Road

Performance Indicators	Measures	Status	Comment
Unsealed roads satisfactorily maintained	Routine maintenance program carried out 5% of unsealed network resheeted	Completed	All roads assessed at 3 and above have been graded. Resheeting program completed.
Sealed roads satisfactorily maintained	Routine maintenance program carried out 7% of road network bitumen resealed Sealed road shoulders mowed twice yearly	Completed	Work carried out as required. Reseal program Feb/March 2015 completed. Three mows completed.
Emu Crossing Bridge approaches constructed	Project completed within parameters of time/budget	Carry over	Construction commenced on site. Road earthworks 60% completed to provide access for bridge works.
Bingara Road reconstruction and seal project	Project completed within parameters of time/budget	Completed	Design completed. Construction in progress.
Barraba Road reconstruction and seal project	Project completed within parameters of time/budget	Completed	Work primer sealed.

## Goal 2- Liquid waste is disposed of using best practice

<p><b>Sewerage Service</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Provide, maintain and renew an effective urban sewerage network in Uralla</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Operate the treatment plant in an efficient and effective manner</li> <li>• Maintain the sewerage network in-line with established service levels</li> <li>• Renew and replace sewerage network infrastructure at optimum intervention points</li> <li>• Carry out environment and health testing of treated effluent</li> </ul>			
Performance Indicators	Measures	Status	Comment
Satisfactory treatment of effluent	Tests meet Environment Protection Authority (EPA) requirements	Completed	Nitrate levels still high. Nitrate levels for last 3 months below EPA licence requirement.
Sewerage network maintenance is satisfactory	Number of sewer blockages and overflows	Completed	18 blockages -16 in Y junctions 48m of trunk main replaced.

## Goal 3- Residents enjoy high quality, safe water

<p><b>Water Supply</b></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure a safe and quality water supply and network</li> </ul> <p>Actions:</p> <ul style="list-style-type: none"> <li>• Ensure that the supply of quality water is maintained in compliance with drinking water guidelines</li> <li>• Develop a Demand Management Plan for water supplies</li> <li>• Develop a Drought Management Plan for water supplies</li> <li>• Complete the annual water main replacement program</li> <li>• Develop a Drinking Water Quality Management Plan</li> </ul>			
Performance Indicators	Measures	Status	Comment
Demand Management Plan, Drought Management Plan and Secure Yield Study development	Plans completed	Carry over	Yield study with PWD. Drought Management Plan drafted. Approved by Council August 2015.
Water Main Replacement program	Mains replacement program completed within parameters – quality, time, cost	Completed	Emergency section replacement and 200 metres replaced in Uralla Street.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Governance and Information
<b>Submitted by:</b>	Manager - Governance and Information
<b>Reference:</b>	1.21.09.05
<b>Subject:</b>	Confidentiality of Information Policy

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** Provide advice and direction in corporate governance.  
**Strategy:** Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance.  
**Action:** Ensure compliance with regulatory and statutory requirements as public officer.

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### SUMMARY:

The purpose of this report is to present Council with the Confidentiality of Information Policy, which explains how Uralla Shire Council should hold and manage large amounts of confidential information. The policy applies to all officers and Councillors of Uralla Shire Council, including part-time and contracted staff.

### COMMITTEE'S RECOMMENDATION:

**That Council approves the adoption of the Confidentiality of Information Policy.**

### OFFICER'S RECOMMENDATION:

**That Council approves the adoption of the Confidentiality of Information Policy.**

### BACKGROUND:

Confidential information is any information with restrictions placed on the communication or dissemination of that information.

Uralla Shire Council holds and manages large amounts of confidential information. Corruption from the release of confidential information to individuals not entitled to view it may lead to financial, functional and reputational costs to Council. Council must ensure that confidential information is securely held and used only for the purposes for which it was collected.

The improper use of confidential information can constitute corrupt conduct as defined by the Independent Commission Against Corruption Act 1988.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## **REPORT:**

Uralla Shire Council ensures that identifiable information about individuals and organisations:

- (a) is not released publicly;
- (b) is available to authorised people on a need to know basis only;
- (c) cannot be derived from disseminated data; and
- (d) is maintained and accessed securely.

Possible corruption risks within Council can include:

- A former employee providing confidential information to a new employer to aid dealings with the Council;
- An employee providing confidential information to a third party to gain an advantage when dealing with another agency;
- An employee leaking politically sensitive information to a member of the public or other stakeholder, such as the media;
- An employee using personal information about a client for private purposes such as debt collection or stalking.

Council will exercise due care in the collection and storage of all information, and all personal information will be managed where practicable in accordance with the National Privacy Principles. These principles are defined in section 6 [and Schedule 3] of the Privacy Act 1988 (Cth).

## **KEY ISSUES:**

All Council information must be stored in a manner which accords with the State Records Act 1998 (NSW), and staff must only access Council information required to perform their duties. It may be a crime to access information not related to performing an officer's duty under the Independent Commission Against Corruption Act 1988.

## **COUNCIL IMPLICATIONS:**

1. **Community Engagement/ Communication (per engagement strategy)**  
N/A
2. **Policy and Regulation**  
Governance Framework
3. **Financial (LTFP)**  
N/A
4. **Asset Management (AMS)**  
N/A
5. **Workforce (WMS)**  
N/A

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

**6. Legal and Risk Management**

- Local Government Act 1993
- Local Government [General] Regulation 2005
- State Records Act 1998 (NSW)
- Independent Commission Against Corruption Act 1988
- Privacy Act 1988 (Cth)

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member:                   Rechelle Leahy – Manager Governance and Information  
Approved/Reviewed by Manager:        Damien Connor  
Department:                                    Governance and Information  
Attachments:                                    G. Confidentiality of Information Policy

	<h2>Confidentiality of Information Policy</h2>		

Policy Number	TBA
Document Version	V1.0
Adoption Date	
Endorsed By	General Manager
Approved By	
Minute Number	
Consultation Period	N/A
Review Due Date	August 2016
Policy Custodian	Governance and Information
Superseded Documents	N/A
Related Documents	<b>Conflict of Interest Policy</b>
Delegations of Authority	General Manager and Manager Governance and Information

### Purpose and Scope

Uralla Shire Council is governed by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The purpose of this policy is to explain how Uralla Shire Council should hold and manage large amounts of confidential information. The policy applies to all officers and Councillors of Uralla Shire Council, including part-time and contracted staff.

### Legislation, Standards and Guidelines

- *NSW Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- Uralla Shire Council Operating Policies
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- *Independent Commission Against Corruption Act 1988.*

## Definitions

### **Council information includes:**

(a) all official information, government record or personal information which is created or obtained by the Council, stored by the Council or on Council facilities including information:

- (i) stored on a computer;
- (ii) transmitted across networks;
- (iii) printed out or written on paper;
- (iv) sent by facsimile;
- (v) stored on tapes or discs;
- (vi) spoken in conversations (including by telephone or radio) or overheard;
- (vii) incidentally seen or witnessed;
- (viii) sent via email;
- (ix) stored on databases;
- (x) held on films or microfiche;
- (xi) sent via any other method used to convey knowledge or ideas.

## Policy Statement

Confidential information is any information with restrictions placed on the communication or dissemination of that information.

Uralla Shire Council holds and manages large amounts of confidential information. Corruption from the release of confidential information to individuals not entitled to view it may lead to financial, functional and reputational costs to Council.

Council must ensure that confidential information is securely held and used only for the purposes for which it was collected.

The improper use of confidential information can constitute corrupt conduct as defined by the *Independent Commission Against Corruption Act 1988*.

Uralla Shire Council ensures that identifiable information about individuals and organisations:

- (a) is not released publicly;
- (b) is available to authorised people on a need to know basis only;
- (c) cannot be derived from disseminated data; and
- (d) is maintained and accessed securely.

## **1. Corruption risks**

1.1 Possible corruption risks within Council can include:

- A former employee providing confidential information to a new employer to aid dealings with the Council;
- An employee providing confidential information to a third party to gain an advantage when dealing with another agency;
- An employee leaking politically sensitive information to a member of the public or other stakeholder, such as the media;
- An employee using personal information about a client for private purposes such as debt collection or stalking.

## **2. How Council will manage the collection of information**

2.1 Council will exercise due care in the collection and storage of all information.

2.2 All personal information will be managed where practicable in accordance with the *National Privacy Principles*; these principles are defined in section 6 [and Schedule 3] of the *Privacy Act 1988* (Cth).

2.3 Information must only be collected where directly needed for business purposes. The purpose for collecting information should be indicated at the time of collection.

2.4 Personal information may only be collected:

- (a) by lawful means for lawful and clearly defined purposes that are linked directly to Council business;
- (b) where individuals are made aware of:
  - the collection of their personal information;
  - the purposes of the collection;
  - whether the collection is required under law.

2.5 All Council information must be stored in a manner which accords with the *State Records Act 1998* (NSW).

2.6 Staff must only access Council information required to perform their duties. It may be a crime to access information not related to performing an officer's duty under the *Independent Commission Against Corruption Act 1988*.

2.7 All requests for Access to Information should be made through Council's Access to Information Policy and appropriate processes as advised on the Uralla Shire Council website. Staff must refuse any request for information that would constitute a breach of law or council policy.

2.8 Council information must not be disclosed except where required or authorised by law to do so. Staff must not disclose the personal information of a Council client or staff member to a third party unless:

- (a) the individual about whom the personal information relates has consented to the disclosure, or has been made aware that information of that kind is usually passed on to the person or agency requesting it;
- (b) it is believed the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- (c) the disclosure is required by law.

2.9 Staff must exercise care when transmitting information. The method of transmission must be appropriate to the confidentiality or privacy of the content of the transmission.

### **3. How Council will ensure confidentiality in Council processes**

3.1 Council will include confidentiality clauses in contracts.

3.2 Council will include 'use of information' requirements for employees exiting the organisation.

3.3 Council will refer to confidential information in all relevant corporate documents such as Codes of Conduct.

3.4 Council will include confidential information as a risk to be assessed in the agency's internal audit and corruption risk management processes.

3.5 All information contained in records will be classified appropriately as confidential or non-confidential, ensuring security labels (such as "in-confidence" or "protected") are assigned to particularly sensitive documents.

3.6 Council maintains information technology systems that provide an audit trail, which logs access to electronic documents that contain confidential information.

3.7 Access to confidential information is restricted to officers, or other individuals that need to access it, only. The processes for gaining access to, releasing, modifying or releasing confidential information are all clearly documented.

Managing confidentiality of documents held by Council is a balancing act, and it is important that all appropriate processes are followed to ensure documentation is accessible as required by legislative and policy requirements, whilst also protecting information that should not be publicly available.

### **Responsibility**

The Governance and Information area is responsible for the day to day management of Governance and Information Policy and practice at Uralla Shire Council, including strategic management, continuous quality

improvement, legislative compliance requirements and financial management.

### Accountability, Roles and Responsibility

The Governance Framework prescribes the standards and provides guidance to support sound governance practices throughout Uralla Shire Council. It ensures performance and the delivery of goods, services and programmes as guided by each business area of the Council, and conformance to ensure the Council meets relevant Act, Regulations, standards and community expectations of probity, accountability and openness in local government.

### Attachments

N/A

Version	Review Date	Reviewer	Approved

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Governance and Information
<b>Submitted by:</b>	Manager - Governance and Information
<b>Reference:</b>	1.21.09.06
<b>Subject:</b>	Conflicts of Interest Policy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** Provide advice and direction in corporate governance.  
**Strategy:** Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance.  
**Action:** Ensure compliance with regulatory and statutory requirements as public officer.

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### SUMMARY:

The purpose of this report is to present Council with the Conflicts of Interest Policy, which guides how Council staff members, delegates, contractors and consultants are to address and manage actual or potential conflicts of interest.

Councillors are separately governed through provisions of the Local Government Act 1993, the Model Code of Conduct and the Code of Meeting Practice.

### COMMITTEE'S RECOMMENDATION:

**That Council approves the adoption of the Conflicts of Interest Policy.**

### OFFICER'S RECOMMENDATION:

**That Council approves the adoption of the Conflicts of Interest Policy.**

### BACKGROUND:

Uralla Shire Council supports an open, transparent and accountable public administration with a commitment to ethical decision making. Uralla Shire Council acknowledges that for effective governance, full disclosure of actual or perceived conflicts of interests is required. In turn, it is important that all conflicts of interests are disclosed promptly and fully, so as to prevent bias in decision making and also to remove the appearance of bias in decision making.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## **REPORT:**

The policy will assist to ensure that all Council employees act honestly in their dealings with members of the public and in carrying out their public duties. Similarly, this policy reaffirms Council's commitment to ethical decision making and assists in preventing maladministration and corrupt conduct in Council business.

The policy applies to all Council staff, delegates, contractors and consultants, members of Council Committees and members of the community interacting with Council.

## **KEY ISSUES:**

Several types of conflicts of interest can arise for Council employees during the course of their official duties. Knowing how to identify and manage conflicts of interest is an effective way to prevent corruption and misconduct.

It is important that Council employees understand that having conflicts of interest is not necessarily the same thing as corrupt or improper conduct. Conflicts of interest can usually be managed and resolved in favour of the public interest with appropriate systems for managing conflicts of interest in place.

This policy outlines Council's conflict of interest management of matters and aims to:

- Ensure that all Council employees are aware of the duty to make decisions free of bias and carry out their official duties to a high ethical standard;
- Remove any perception of bias;
- Maintain appropriate records of declared conflict of interest;
- Ensure that public confidence in Council is maintained;
- Ensure compliance with the Uralla Shire Council Code of Conduct;
- Comply with the Local Government Act 1993, Section 440.

## **COUNCIL IMPLICATIONS:**

### **1. Community Engagement/ Communication (per engagement strategy)**

N/A

### **2. Policy and Regulation**

- Governance Framework
- Model Code of Conduct
- Code of Meeting Practice

### **3. Financial (LTFP)**

N/A

### **4. Asset Management (AMS)**

N/A

### **5. Workforce (WMS)**

N/A

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

**6. Legal and Risk Management**

- Local Government Act 1993
- Local Government [General] Regulation 2005

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member:	Rechelle Leahy – Manager Governance and Information
Approved/Reviewed by Manager:	Damien Connor
Department:	Governance and Information
Attachments:	H. Conflicts of Interest Policy

	<h2>Conflicts of Interest Policy</h2>		

Policy Number	TBA
Document Version	V1.0
Adoption Date	
Endorsed By	General Manager
Approved By	
Minute Number	
Consultation Period	N/A
Review Due Date	August 2016
Policy Custodian	Manager Governance and Information
Superseded Documents	N/A
Related Documents	Disclosure of Interests Policy
Delegations of Authority	General Manager and Manager of Governance and Information

### Purpose and Scope

Uralla Shire Council is governed by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The purpose of this policy is to guide how Council staff, delegates, contractors and consultants are to address and manage actual or potential conflicts of interest.

Councillors are separately governed through provisions of the *Local Government Act 1993*, the Model Code of Conduct and the Code of Meeting Practice.

### Legislation, Standards and Guidelines

- *NSW Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- Uralla Shire Council Operating Policies

### Definitions

**Actual Conflict of Interest:** (see 'Conflict of Interest')

**Bias:** Prejudicial treatment, favouritism or partiality.

**Competing Interests:** When two or more interests are in conflict with one another. This situation may occur between an individual's official duties and their private interests or duties. It may also occur when the individual has two or more official roles that come into conflict through the different duties expected from each role.

**Conflict of Interest:** A conflict of interest involves a conflict between a public official's duties and responsibilities in serving the public interest, and the public official's private interests. A conflict of interest

can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise.

**Declaration of Interests:** A declaration of interests is a listing of a public official's relevant personal interests and possibly those interests of individuals closely related to the public official where the interests may cause a conflict of interest.

**Integrity:** Adhering to the highest ethical standards in decision making and the exercise of entrusted powers.

**Material personal interest:** This term may be defined by legislation, but generally it refers to the realistic expectation that the public official or an associate directly or indirectly stand to gain a benefit or suffer a loss, depending on the outcome of an issue.

**Misconduct:** This term may be defined by legislation, but generally it is improper conduct in carrying out official duties, such as where a conflict of interest has been improperly acted upon or mismanaged. This situation is also regarded as an 'abuse of office' or may even be an instance of corruption.

**Official misconduct:** Generically described as conduct that could amount to a criminal offence or disciplinary breach providing reasonable grounds for dismissal of a public employee. There are different definitions, some of which are based in legislation. Also known in some jurisdictions as 'corrupt conduct' or 'corruption'.

**Probity:** Probity refers to honesty, ethical conduct and propriety in dealings. It is also often used in a general sense to mean integrity of process.

**Register of Interests:** A register held by a public sector organisation where declarations of interest are formally held.

**Transparency:** Transparency involves disclosure of private interests or affiliations that could compromise, or be seen to compromise, the unbiased performance of an official's work, and maintaining proper records of all actions and decisions taken in managing a conflict of interest.

## Policy Statement

This policy will assist to ensure that all Council employees act honestly in their dealings with members of the public and in carrying out their public duties. Similarly, this policy reaffirms Council's commitment to ethical decision making and assists in preventing maladministration and corrupt conduct in Council business.

This policy is to apply to all Council staff, delegates, contractors and consultants, members of Council Committees and members of the community interacting with Council.

Uralla Shire Council supports an open, transparent and accountable public administration with a commitment to ethical decision making. Uralla Shire Council acknowledges that for effective governance, full disclosure of actual or perceived conflicts of interests is required. In turn, it is important that all conflicts of interests are disclosed promptly and fully, so as to prevent bias in decision making and also to remove the appearance of bias in decision making.

Several types of conflicts of interest can arise for Council employees during the course of their official duties. Knowing how to identify and manage conflicts of interest is an effective way to prevent corruption and misconduct.

It is important that Council employees understand that having conflicts of interest is not necessarily the same thing as corrupt or improper conduct. Conflicts of interest can usually be managed and resolved in favour of the public interest with appropriate systems for managing conflicts of interest in place.

This policy outlines Council's conflict of interest management of matters and aims to:

- Ensure that all Council employees are aware of the duty to make decisions free of bias and carry out their official duties to a high ethical standard;
- Remove any perception of bias;
- Maintain appropriate records of declared conflict of interest;
- Ensure that public confidence in Council is maintained;

- Compliance with the Uralla Shire Council Code of Conduct;
- Compliance with the *Local Government Act 1993*, Section 440.

#### **Implementation and access**

- Uralla Shire Council will maintain a conflict of interest register to record and manage conflicts of interest as disclosed by Council staff, contractors and consultants;
- The Manager Governance and Information will be the responsible Council Officer for the conflict of interest register;
- For all declared conflicts of interest, a record must be kept regarding the decision made in managing the conflict (e.g. that the person no longer have any involvement in the matter);
- Subject to the Delegations Schedule, Council employees engaged in: procurement to the value of \$150K or more per annum (either cumulative or single purpose) tenders the consideration/determination of grant applications; and
- the determination of Development Applications - must complete and lodge a declaration of interest form specifically stipulating that no conflict of interest exists with the applications, contracts or tenders which they are managing;
- Council will regularly undertake a program of educating staff regarding probity and corruption prevention and promoting the need to manage conflicts of interest.

#### **Conflicts of Interest – Types and considerations**

A conflict of interest may arise when employees, in the course of their public duty, are influenced or are seen to be influenced, by their private interests. For the purpose of defining a conflict of interest, a private interest can also include those of family, friends or associates.

There are three types of conflicts of interest:

- **Actual conflict of interest:** involves a direct conflict between a staff member's current duties and responsibilities and their existing private interests. In situations where the private interest actually motivates or influences the partial exercise of public duty, the conflict of interest can lead to corruption;
- **Perceived (or apparent) conflict of interest:** is where it could be perceived by others that a staff member's private interests could improperly influence the performance of their public duties – whether or not this is the case;
- **Potential conflict of interest:** arises when a staff member has private interests that could interfere with their official duties in the future.

Conflicts of interest can also be classified into two categories, being pecuniary and non-pecuniary.

#### **Pecuniary Interests**

Section 442 of the *Local Government Act 1993* defines:

A pecuniary interest as “an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person...” However it will also extend where another person with whom the person is associated has a reasonable likelihood or expectation of financial gain or loss.

In the same way, a non-pecuniary interest includes private or personal interests that do not amount to a pecuniary interest as defined above. These non-pecuniary interests may commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations, and may include an interest of a financial nature.

The obligation to disclose a conflict of interest may arise in a range of circumstances, and it is important to be mindful of such situations and in turn, the obligation to disclose any conflict of interest. Consideration of whether a conflict of interest exists may be subject to factors such as, but not limited to:

- Undertaking secondary employment;
- Financial and economic interests such as debts or assets;

- A family or private business;
- Affiliations with for-profit and non-profit organisations, sporting bodies, clubs and associations;
- Affiliations to professional, community, ethnic, family or religious groups in a personal or professional capacity or relationships to people living in the same household;
- Enmity towards or competition with another individual or group;
- Significant family or other relationships with clients, contractors or other staff working in the same (or a related) organisation;
- Future employment prospects or plans (i.e. post separation employment).

In day to day responsibilities at Council, this may affect staff:

- As a member of a tender selection / procurement panel;
- As a member of a recruitment/interview panel;
- In the determination of development applications;
- Considering/deciding grant applications;
- If undertaking internal review of Government Information Public Access applications; and
- General decision making.

Similarly, other persons who interact or have dealings with Council must disclose any conflicts of interest as they arise. In this way, a member of a Council Committee must disclose pecuniary interests and a person giving advice to Council at a Council or Council Committee Meeting must disclose pecuniary interests.

#### **Designated Persons**

Designated persons of Council have a higher onus to declare conflicts of interests. Section 441 of the Local Government Act stipulates that designated persons include:

- The General Manager;
- Other senior staff of the Council.

These designated persons must complete and lodge general disclosure of interests returns and are legally obliged to disclose in writing to the General Manager (or to the Council if applicable) the nature of any pecuniary interest in any specific council matter with which they are dealing.

#### **Management of conflicts of interest**

Questions that may assist in identifying whether a conflict of interest exists include some of the following. The onus is on individuals to identify and declare conflicts of interests as soon as the conflict arises. The questions to consider are:

1. Does the person have a personal interest in the matter?
2. Is it likely that the person could be influenced by the personal interest in carrying out their public duty?
3. Would a reasonable person believe that the person could be influenced by the personal interest?
4. What would be the public perception of whether or not the person has a conflict of interest?
5. Do the personal interests conflict with the person's official role?
6. What are the steps that a reasonable person would expect to appropriately manage any conflicts of interest?

If a non-pecuniary conflict of interest is declared there are various options available to manage the issue. For example:

- **Register:** it may be appropriate that no action is taken; however it is appropriate to record why this decision is made;
- **Restrict:** Limiting involvement by the staff member concerned, if practical, to discussion but not decision-making;
- **Recruit:** Appointing another staff member to sit-in on discussions and review decisions,
- **Relinquish:** Removing the source of the conflict by relinquishing or divesting of the personal

interest;

- **Resign:** No involvement or participation in the matter at all.

After determining the course of action to follow, information should be recorded in the register.

#### **S 449 Pecuniary Interest Forms**

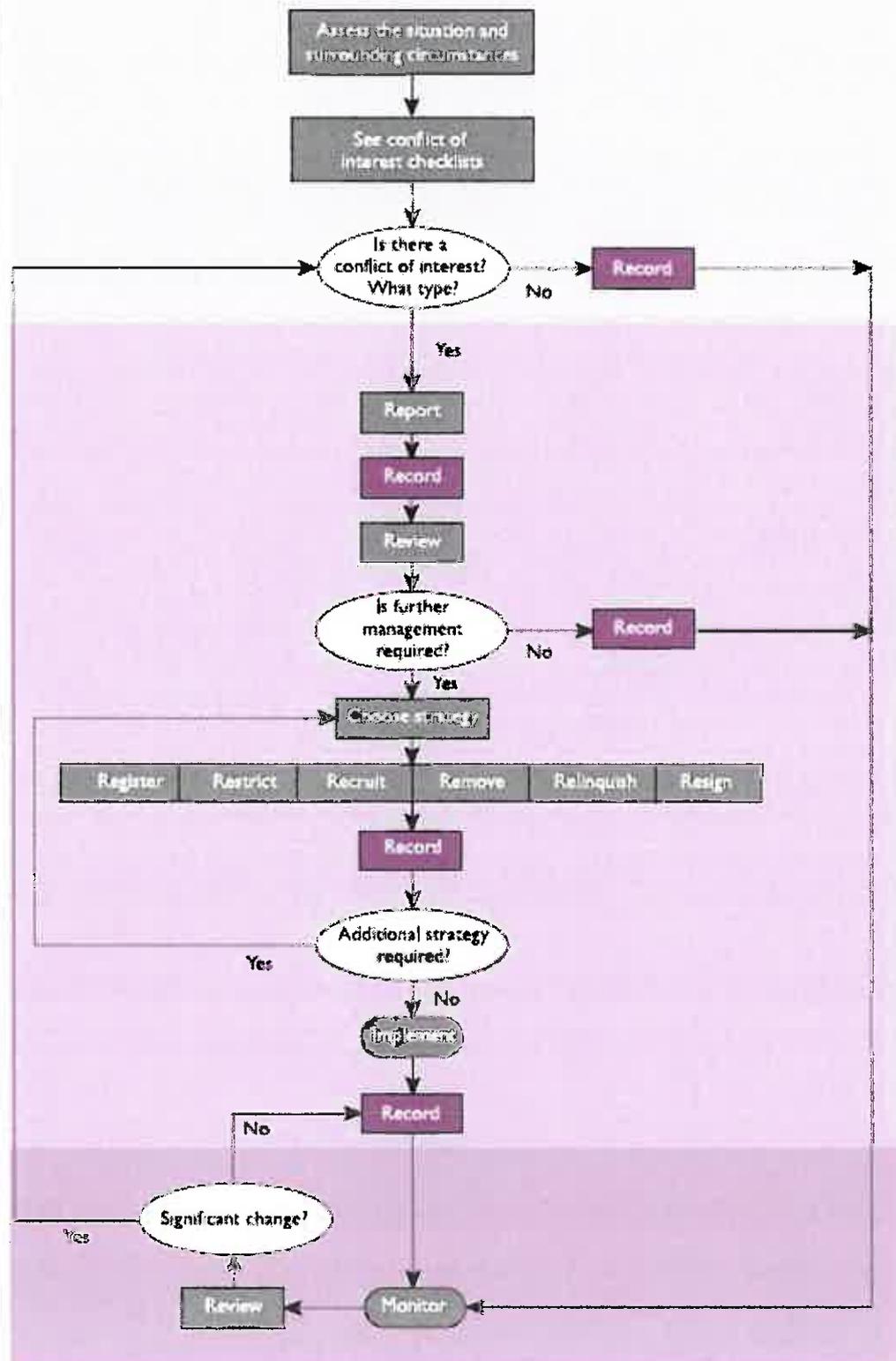
All designated staff must complete a pecuniary interest form due to the higher potential level of risk.

Designated staff are defined as being:

- General Manager;
- Directors;
- Chief Financial Officer;
- Manager of Governance and Information;
- Manager of Human Services;
- Staff engaged in procurement activities to the value of \$150K or more p.a. either cumulatively or single purpose.

Any manager or supervisor with a substantial budget and/or a position based with key decision making or providing recommendations to a Consent Authority (e.g. planners, staff engaged in procurement) should complete an s449 Pecuniary Interest Form.

Diagram 1: Decision making for Conflict of Interest determination  
 Source: Independent Commission Against Corruption (ICAC)



### Responsibility

The Governance and Information area is responsible for the day to day management of Governance and Information policy and practice at Uralla Shire Council, including strategic management, continuous quality improvement, legislative compliance requirements and financial management.

### Accountability, Roles and Responsibility

The Governance Framework prescribes the standards and provides guidance to support sound governance practices throughout Uralla Shire Council. It ensures performance and the delivery of goods, services and programmes as guided by each business area of the Council, and conformance to ensure the Council meets relevant Act, Regulations, standards and community expectations of probity, accountability and openness in local government.

### Attachments

N/A

Version	Review Date	Reviewer	Approved
1.0	August 2015		

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Governance and Information
<b>Submitted by:</b>	Manager - Governance and Information
<b>Reference:</b>	1.21.09.07
<b>Subject:</b>	Fraud and Corruption Prevention Policy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** Provide advice and direction in corporate governance.  
**Strategy:** Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance.  
**Action:** Ensure compliance with regulatory and statutory requirements as public officer.

### SUMMARY:

The purpose of this report is to present Council with the Fraud and Corruption Prevention Policy, which outlines the expected standards of ethical behaviour at Council, and is aimed at ensuring appropriate mechanisms and processes are in place to prevent, detect and respond to fraud and corruption.

### COMMITTEE'S RECOMMENDATION:

**That Council approves the adoption of the Fraud and Corruption Prevention Policy.**

### OFFICER'S RECOMMENDATION:

**That Council approves the adoption of the Fraud and Corruption Prevention Policy.**

### BACKGROUND:

Fraud and corruption may have a significant impact across Council activities and programs. Accordingly the policy has been developed to outline Council's systematic response in preventing corruption and fraud across the organisation. The policy applies to Uralla Shire Council employees, Councillors and external parties, including contactors, community representatives and consultants.

### REPORT:

The Fraud and Corruption Prevention Policy assists in building a corruption resistant culture at Council by promoting ethical behaviour and encouraging accountability and transparency in Council processes and dealings with external parties. Uralla Shire Council will not tolerate corrupt conduct by employees, Councillors or external parties.

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Uralla Shire Council is committed to:

- Minimising the opportunities for corrupt conduct by employees, members of the public, Councillors, contractors and clients;
- Detecting, investigating and disciplining/prosecuting corrupt conduct;
- Reporting corrupt conduct to appropriate external authorities;
- Developing and implementing a fraud and corruption risk assessment strategy to assist in the identification and management of corruption risks across Council.

## **KEY ISSUES:**

The NSW Audit Office defines fraud as 'a deliberate and premeditated turn of events which involves the use of deception to gain advantage from a position of trust and authority. The type of events include: acts of omission, theft, the making of false statements, evasion, manipulation of information and numerous other acts of deception.' [The Audit Office of NSW, Fraud Control: Volume 1 – Conceptual Framework, NSW Government 1994, pp.5-6]

Fraud and corruption can be committed solely by one person or in collusion with others. Such persons may be:

- An employee or employees of Council;
- Councillors;
- Volunteers;
- External individuals or companies; or
- External contractors or service providers.

The Independent Commission Against Corruption Act 1988 (NSW) provides a definition of corruption which includes but is not limited to:

- a) any conduct of any person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority; or
- b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or
- c) any conduct of a public official or former public official that constitutes or involves a breach of public trust, or
- d) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.

Corrupt conduct is also any conduct of any person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority which could include:

Official misconduct (including breach of trust, fraud, oppression, extortion or imposition)

- Bribery;
- Blackmail;

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- Obtaining secret commissions;
- Fraud;
- Election bribery, election funding offences and election fraud.

[s8 of the Independent Commission Against Corruption Act 1988]

## COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
N/A
2. **Policy and Regulation**  
Governance Framework
3. **Financial (LTFP)**  
N/A
4. **Asset Management (AMS)**  
N/A
5. **Workforce (WMS)**  
N/A
6. **Legal and Risk Management**
  - Local Government Act 1993
  - Local Government [General] Regulation 2005
  - Independent Commission Against Corruption Act 1988
7. **Performance Measures**  
N/A
8. **Project Management**  
N/A

Prepared by staff member:                      Rechelle Leahy – Manager Governance and Information  
Approved/Reviewed by Manager:            Damien Connor  
Department:                                        Governance and Information  
Attachments:                                      I.    Fraud and Corruption Prevention Policy

	<b>Fraud and Corruption Prevention Policy</b>		

Policy Number	TBA
Document Version	V1.0
Adoption Date	
Endorsed By	General Manager
Approved By	
Minute Number	
Consultation Period	N/A
Review Due Date	August 2016
Policy Custodian	Manager Governance and Information
Superseded Documents	N/A
Related Documents	Confidentiality of Information Policy Disclosure of Interests Policy Gifts and Benefits Policy
Delegations of Authority	General Manager and Manager of Governance and Information

### Purpose and Scope

Uralla Shire Council is governed by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The purpose of this policy is to outline the expected standards of ethical behaviour at Council, and is aimed at ensuring appropriate mechanisms and processes are in place to prevent, detect and respond to fraud and corruption.

### Legislation, Standards and Guidelines

- *NSW Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- Uralla Shire Council Operating Policies
- *Independent Commission Against Corruption Act 1988 (NSW)*

## Definitions

**Fraud:** The NSW Audit Office defines fraud as 'a deliberate and premeditated turn of events which involves the use of deception to gain advantage from a position of trust and authority. The type of events include: acts of omission, theft, the making of false statements, evasion, manipulation of information and numerous other acts of deception.' [The Audit Office of NSW, *Fraud Control: Volume 1 – Conceptual Framework*, NSW Government 1994, pp.5-6]

Fraud and corruption can be committed solely by one person or in collusion with others. Such persons may be:

- An employee or employees of Council;
- Councillors;
- Volunteers;
- External individuals or companies; or
- External contractors or service providers.

**Corruption:** The *Independent Commission Against Corruption Act 1988 (NSW)* provides a definition of corruption which includes but is not limited to:

- a) any conduct of any person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority; or
- b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or
- c) any conduct of a public official or former public official that constitutes or involves a breach of public trust, or
- d) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.

Corrupt conduct is also any conduct of any person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority which could include:

Official misconduct (including breach of trust, fraud, oppression, extortion or imposition)

- Bribery;
- Blackmail;
- Obtaining secret commissions;
- Fraud;
- Election bribery, election funding offences and election fraud.

[s8 of the *Independent Commission Against Corruption Act 1988*]

## Policy Statement

Fraud and corruption may have a significant impact across Council activities and programs. Accordingly, this policy has been developed to outline Council's systematic response in preventing corruption and fraud across the organisation. This policy applies to Uralla Shire Council employees, Councillors and external parties, including contactors, community representatives and consultants.

The Fraud and Corruption Prevention Policy assists in building a corruption resistant culture at Council by promoting ethical behaviour and encouraging accountability and transparency in Council processes and dealings with external parties.

Uralla Shire Council will not tolerate corrupt conduct by employees, Councillors or external parties. Uralla Shire Council is committed to:

- Minimising the opportunities for corrupt conduct by employees, members of the public, Councillors, contractors and clients;
- Detecting, investigating and disciplining/prosecuting corrupt conduct;
- Reporting corrupt conduct to appropriate external authorities;
- Developing and implementing a fraud and corruption risk assessment strategy to assist in the identification and management of corruption risks across Council.

## Implementation

### Fraud and Corruption Prevention Responsibilities

#### Councillors

Councillors are elected representatives and comprise the governing body of Council. This governing body has the role of directing and controlling the affairs of the Council in accordance with the Local Government Act 1993, ss222, 223.

As councillors are members of the Council's governing body, they are required to perform civic duties and fulfil a leadership role for the community. This includes an obligation to:

- (1) report possible fraud and corruption related activities to the General Manager, Mayor, Manager of Governance and Information or relevant external agencies;
- (2) promote Council's commitment to the prevention of fraud and corruption throughout the community and among Council employees; and
- (3) comply with the Uralla Shire Council Code of Conduct by acting in an ethical manner.

#### General Manager

The General Manager is responsible for the efficient and effective operation of Council as an organisation. The General Manager is to play a prominent role by taking a proactive stance on preventing fraud and corruption within Council by acting to, and through the promotion of, the high standard of ethical behaviour which is expected across Council. In this way, as part of this leadership role, the General Manager is responsible for ensuring that Council's Code of Conduct and associated policies are extended to all

Council employees and Councillors, and promoting Uralla Shire Council's commitment to preventing fraud and corruption to the local community.

The General Manager also has the responsibility to fully investigate allegations of wrongdoing, and to report any allegations of fraudulent or corrupt conduct that have been identified at Council to relevant external agencies. In the same way, the General Manager has a duty under *s11 ICAC Act* to report to ICAC any matter that is suspected to concern, or may concern, corrupt conduct.

### **Directors and Managers**

Directors and Managers are to actively promote Council's Fraud and Corruption Prevention Policy and lead by example by demonstrating ethical decision making and act with honesty and integrity in dealings with others. Managers and Team Leaders are to promptly report instances of suspected or actual fraud.

Directors and Managers are to play a supervisory role in the implementation of the Fraud and Corruption Prevention Policy. This includes ensuring that employees within their area of responsibility receive fraud and corruption awareness training, regularly endorse Uralla Shire Council's position of zero-tolerance of corrupt behaviour and reinforce the expectations of the Uralla Shire Council Code of Conduct and Public Interest Disclosures Policy.

Similarly, Directors and Managers have an integral role in the identification of fraud risks and the implementation of this Policy, by providing input into fraud and corruption risk assessments.

### **Supervisors and Team Leaders**

Supervisors and Team Leaders are responsible for the proactive promotion and dissemination of this policy, and the standards of ethical behaviour expected of employees as outlined in the Uralla Shire Council's Code of Conduct, to employees in their area. Similarly, supervisors and team leaders are to regularly reinforce to employees their role in preventing and detecting fraud and corruption within the organisation, and promote an environment of compliance with this policy and other Council policies. Supervisors and team leaders also have an important role in ensuring that the policy is operating effectively and contributing to fraud and corruption risk assessments.

### **Employees**

All Council employees are reminded of the obligation to comply with the Council Code of Conduct and conduct themselves in an ethical manner including concerning the use of Council assets and resources. Under this Code of Conduct, Council employees must not participate in wrongdoing including fraudulent and corrupt activities. Council employees are required to report any activity which may comprise fraudulent and corrupt conduct in accordance with the Council's Public Interest Disclosures Policy.

### **Audit and Risk Committee**

Council's Audit and Risk Committee plays a pivotal role in the governance framework. It provides Council with independent oversight in the areas of risk, control, compliance and financial reporting. The Audit and Risk Committee consists of two Councillors, two independent representatives and two staff members who have observer status.

## **Fraud Prevention**

In accordance with the Corruption Prevention Plan, Council will implement the strategies and policies identified in the action plan.

In implementing this policy, Council will undertake a risk assessment across the organisation, with a particular focus on fraud and corruption risks. This risk assessment will assist in identifying areas of high risk of fraud and corruption within Council and in turn, assist in the development of management strategies in response to such risks.

## **Procedures for reporting fraud and corruption**

### **Internal Reporting of fraud and corruption**

Council will provide support to persons who report instances of fraud, corruption and wrongdoing in accordance with Uralla Shire Council's Public Interest Disclosures Policy. The Code of Conduct also establishes responsibility for staff to report breaches (refer to Section 10 of the Code). For more information regarding procedures for reporting fraud and corruption, please refer to Uralla Shire Council's Public Interest Disclosures Policy.

### ***The Public Interest Disclosures Act 1994***

The *Public Interest Disclosures Act 1994* affords persons who have reported suspected or actual wrongdoing in good faith with protection. The object of the Public Interest Disclosures Act are stated in the legislation as:

(1) to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste and government information contravention in the public sector by:

- (a) enhancing and augmenting established procedures for making disclosures concerning such matters, and
- (b) protecting persons from reprisals that might otherwise be inflicted on them because of those disclosures, and
- (c) providing for those disclosures to be properly investigated and dealt with.

(2) Nothing in this Act is intended to affect the proper administration and management of an investigating authority or public authority (including action that may or is required to be taken in respect of the salary, wages, conditions of employment or discipline of a public official), subject to the following:

- (a) detrimental action is not to be taken against a person if to do so would be in contravention of this Act, and
- (b) beneficial treatment is not to be given in favour of a person if the purpose (or one of the purposes) for doing so is to influence the person to make, to refrain from making, or to withdraw a disclosure.

A separate Council policy details the provisions and procedures covered by the *Public Interest Disclosures Act 1994*.

### External Reporting

Council has an internal reporting system which is outlined in its Public Interest Disclosures Policy. This policy also outlines the different external authorities which are the most appropriate agency to report instances of fraud and corruption.

These include:

- **Independent Commission Against Corruption (ICAC)** - ICAC is responsible for investigating allegations and complaints of corrupt conduct involving or affecting public authorities or public officials, and exposing instances of corrupt conduct in public authorities and public officials. ICAC also has an advisory function and provides recommendations to prevent corruption in public authorities and actively educates public authorities, public officials and members of the public about corruption.
- **New South Wales (NSW) Ombudsman** - The NSW Ombudsman is an independent complaint handling body for public authorities including local councils. The NSW Ombudsman also investigates the administrative practices of a local council and the conduct of councillors and council employees with a view to ensuring council processes are fair and just. The Ombudsman also has oversight responsibility for the *Public Interest Disclosures Act 1994*.
- **Division of Local Government (NSW Department of Premier and Cabinet)** - The Division of Local Government is the central regulatory agency for local government and provides best practice advice to local councils. It is responsible for investigating and reviewing allegations of serious and substantial waste of public funds.
- **Office of Local Government** – The Office of Local Government is responsible for local government across NSW. The Office's organisational purpose is to 'Strengthen Local Government' and its organisational outcome is 'Fit for the future councils leading strong communities'. The Office has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The Office strives to work collaboratively with the Local Government sector and is the key adviser to the NSW Government on Local Government matters.
- **Office of the Information Commissioner (OIC)** - The NSW Information Commissioner is an independent agency established to promote public awareness and understanding of the new right to information law, and provide information, support, advice, assistance and training to agencies and the general public. The OIC also has the power to review decisions made by government agencies and to deal with complaints. The Information Commissioner also monitors agencies' functions and may report to the Minister for the *Government Information (Public Access) Act 2009 (NSW)* about proposals for legislative or administrative change.

### Responsibility

The Governance and Information area is responsible for the day to day management of Governance and Information Policy and practice at Uralla Shire Council, including strategic management, continuous quality

improvement, legislative compliance requirements and financial management.

#### Accountability, Roles and Responsibility

The Governance Framework prescribes the standards and provides guidance to support sound governance practices throughout Uralla Shire Council. It ensures performance and the delivery of goods, services and programmes as guided by each business area of the Council, and conformance to ensure the Council meets relevant Act, Regulations, standards and community expectations of probity, accountability and openness in local government.

#### Attachments

N/A

Version	Review Date	Reviewer	Approved
1.0	August 2016	Manager of Governance and Information	General Manager

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Governance and Information
<b>Submitted by:</b>	Manager - Governance and Information
<b>Reference:</b>	1.21.09.08
<b>Subject:</b>	Privacy Management Plan and Policy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** Provide advice and direction in corporate governance.  
**Strategy:** Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance.  
**Action:** Ensure compliance with regulatory and statutory requirements as public officer.

### SUMMARY:

The purpose of this report is to present Council with the Privacy Management Plan and Policy, which all Councils are required to prepare under Section 33 of the Privacy and Personal Information Protection Act 1998 (PIIP Act). The PIIP Act and the Health Records and Information Privacy Act 2002 (HRIP Act) provide for the protection of personal information and for the protection of the privacy of individuals.

### COMMITTEE'S RECOMMENDATION:

**That Council approves the adoption of the Privacy Management Plan and Policy.**

### OFFICER'S RECOMMENDATION:

**That Council approves the adoption of the Privacy Management Plan and Policy.**

### BACKGROUND:

The PIIP Act provides for the protection of personal information by means of 12 Information Protection Principles and the HRIP Act that includes 15 Health Privacy Principles.

The 12 Information Protection Principles are similar to the first 12 HRIP principles and the Plan sets out Uralla Shire Council's responsibilities in relation to each of them as well as to the remaining 3 HRIP principles. This Plan also incorporates the modifying effects of the Privacy Code of Practice for Local Government in the application of the 'public register' provisions of Part 6 of the PIIP Act, and the application of the 12 Information Protection Principles and the Health Principles as they apply to local government.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## REPORT:

The purpose of this Plan is to inform:

- The community about how personal information will be used, stored and accessed after it is collected by Council; and
  - Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.
- Council has also prepared Privacy Management Procedures, which set out guidelines for staff on compliance with both the PPIP Act and the HRIP Act.

## KEY ISSUES:

The PPIP Act, the HRIP Act and this Plan apply, wherever practicable to:

- Councillors;
- Council employees;
- Consultants and Contractors of the Council;
- Council owned businesses; and
- Council Committees (including community members of those committees which may be established under section 355 of the Local Government Act 1993 (LGA)).

Council will ensure that all such parties are made aware that they must comply with the PPIP Act, the HRIP Act, any other applicable Privacy Code of Practice and the Plan.

## COUNCIL IMPLICATIONS:

**1. Community Engagement/ Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

Governance Framework

**3. Financial (LTFP)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

- Local Government Act 1993
- Local Government [General] Regulation 2005
- Privacy and Personal Information Protection Act 1998 (PPIP Act)
- Health Records and Information Privacy Act 2002 (HRIP Act)

## REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member:                   Rechelle Leahy – Manager Governance and Information  
Approved/Reviewed by Manager:        Damien Connor  
Department:                                    Governance and Information  
Attachments:                                 J. Privacy Management Plan and Policy



## Privacy Management Plan and Policy

Version – 1.1

Status - Released

Issue Date – August 2015

## **1. Purpose**

The *Privacy and Personal Information Protection Act 1998* (PIIP Act) and the *Health Records and Information Privacy Act 2002* (HRIP Act) provide for the protection of personal information and for the protection of the privacy of individuals. Section 33 *PIIP Act* requires all Councils to prepare a *Privacy Management Plan*.

The PIIP Act provides for the protection of personal information by means of 12 Information Protection Principles and the HRIP Act that includes 15 Health Privacy Principles.

The 12 Information Protection Principles are similar to the first 12 HRIP principles and this Plan sets out Uralla Shire Council's responsibilities in relation to each of them, as well as to the remaining 3 HRIP principles. This Plan also incorporates the modifying effects of the *Privacy Code of Practice for Local Government* in the application of the 'public register' provisions of Part 6 of the PIIP Act and the application of the 12 Information Protection Principles and the Health Principles as they apply to local government.

The purpose of this Plan is to inform:

- The community about how personal information will be used, stored and accessed after it is collected by Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

Council has also prepared *Privacy Management Procedures*, which set out guidelines for staff on compliance with both the PIIP Act and the HRIP Act.

## **2. Personal Information**

### ***What is personal information?***

'Personal Information' is defined in section 4 of the PIIP Act as:

Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form.

It includes a person's name, address, and phone number and can also include vehicle registration (if personalised) and email address. It also includes information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation.

Health information is personal information or an opinion about:

- a health service provided, or to be provided, to an individual;
- an individual's express wishes about the future provision of health services to him or her;
- other personal information collected in connection with the donation of human tissue;
- genetic information that is or could be predictive of the health of an individual or their relatives or descendants; or

- the physical or mental health or a disability (at any time) of an individual.

### ***What is not personal information?***

'Personal Information' does not include:

'Information about an individual that is contained in a publicly available publication.'

Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIP Act.

Where the Council is requested to provide access or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIP Act (e.g. Section 8 of the *Government Information (Public Access) Act 2009* (GIPA Act)).

Uralla Shire Council considers the following to be publicly available publications:

- an advertisement containing personal information in a local, city or national newspaper;
- personal information on the Internet;
- books or magazines that are printed and distributed broadly to the general public;
- Council Business Papers or that part that is available to the general public;
- Personal Information that may be a part of a public display on view to the general public.

Information published in this way ceases to be covered by the PPIP Act. Council's decision to publish in this way must be in accordance with the PPIP Act.

### **3. Application of the Plan**

The PPIP Act, the HRIP Act and this Plan apply, wherever practicable to:

- Councillors;
- Council employees;
- Consultants and Contractors of the Council;
- Council owned businesses; and
- Council Committees (including community members of those committees which may be established under section 355 of the *Local Government Act 1993* (LGA)).

Council will ensure that all such parties are made aware that they must comply with the PPIP Act, the HRIP Act, any other applicable Privacy Code of Practice and the Plan.

### **4. Personal Information held by Council**

Council holds personal information concerning Councillors, such as:

- personal contact information;
- complaints and disciplinary matters;

- pecuniary interest returns; and
- entitlements to fees, expenses and facilities.

Council also holds personal information concerning its customers, ratepayers and residents, such as:

- rates records;
- DA applications and objections; and
- various types of health information

Council also holds personal information concerning its employees, such as:

- recruitment material;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- pecuniary interest returns;
- wage and salary entitlements; and
- health information (such as medical certificates and workers compensation claims).

## **5. Applications for suppression in relation to general information (not public registers)**

Under section 739 of the LGA a person can make an application to suppress certain material that is available for public inspection, in circumstances where the material discloses the person's place of living if the person considers that the disclosure would place the personal safety of the person or their family at risk.

Section 739 of the LGA relates to publicly available material other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.

## **6. Public Registers**

Public Registers are defined in section 3 of the PPIP Act as:

'a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee).'

Section 57 of the PPIP Act sets out strict controls regarding the disclosure of personal information contained in a public register. It provides that where Council is responsible for keeping a public register, it will not disclose any personal information kept in that register unless it is satisfied that

the information is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.

Members of the public may enquire only in accordance with the primary purpose of any of these registers.

### ***Types of Public Registers***

#### ***Council holds the following public registers under the Local Government Act 1993:***

**Land Register (s53 LGA)** – the primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

**Records of Approvals (s113 LGA)** – the primary purpose is to identify all approvals granted under the LGA.

**Register of Pecuniary Interests (s449 – 450A LGA)** – the primary purpose is to determine whether or not a Councillor or member of a Council committee has a pecuniary interest in a matter with which Council is likely to be concerned. There is a corresponding public accountability purpose and third party access is also a secondary purpose.

**Rates Record (s602 LGA)** – the primary purpose is to record the value of a parcel of land and record rate liability in respect of that land. The secondary purpose includes recording the owner or lessee of each parcel of land.

#### ***Council also holds the following public registers under the Environmental Planning and Assessment Act 1979:***

**Register of Consents and Approvals (s100 LGA)** – the primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.

**Record of Building Certificates (s149G EP&A Act)** – the primary purpose is to identify all building certificates.

**Contributions Register (s34 EP&A Act)** – the primary purpose is to identify the s94 contributions or s94A levies imposed on development consents.

#### ***Council also holds the following public register under the Protection of the Environment (Operations) Act 1997:***

**Public Register of Licences Held (s308 POEO Act)** – the primary purpose is to identify licences granted under the Act.

#### ***Council also holds the following public register under the Impounding Act 1993:***

**Record of Impounding (ss30 & 31 Impounding Act)** – the primary purpose is to identify any impounding action by Council.

### ***Suppression of information on a public register***

If Council receives an application for suppression of personal information contained on a public register, it will deal with the application under s58 PPIP Act rather than s739 of the LGA.

### **7. Applications for access to own records on a public register**

A person wishing to have access to a public register to confirm their own details needs only to prove their identity to Council before having access to their own personal information.

### **8. Other registers**

Council may have other registers that are not public registers. The Information Protection Principles, this Plan and any applicable Codes and the PPIP Act apply to those registers or databases.

### **9. Information Protection Principles**

#### ***Principle 1 – Section 8 (PPIP Act)***

#### *Collection of personal information for lawful purposes*

(1) A public sector agency must not collect personal information unless:

- (a) the information is collected for a lawful purpose that is directly related to a function or activity of the agency; and
- (b) the collection of the information is reasonably necessary for that purpose.

(2) A public sector agency must not collect personal information by any unlawful means.

Council will only collect information, including personal information for a lawful purpose as part of its proper functions. Council will not collect any more personal information than is reasonably necessary for it to fulfil its proper functions.

If the information relates to health information, Council will advise the person from whom it is collecting the information:

- that the information is being collected by Council and will provide contact details for Council;
- that they are able to request access to the information;
- of the types of persons or organisations to whom Council usually discloses information of this kind;
- if any law requires the information to be collected by Council ; and
- the main consequences (if any) for the person if all or part of the information is not provided (Health Principle 4).

Any person engaged by Council as a private contractor or consultant that involves the collection of personal information must agree to be bound not to collect personal information by any unlawful means.

*The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from the requirements of this principle.

***Principle 2 – Section 9 (PIIP Act)***

*Collection of personal information directly from individual*

A public sector agency must, in collecting personal information, collect the information directly from the individual to whom the information relates unless:

- (a) the individual has authorised collection of the information from someone else, or
- (b) in the case of information relating to a person who is under the age of 16 years – the information has been provided by a parent or guardian of the person.

Council regards all information concerning its customers as information protected by the PPIP Act. Council will collect all personal information directly from its customers except where it is exempted from doing so. Council may collect personal information from other public sector agencies in respect of specific statutory obligations where it is authorised by law to do so.

In addition, if Council is carrying out an investigation, including investigation of a complaint, it may collect personal information indirectly if direct collection is reasonably likely to detrimentally affect Council's conduct of an investigation.

*The Privacy Code of Practice for Local Government*

The Code makes provision for Council to depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form or personal recognition is intended to be conferred upon the person to whom the information relates.

***Principle 3 – Section 10 (PIIP Act)***

*Requirements when collecting personal information*

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances to ensure that, before the information is collected or as soon as practicable after collection, the individual to whom the information relates is made aware of the following:

- (a) the fact that the information is being collected;
- (b) the purposes for which the information is being collected;
- (c) the intended recipients of the information;
- (d) whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual (or any part of it) is not provided;
- (e) the existence of any right of access to, and correction of, the information;
- (f) the name and address of the agency that is collecting the information and the agency that is to hold the information.

Where Council proposes to collect personal information directly from a person, it will inform that person:

- (a) that their personal information is being collected;
- (b) what is done with that information;
- (c) who the intended recipients will be;
- (d) if the information is required by law or voluntarily given, and
- (e) where the information will be retained in Council.

Council will ensure that all its forms that are used to collect personal information include this advice.

Council is exempt from providing this advice:

- (a) where information is collected for law enforcement purposes;
- (b) in situations where the provision of this advice is reasonably likely to detrimentally affect Council's conduct of an investigation;
- (c) if compliance may detrimentally affect Council's complaints handling functions; or
- (d) where compliance may prejudice the interests of the individual concerned.

*The Privacy Code of Practice for Local Government*

The Code makes provision for Council to depart from this principle where personal information is collected about an individual for the purpose of conferring upon that person an award, prize, benefit or similar form of personal recognition without prior or subsequent notification.

***Principle 4 – Section 11 (PIIP Act)***

*Other requirements relating to collection of personal information*

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- (a) the information collected is relevant to that purpose, is not excessive, and is accurate, up to date and complete, and
- (b) the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.

Council will seek to ensure that no personal information is collected which is not directly relevant to its proper functions.

Council may use public place video surveillance in accordance with *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television in Public Places*. If it does so, Council will comply with the provisions of the *Work Place Surveillance Act*.

*The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

**Principle 5 – Section 12 (PIIP Act)**

*Retention and security of personal information*

A public sector agency that holds personal information must ensure:

- (a) that the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and
- (b) that the information is disposed of securely and in accordance with any requirements for the retention and disposal of personal information; and
- (c) that the information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse; and
- (d) that, if it is necessary for the information to be given to a person in connection with the provision of a service to the agency, everything reasonably within the power of the agency is done to prevent unauthorised use or disclosure of the information.

*The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

Council may comply with this Principle using any or all of the following policies and protocols:

- Access to Documents Policy;
- Information Management Policy;
- Disposal of Council Records Protocol;
- Access to Personnel Records Protocol;
- General Records Disposal Schedule for Local Government

**Principle 6 – Section 13 (PIIP Act)**

*Information about personal information held by agencies*

A public sector agency that holds personal information must take such steps as are, in the circumstances, reasonable to enable any person to ascertain:

- (a) whether the agency holds personal information; and
- (b) whether the agency holds personal information relating to that person; and
- (c) if the agency holds personal information relating to that person:
  - (i) the nature of that information; and

- (ii) the main purposes for which the information is used; and
- (iii) that person's entitlement to gain access to the information.

Council must take reasonable steps to enable a person to determine whether the Council holds personal information about them. If Council holds any information about a person, upon request it will advise them the nature of that information, the main purposes for which it is held, and that person's entitlement to access.

Under s20(5) of the PPIP Act, Information Protection Principle 6 is subject to any applicable conditions or limitations contained in the *Government Information (Public Access) Act 2009* (GIPA Act). Council must consider the relevant provisions of the GIPA Act.

Where Council receives an application or request by a person as to whether Council holds information about them, Council will undertake a search of its records to answer the enquiry. Council may ask the applicant to describe what dealings the applicant has had with Council in order to assist Council to conduct the search.

Council will ordinarily provide a response to applications of this kind within 28 days of the application being made. The fee structure is commensurate with Council's GIPA Act fees and charges.

#### Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIP Act that may affect the application of Information Protection Principle 6.

#### Existing exemptions under the Act

Compliance with Information Protection Principle 6 is also subject to certain exemptions under the Act. If one of those exemptions applies, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should be obtained before applying this exemption.

Section 25(a) of the PPIP Act permits non-compliance with Information Protection Principle 6 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIP Act permits non-compliance with Information Protection Principle 6 where non-compliance is 'necessarily implied' or 'reasonably contemplated' under any Act or law.

#### Reporting matters

Council will issue a statement to be included on its Web site and in its Annual Report concerning the nature of personal information it regularly collects, the purpose for which the personal information is used and an individual's right to access their own personal information.

#### *The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

#### **Principle 7 – Section 14 (PPIP Act)**

*Access to personal information held by agencies*

A public sector agency that holds personal information must, at the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information.

This requires Council, on request, to give access to a person to any personal information relating to them held by Council.

Council must consider the relevant provisions of the PPIP Act. Council will ordinarily provide a response to applications of this nature within 28 days of receipt of the application.

Council is exempt from complying with this Principle in situations where compliance is reasonably likely to detrimentally affect Council's conduct of an investigation.

Personal information is also accessible under the GIPA Act. Briefly, if third party information of a personal nature is sought, the GIPA Act requires Council to consult with the third party before considering release of that information. The public interest considerations that must be addressed are found at Division 2 of the GIPA Act.

*The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

#### **Principle 8 – Section 15 (PIPA Act)**

##### *Alteration of personal information*

(1) A public sector agency that holds personal information must, at the request of the individual to whom the information relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information:

(a) is accurate; and

(b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

(2) If a public sector agency is not prepared to amend personal information in accordance with a request by the individual to whom the information relates, the agency must, if so requested by the individual concerned, take such steps as are reasonable to attach to the information, in such a manner as is capable of being read with the information, any statement provided by that individual of the amendment sought.

(3) If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have recipients of that information notified of the amendments made by the public sector agency.

(4) This section, and any provision of a privacy code of practice that relates to the requirements set out in this section, apply to public sector agencies despite section 25 of this Act and section 21 of the *State Records Act 1998*.

(5) The Privacy Commissioner's guidelines under section 36 may make provision for or with respect to requests under this section, including the way in which such a request should be made and the time within which such a request should be dealt with.

(6) In this section (and in any other provision of this Act in connection with the operation of this section), "public sector agency" includes a Minister and a Minister's personal staff.

Council aims to have its information current, accurate and complete, and as such, proposed amendments to the personal information held by Council are welcomed. However, Council will not provide access under section 15 to information that would not be available under section 14 of the PPIP Act.

Persons whose personal information is held by Council may apply to Council to amend that information to ensure it is:

- (a) accurate;
- (b) relevant, having regard to the purpose for which it was collected; and
- (c) up-to-date; and
- (d) not misleading.

Council is exempt from complying with this Principle in situations where compliance is reasonably likely to detrimentally affect Council's conduct of an investigation.

If Council is not prepared to amend the personal information as requested then Council may attach to the information any statement provided by the applicant.

Council will seek to notify, where reasonably practicable, the recipients of personal information of any amendment made to the information.

#### *The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

#### **Principle 9 – Section 16 (PPIP Act)**

##### *Agency must check accuracy of personal information before use*

A public sector agency that holds personal information must not use the information without taking such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which the information is proposed to be used, the information is relevant, accurate, up to date, complete and not misleading.

Council will accept that the information it holds is relevant, accurate, up-to-date, complete and not misleading unless it:

- (a) is advised to the contrary;
- (b) has information that suggests otherwise; or

(c) judges that the information has not been updated for some time and it may therefore be wise to make contact to confirm the personal information is correct.

*The Privacy Code of Practice for Local Government*

The Code makes no provision to depart from this principle.

**Principle 10 – Section 17 (PIIP Act)**

*Limits on the use of personal information*

A public sector agency that holds personal information must not use the information for a purpose other than that for which it was collected unless:

- (a) the individual to whom the information relates has consented to the use of the information for that other purpose; or
- (b) the other purpose for which the information is used is directly related to the purpose for which the information was collected; or
- (c) the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates or of another person.

*The Privacy Code of Practice for Local Government*

The Code makes provision that Council may use personal information for a purpose other than the purpose for which it was created in the following circumstances:

- (i) where the use is in pursuance of Council's lawful and proper function/s and Council is satisfied that the personal information is reasonable necessary for the exercise of such function/s; or
- (ii) where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition.

Council may use personal information obtained for one purpose for another purpose in pursuance of lawful and proper functions for example:

- notify neighbours of a proposed development;
- evaluate a road opening; or
- evaluate a tree preservation order.

Council is exempt from compliance with this Principle in the following circumstances:

- (a) in situations where compliance is reasonably likely to detrimentally affect Council's conduct of an investigation;
- (b) where Council is required to use personal information it holds to properly investigate a complaint;
- (c) if the use is for law enforcement purposes or the investigation of a financial fraud; or
- (d) if the information is to be supplied to the Office of Local Government or the Premier's Office.

## **Principle 11 – Section 18 (PIIP Act)**

### *Limits on disclosure of personal information*

(1) A public sector agency that holds personal information must not disclose the information to a person (other than the individual to whom the information relates) or other body, whether or not such other person or body is a public sector agency, unless:

(a) the disclosure is directly related to the purpose for which the information was collected, and the agency disclosing the information has no reason to believe that the individual concerned would object to the disclosure; or

(b) the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with section 10, that information of that kind is usually disclosed to that other person or body, or

(c) the agency believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

(2) If personal information is disclosed in accordance with subsection (1) to a person or body that is a public sector agency, that agency must not use or disclose the information for a purpose other than the purpose for which the information was given to it.

### *The Privacy Code of Practice for Local Government*

The Code makes provision for Council to depart from this principle in the circumstances described below:

1. Council may disclose personal information to public sector agencies or public utilities on condition that:

(i) the agency has approached Council in writing;

(ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency; and

(iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's functions/s.

2. Where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person an award, prize, benefit or similar form of personal recognition.

3. Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

Council may disclose personal information to another person or body where the disclosure:

(a) is made to a public sector agency or public utility on condition that:

(i) the agency has approached Council in writing;

(ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency; and

(iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.

(b) relates to personal information which has been collected about an individual and the disclosure is for the purpose of conferring upon that person an award, prize, benefit or similar form of personal recognition;

(c) is directly related to the purpose for which the information was collected and the individual concerned is reasonably likely to have been aware of the intended recipients of that information ('directly related' can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant for the purpose of assessing or reviewing the delivery of a program to which the original collection relates);

(d) is necessary to prevent or lessen a serious or imminent threat to the life or health of the individual concerned or another person;

(e) is made to a law enforcement agency in connection with proceedings for an offence or for law enforcement purposes or for the purpose of ascertaining the whereabouts of a missing person;

(f) is authorised by subpoena, search warrant or other statutory instrument;

(g) is reasonably necessary for the protection of public revenue;

(h) is necessary to investigate an offence;

(i) is necessary to enable Council to investigate a complaint;

(j) is to an investigative agency;

(k) is to the Office of Local Government;

(l) is to the Premier's Office;

(m) is for research purposes; or

(n) in the case of health information if the disclosure is reasonably necessary for:

(i) the funding, management, planning or evaluation of health services;

(ii) the training of employees or volunteers; or

(iii) research, or the compilation of analysis of statistics, in the public interest, and either:

(A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable to seek the consent of the individual; or

(B) reasonable steps are taken to de-identify the information, and the information is not published in a generally available publication (Health Principle 10).

(o) if the disclosure of health information is to provide information to an immediate family member for compassionate reasons; and

(i) the disclosure is limited to the extent reasonable for those compassionate reasons;

(ii) the individual is incapable of giving consent;

(iii) the disclosure is not contrary to any wish expressed by the individual (and not withdrawn) of which Council is aware or could make itself aware by taking reasonable steps, and

(iv) if the immediate family member is under the age of 18, Council reasonably believes that the family member has sufficient maturity to receive the information (Health Principle 11).

Before Council gives health information to another person or organisation it will do everything reasonably necessary within its power to prevent unauthorised use of disclosure of the information (Health Principle 5).

This Principle does not apply to the information held on Public Registers.

### **Principle 12 – Section 19 (PIIP Act)**

#### *Special restrictions on disclosure of personal information*

(1) A public sector agency must not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership or sexual activities unless the disclosure is necessary to prevent a serious and imminent threat to the life or health of the individual concerned or another person.

(2) A public sector agency that holds personal information must not disclose the information to any person or body that is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:

(a) a relevant privacy law that applies to the personal information concerned is in force in that jurisdiction or applies to that Commonwealth agency, or

(b) the disclosure is permitted under a privacy code of practice.

(3) For the purposes of subsection (2), a "relevant privacy law" means a law that is determined by the Privacy Commissioner, by notice published in the Gazette, to be a privacy law for the jurisdiction concerned.

(4) The Privacy Commissioner is to prepare a code relating to the disclosure of personal information by public sector agencies to persons or bodies outside New South Wales and to Commonwealth agencies.

(5) Subsection (2) does not apply:

(a) until after the first anniversary of the commencement of this section, or

(b) until a code referred to in subsection (4) is made, whichever is the later.

#### *The Privacy Code of Practice for Local Government*

The Code makes provision for Council to depart from this principle in the circumstances described below:

1. For the purposes of s.19(2) only, where Council is requested by a potential employer outside New South Wales, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

This Principle does not apply to information held on Public Registers.

In addition, Council may disclose the personal information set out in Principle 12 to another person or body where the disclosure:

(a) is to another agency that is conducting a lawful investigation;

(b) is necessary to investigate an offence;

(c) is to the Department of Local Government;

(d) is to the Premier's Department, or

(e) is for research purposes.

## **10. Additional Health Principles**

### ***Types of Health Information***

Some examples of the types of health information and circumstances in which Council may collect health information in exercising its functions:

- Tree pruning/removal application where residents approach Council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds;
- Issuing of clean up orders which may include recording information about a resident's health, GP professional contact details or involvement with mental health services;
- Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work;

- Meals on Wheels programs where residents may be asked for medical or dietary requirements e.g. allergies for catering purposes;
- Seniors' bus outings where information may be collected on special medical needs;
- Councils may provide respite and social support services collecting information that is consistent with the client intake and referral record system;
- Information on families for the purposes of children's services e.g. history of illness, allergies, asthma, diabetes, epilepsy etc;
- Physical exercise classes;
- Council run services e.g. Podiatry or Dental;
- Information may be collected through a health community program;
- Children's immunization records; and
- Family counsellor / youth support workers records.

Health Privacy Principles (HPPs) 1-4 are concerned with the collection of health information, HPP 5 concerns the storage of health information, HPPs 6-9 concern the access and accuracy of health information, HPP 10 concerns the use of health information, HPP 11 concerns the disclosure of health information, HPPs 12-13 concern the identifiers and anonymity of the persons to which health information relate, HPPs 14-15 concern the transferral of health information and the linkage to health records across more than one organisation.

***Health Principle 13 – Anonymity***

*Wherever it is lawful and practicable, individuals must be given the opportunity to not identify themselves when entering into transactions with or receiving health services from an organisation.*

Wherever it is lawful and practicable, Council will give individuals the opportunity not to identify themselves when entering into transactions with Council.

***Health Principle 14 – Trans-border data flows and providing data to Commonwealth Agencies***

An organisation must not transfer health information about an individual to any person or body who is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:

(a) the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract that effectively upholds principles for fair handling of the information that are substantially similar to the Health Privacy Principles, or

(b) the individual consents to the transfer, or

(c) the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request, or

(d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party, or

(e) all of the following apply:

(i) the transfer is for the benefit of the individual,

- (ii) it is impracticable to obtain the consent of the individual to that transfer,
  - (iii) if it were practicable to obtain such consent, the individual would be likely to give it, or
- (f) the transfer is reasonably believed by the organisation to be necessary to lessen or prevent:
- (i) a serious and imminent threat to the life, health or safety of the individual or another person, or
  - (ii) a serious threat to public health or public safety, or
- (g) the organisation has taken reasonable steps to ensure that the information that it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Health Privacy Principles, or
- (h) the transfer is permitted or required by an Act (including an Act of the Commonwealth) or any other law.

Council will not transfer health information either:

- (a) interstate, or
- (b) to a Commonwealth agency,

except in compliance with Health Principle 14.

***Health Principle 15 – Linkage of health records***

(1) An organisation must not:

- (a) include health information about an individual in a health records linkage system unless the individual has expressly consented to the information being so included, or
- (b) disclose an identifier of an individual to any person if the purpose of the disclosure is to include health information about the individual in a health records linkage system, unless the individual has expressly consented to the identifier being disclosed for that purpose.

(2) An organisation is not required to comply with a provision of this clause if:

- (a) the organisation is lawfully authorised or required not to comply with the provision concerned, or
- (b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the *State Records Act 1998*), or
- (c) the inclusion of the health information about the individual in the health records information system (including an inclusion for which an identifier of the individual is to be disclosed) is a use of the information that complies with HPP 10(1)(f) or a disclosure of the information that complies with HPP 11(1)(f).

(3) In this clause:

Health record means an ongoing record of health care for an individual.

Health records linkage system means a computerised system that is designed to link health records for an individual held by different organisations for the purpose of facilitating access to health records, and includes a system or class of systems prescribed by the regulations as being a health records linkage system, but does not include a system or class of systems prescribed by the regulations as not being a health records linkage system.

Council will not include health information about an individual in a health records linkage system except in compliance with Health Principle 15. For the purposes of this Principle, a health records linkage system means a computerised system that is designed to link health records for an individual held by different organisations for the purposes of facilitating access to health records.

## **11. Training and Induction**

During induction as an employee with Council, all employees will be made aware that the performance management system has the potential to include personal information on their individual work performance or competency.

Councillors, all staff of the Council including staff of Council businesses, and members of Council Committees should be informed of the general provisions of the PPIP Act, the HRIP Act and in particular the 12 Information Protection Principles, the 15 Health Privacy Principles, the Public Register provisions, the Privacy Code of Practice for Local Government, this Plan and any other relevant Code of Practice.

## **12. Reviews and Complaints**

### ***Formal Internal Review***

A person who is aggrieved by the conduct of Council in relation to either the PPIP Act or the HRIP Act, may apply to Council for a review of that conduct. An application for a review must:

- (a) be in writing (setting out the alleged conduct by Council and including supporting documentation),
- (b) be addressed to Council,
- (c) specify an address in Australia to which the findings of the review can be sent, and
- (d) be lodged with Council within 6 months of the date on which the applicant first becomes aware of the conduct that is the subject of the application.

Council will follow the procedure set out below upon receipt of a valid application:

- (a) The General Manager will appoint a suitably qualified staff member to investigate and report on the complaint contained in the application (the internal review);
- (b) The review will be completed and a report made available to the applicant within *60 days* of the lodgement of the application; and

(c) Council will notify the Privacy Commissioner of the complaint and the outcome of the internal review.

If the applicant remains dissatisfied following the review, he/she may appeal the decision to the New South Wales Civil and Administrative Tribunal (NCAT) which will hear the matter afresh and may impose its own decision and award damages for breaches of information protection principles.

#### ***Informal Internal Review***

A person who is aggrieved by the conduct of Council in relation to either the PPIP Act or the HRIP Act, but does not wish to apply for a formal review, may request a meeting with the Privacy Contact Officer to discuss the circumstances and an agreed remedy.

If the applicant remains dissatisfied following the alternative complaint handling process, they may seek a formal internal review.

#### ***Formal External Complaint***

A person may make a complaint directly to the Privacy Commissioner, pursuant to s.45 of the PPIP Act.

#### ***Annual Reporting***

Council must report on the number of reviews and complaints received in its Annual Report to demonstrate accountability and transparency.

#### ***Offences***

The following offences are covered by the PPIP Act at Part 8 Miscellaneous with similar provisions also made under the HRIP Act at Part 8:

##### *62 Corrupt disclosure and use of personal information by public sector officials*

(1) A public sector official must not, otherwise than in connection with the lawful exercise of his or her official functions, intentionally disclose or use any personal information about another person to which the official has or had access in the exercise of his or her official functions.

Maximum penalty: 100 penalty units or imprisonment for 2 years, or both.

(2) A person must not induce or attempt to induce a public sector official (by way of a bribe or other similar corrupt conduct) to disclose any personal information about another person to which the official has or had access in the exercise of his or her official functions.

Maximum penalty: 100 penalty units or imprisonment for 2 years, or both.

(3) Subsection (1) does not prohibit a public sector official from disclosing any personal information about another person if the disclosure is made in accordance with the Public Interest Disclosures Act 1994.

(4) In this section, a reference to a public sector official includes a reference to a person who was formerly a public sector official.

##### *63 Offering to supply personal information that has been disclosed unlawfully*

(1) A person who offers to supply (whether to a particular person or otherwise), or holds himself or herself out as being able to supply (whether to a particular person or otherwise), personal information that the person knows, or ought reasonably to know, has been or is proposed to be disclosed in contravention of section 62 is guilty of an offence.

Maximum penalty: 100 penalty units or imprisonment for 2 years, or both.

(2) If a person is convicted of an offence under section 62 or 63 (1), the court may order the confiscation of any money or other benefit alleged to have been obtained by the person in connection with the offence and for that money or other benefit to be forfeited to the Crown.

#### *66A Protection from liability*

(1) Civil proceedings do not lie against a person in respect of loss, damage or injury of any kind suffered by another person by reason only of any of the following acts done in good faith:

- (a) the making of a complaint or application under this Act,
- (b) the making of a statement to, or the giving of a document or information to, the Privacy Commissioner, whether or not pursuant to a requirement under section 37.

(2) If a public sector agency provides an individual with access to personal information under this Act, and the access was required by section 14 (Access to personal information held by agencies), or an employee, officer or agent of the public sector agency believed in good faith that the access was required by section 14:

- (a) no action for defamation or breach of confidence lies against the public sector agency, any employee, officer or agent of the agency or the Crown by reason of the provision of access, and
- (b) no action for defamation or breach of confidence in respect of any publication involved in, or resulting from, the giving of access lies against the person who provided the personal information to the public sector agency by reason of the person having supplied the information to the agency, and
- (c) the public sector agency, or any employee, officer or agent of the public sector agency, or any other person concerned in giving access to the personal information is not guilty of an offence merely because of the giving of access.

(3) The provision of access to personal information in the circumstances referred to in subsection (2) must not be taken to constitute, for the purposes of the law relating to defamation or breach of confidence, an authorisation or approval of the publication of the health information by the person to whom access to the information is provided.

#### *68 Offences relating to dealings with Privacy Commissioner*

(1) A person must not:

(a) without lawful excuse, wilfully obstruct, hinder or resist the Privacy Commissioner or a member of the staff of the Privacy Commissioner in the exercise of functions under this or any other Act, or

(b) without lawful excuse, refuse or wilfully fail to comply with any lawful requirement of the Privacy Commissioner or a member of the staff of the Privacy Commissioner under this or any other Act, or

(c) wilfully make any false statement to or mislead, or attempt to mislead, the Privacy Commissioner or a member of the staff of the Privacy Commissioner in the exercise of functions under this or any other Act.

Maximum penalty: 10 penalty units.

### **13. Confidentiality**

The obligation of confidentiality is additional to and separate from that of privacy. Nevertheless, a duty to withhold information lies at the heart of both concepts. Confidentiality attaches to information per se, personal or health information to the person to whom that information relates.

An obligation of confidentiality exists for all employees whether express or implied as a matter of law.

Information which may be confidential is also likely to have a separate and independent obligation attaching to it in the form of privacy and in that regard, a release for the purposes of confidentiality will not suffice for privacy purposes. Two separate releases will be required and, in the case of privacy, the person to whom the information relates will be required to provide the release.

### **14. Privacy Contact Officer**

The Public Officer within Council, the Governance and Information Manager, is also assigned the role of the Privacy Contact Officer. Any change to this role is directed by the General Manager.

To ensure compliance with the PPIP Act and the HRIP Act, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIP Act.

Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal and health information.

The Privacy Contact Officer will also provide opinions within Council as to:

(i) whether the personal or health information is collected for a lawful purpose;

(ii) if that lawful purpose is directly related to a function of Council; and

(iii) whether or not the collection of that personal or health information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.

#### **15. Distribution of information to the public**

Council may prepare its own literature such as pamphlets on the PPIP Act, HRIP Act or it may obtain and distribute copies of literature available from the Office of the Privacy Commissioner New South Wales.

#### **16. Review of Privacy Management Plan**

The Privacy Management Plan will be reviewed annually to ensure that the Plan is up to date with regulatory changes and Council requirements.

#### **17. Attachments**

**Attachment A** – Application under Section 13 of the Personal Information Protection Act 1998: To determine whether Council holds personal information about a person.

#### **18. Contact details**

Enquiries concerning the Privacy Management Plan should be made to Council's Privacy Officer:

Manager Governance and Information,

Uralla Shire Council

Telephone: 02 6778 6300

Fax: 02 6778 6349

Email: [Council@uralla.nsw.gov.au](mailto:Council@uralla.nsw.gov.au)

[www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au)

Enquiries may also be addressed to:

Information and Privacy Commission

Level 11, 1 Castlereagh Street, Sydney NSW 2000

Telephone: 1800 472 679

Fax: 02 8114 3756

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

[www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

NSW Civil and Administrative Tribunal

Level 10, 86 Goulburn Street, Sydney NSW 2000

Telephone: 02 9377 5711

Fax: 02 9377 5723

[www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au)

Attachment A

**Application under Section 13 of the *Privacy and Personal Information Protection Act 1998* to determine whether Council holds personal information about a person**

I, (1) \_\_\_\_\_ (1) insert full name

of (2) \_\_\_\_\_ (2) insert address

hereby request the General Manager of Uralla Shire Council to provide the following:

(Please circle)

- Does the Council hold personal information about me? Yes / No
- If so, what is the nature of that information?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- What is the main purpose for holding the information?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please circle)

- Am I entitled to access the information? Yes / No
- My address for response to this application is:

\_\_\_\_\_  
\_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

**NOTE TO APPLICANTS:**

Council will not record your address or any other contact details that you provide for any other purpose other than to respond to your application. As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the *Privacy and Personal Information Protection Act 1998* (PIPA ACT). There is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the PIPA ACT; or
- a Code of Practice may restrict the operation of section 14.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	<b>Governance and Information</b>
<b>Submitted by:</b>	Manager - Governance and Information
<b>Reference:</b>	1.21.09.09
<b>Subject:</b>	Disclosure of Pecuniary Interest Returns – Annual Completion and Tabling

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	An effective and efficient organisation.
<b>Strategy:</b>	Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance.
<b>Action:</b>	Ensure compliance with regulatory / statutory requirements as public officer.

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### SUMMARY:

The purpose of this report is to officially table the Register for the revised disclosure of interests returns that have recently been completed by Councillors and all of Council's other designated persons.

### COMMITTEE'S RECOMMENDATION:

That Council's updated Register of Disclosure of Interest Returns for Councillors and all of Council's designated persons be officially tabled and noted.

### OFFICER'S RECOMMENDATION:

That Council's updated Register of Disclosure of Interest Returns for Councillors and all of Council's designated persons be officially tabled and noted.

### BACKGROUND:

Section 449 of the Local Government Act requires Councillors and designated persons to complete returns each year declaring their personal interests. Section 450A of the Act requires the General Manager to table these returns at the first Council meeting following their due date for lodgement.

A blank disclosure of interest return along with a guide on the completion of such were distributed to all Councillors and designated persons on 12 August 2015, and were required to be returned by 3 September 2015. All required staff and Councillors have completed the returns within time.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## REPORT:

The General Manager and other senior officers are identified in the Act as designated persons. In addition, staff who have been granted delegation of authority to exercise certain functions on Council's behalf are also determined to be designated persons.

The Register of Returns is an important public record and is available and can be inspected by any member of the public upon request.

## CONCLUSION:

Council has met its Calendar of Compliance and Reporting Requirements 2014/15 submitting this Disclosure of Pecuniary Interest Return.

## COUNCIL IMPLICATIONS:

**1. Community Engagement/ Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

- Governance Framework
- Calendar of Compliance and Reporting Requirements 2014/2015
- Section 450A – Local Government Act 1993

**3. Financial (LTFP)**

N/A

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

Section 450A – Local Government Act 1993

**7. Performance Measures**

Declarations of interests are to be completed annually.

**8. Project Management**

N/A

Prepared by staff member:	Rechelle Leahy – Manager Governance and Information
Approved/Reviewed by Manager:	Damien Connor
Department:	Governance and Information
Attachments:	Nil

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Finance
<b>Submitted by:</b>	Chief Financial Officer
<b>Reference:</b>	1.21.09.10
<b>Subject:</b>	2014/15 – End of Financial Year (EOFY) Budget Review Statements

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	An effective and efficient organisation
<b>Strategy:</b>	Operate in a financially responsible and sustainable manner
<b>Action:</b>	Complete budget review statements in-line with statutory requirements

### SUMMARY:

The purpose of this report is to present to Council a review of the budget at the end of the June quarter 2014/15.

Attached to this report is the final budget review statement, following completion of the fourth quarter ending 30 June 2015.

### COMMITTEE'S RECOMMENDATION:

1. That the June quarter budget review summary for 2014/15 be received and noted; and
2. That the transfers to and from reserves be adopted.

### OFFICER'S RECOMMENDATION:

1. That the June quarter budget review summary for 2014/15 be received and noted; and
2. That the transfers to and from reserves be adopted.

### BACKGROUND:

It is a statutory requirement that council's Responsible Accounting Officer prepares and submits a budget review statement to Council on a quarterly basis each financial year for the first three quarters (LGGR 2005 cl.203 (1)). Also in compliance with the Local Government (General) Regulation, Council's Responsible Accounting Officer must include with the budget review report an opinion on the financial position of Council and any recommendations for remedial action if required.

The fourth quarter budget review statements are presented in order to confirm the transfers to and from reserves for unexpended grants and other restricted assets. Draft annual financial statements will then be finalised and referred to audit prior to finalisation of the financial results for the 2014/15 financial year.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

It should also be noted that this year's revaluation of assets is still being finalised and, depending on the outcome of such, they may affect the final financial statements results. The final 2014/15 financial statements will be presented to Council following completion of the annual audit.

## **REPORT:**

The attached budget report statements show a revised end of year result for 2014/15, which has seen the estimated operating result improve considerably from the third quarter and the cash result improve as well. The details are as follows:

- Council's revised Operating Result for 2014/15 (before income from grants and contributions for capital purposes are added in) is a surplus of \$157,702 on a consolidated basis.
- When presented as individual funds, the revised result is made up of a deficit of \$127,292 for General Fund, a surplus of \$115,451 for Water Fund, a surplus of \$32,041 for Sewer Fund and a surplus of \$137,502 for McMaugh Gardens.
- On a funded basis (cash budget), the General Fund result is a surplus of \$282,804, being an estimated improvement in Council's working funds of \$281,785.
- Water and Sewer fund changes have been offset by transfers to restricted assets with a nil affect to funds on hand, resulting in increases to the restricted assets of \$341,700 and \$134,846 respectively.

The primary changes to budget estimates that have an impact on the budget results are outlined in the Income and Expenditure Statement Variations page, contained within the attached end of financial year budget review statements.

## **KEY ISSUES:**

Council's operating result on a consolidated basis is a surplus of \$157,702. When this consolidated result is analysed further it becomes apparent that the operating result for General Fund remains in deficit, with a result of \$127,292, whilst Water and Sewer Funds are forecast to achieve surpluses of \$115,451 and \$32,041 respectively for 2014/15.

A deficit operating result for General Fund is not sustainable in the mid-long term and will require rectifying, with the view to returning to at least a small surplus as soon as is practical (and a slightly larger surplus if Council is considering growing its asset base).

A strong commitment will be required to addressing the General Fund operating result because if rectification action doesn't occur then the consequences may include Council's net asset stock being run down, cash and reserves falling to undesirable levels, current policy settings and service levels won't be able to be sustained, and the addition of any new assets won't be possible.

The operating result for the Water and Sewer funds is currently acceptable. However, these results will also need to continue to be managed to ensure that these relatively modest surplus results aren't eroded and pricing isn't set any higher than is absolutely required.

As was discussed at the second and third quarterly budget reviews, Council's current budget has delivered an unprecedented spend on its capital renewal and replacement program. However, this has required funding from outside of Council's 2014/15 operating revenue in order to deliver it.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

## **CONCLUSION:**

The budgeted operating result for General Fund being an estimated \$127,292 deficit, combined with the results in this regard over previous financial years, indicates a long running structural imbalance between Council's annual expenditure and annual income. Major progress has been made to address this during the previous twelve months; however a continued commitment to fully rectify such is required.

This situation is not uncommon in NSW Councils, due primarily to the effects of rate pegging and cost shifting from other levels of government.

Irrespective of this, deficits budgets will be unable to be sustained for any longer than the very near term, which ultimately means that Council will either need to increase its annual operating income to match planned expenditure requirements, or cut both annual expenditure and capital expenditure programs to a level which can be funded through current income levels, (or a combination of both), in order to bring Council's operations back into balance and ultimately provide a sustainable position for the longer term.

The 2014/15 EOFY budget review provides a clear reflection of the hard work undertaken over the past 12 months in improving Council's financial position, and major steps have been taken forward in this regard.

However, it also highlights the continuing challenge remaining for Council in finding the right mix of asset and service levels and financial sustainability whilst keeping rates and charges at the most equitable level for the community. With the approach of a new era in local government these issues will continue to be at the forefront of Council discussions.

## **COUNCIL IMPLICATIONS:**

### **1. Community Engagement/ Communication**

Not required.

### **2. Policy and Regulation**

- Local Government Act 1993;
- Local Government Regulations (General) 2005;
- Local Government Code of Accounting Practice and Financial Reporting; and
- Australian Accounting Standards.

### **3. Financial (LTFP)**

This report is a review of the annual budget up to the end June 2015. Transfers to and from restricted assets are as outlined in the attached statements.

### **4. Asset Management (AMS)**

N/A

### **5. Workforce (WMS)**

N/A

## REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

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28 September 2015

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member: Simon Paul  
Approved/Reviewed by Manager: Simon Paul  
Department: Finance  
Attachments: K. 1. 4th Quarter Budget Review Statements

# Attachment K

## Uralla Council

### Income & Expenses Budget Review Statement Consolidated

Budget review for the quarter ended 30 June 2015

### Quarterly Budget Review Statement for the Period 01/07/2014 to 30/06/2015

	Original Budget 2014-15	Revised Budget Mar-15	Variations from the EOFY OBRs	Notes	Projected Year End Result	Actual YTD figures	
<b>Income</b>							
General Fund	18,715	18,807	183	1	19,000	19,000	100%
McMaugh Gardens	2,250	2,162	287	2	2,449	2,449	100%
Water Supplies	1,024	914	110		930	930	100%
Sewer Services	584	585	1		587	587	100%
<b>Total Income from Continuing Operations</b>	<b>22,573</b>	<b>22,468</b>	<b>493</b>		<b>22,966</b>	<b>22,966</b>	<b>100%</b>
<b>Expenses</b>							
General Fund	16,304	15,748	(150)		15,598	15,598	100%
McMaugh Gardens	2,074	2,132	179		2,311	2,311	100%
Water Supplies	681	790	24		814	814	100%
Sewer Services	435	571	(15)		556	556	100%
<b>Total Expenses from Continuing Operations</b>	<b>19,494</b>	<b>19,241</b>	<b>38</b>		<b>19,279</b>	<b>19,279</b>	<b>100%</b>
<b>Net Operating Result from Continuing Operations</b>	<b>3,079</b>	<b>3,227</b>	<b>460</b>		<b>3,687</b>	<b>3,687</b>	
<b>Net Operating Result before Capital Items</b>	<b>(745)</b>	<b>(315)</b>	<b>473</b>	3	<b>158</b>	<b>158</b>	

**Income & Expenses Budget Review Statement  
Recommended changes to revised budget**

Budget Variations include the following material items:

**Notes Details**

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1	Inceased income received from a number of supplemental Community Care Contracts - Community Support and Community Transport.
2	Increased income received from one off payment- proceeds of sale of property from estate - \$205,377 increase in subsidy payments from improved claiming practices - \$64,117.
3	Bottom line operating result before capital grants and contributions has improved from an estimated consolidated deficit of \$315,000 to a consolidated surplus of \$158,000.

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## Uralla Shire Council Operating Result

Function	Expenses	Revenues	Operating Result
Civic Business	196,473	-	(196,473)
Corporate Services	769,340	(5,177,570)	4,408,230
Community & Culture	6,737,099	(6,327,958)	(409,141)
Infrastructure & Regulation	10,206,303	(9,943,532)	(262,771)
Water Supplies	814,324	(929,775)	115,451
Sewer Services	555,549	(587,590)	32,041
<b>TOTALS-Functions</b>	<b>19,279,088</b>	<b>(22,966,425)</b>	<b>3,687,337</b>

### Add-expenses not involving flows of funds

Depreciation	3,758,300	3,758,300
Unwinding of Present Value Discounts & Premiums	-	-
Increase in employee leave entitlements	-	-
<b>Subtract-Income not involving flow of funds</b>	-	-
Non cash contributions(eg.land)	-	-
<b>Sub-total</b>	<b>3,758,300</b>	<b>3,758,300</b>

### Add-non operating funds employed

Carrying amount of assets sold	-	-
Cost of real estate assets sold	-	-
Transfer from Restricted Assets	307,707	307,707
Transfer from Unexpended Grants	-	-
Transfer from Unexpended Contributions	-	-
Loan funds	2,000,000	2,000,000
Other debt finance	-	-
Repayments by deferred debtors	-	-
<b>Sub-total</b>	<b>2,307,707</b>	<b>2,307,707</b>

### Subtract funds deployed for non operating purposes

Acquisition of assets	6,896,521	6,896,521
Overheads Capitalised	572,249	572,249
Development of real estate	-	-
Transfer to Unexpended Grants	568,608	568,608
Repayments of loans	131,317	131,317
Repayments of other debts	-	-
Transfer to Restricted Assets	1,301,845	1,301,845
<b>Sub-total</b>	<b>9,470,540</b>	<b>9,470,540</b>

### Adjust unexpended grants and cont rec during the year

Unexpended specific purpose grants	-	-
Developer Contributions (S.94 and S.64)	-	-
<b>Sub-total</b>	<b>-</b>	<b>-</b>

### Estimated budget result (Cash)

Surplus or (Deficit)	282,804
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### Operating Result - Including Grants & Contributions for Capital purposes

Operating Result - Including Grants & Contributions for Capital purposes	3,687,337
Capital Grants & Contributions received	3,529,635
Operating Result - excluding Grants & Contributions for Capital purposes	157,702

**EOFY BUDGET REVIEW - ESTIMATED RESULTS SUMMARY**

	Consolidated	General	Water	Sewer	McMaugh's
Operating Revenue	-\$ 22,966,425	-\$ 19,000,210	-\$ 929,775	-\$ 587,590	-\$ 2,448,850
Operating Expenditure	\$ 19,279,088	\$ 15,597,867	\$ 814,324	\$ 555,549	\$ 2,311,348
<b>OPERATING RESULT (inc)</b>	<b>-\$ 3,687,337</b>	<b>-\$ 3,402,343</b>	<b>-\$ 115,451</b>	<b>-\$ 32,041</b>	<b>-\$ 137,502</b>
(Inc Capital Grants)					
Capital Grants	\$ 3,529,635	\$ 3,529,635	\$ -	\$ -	\$ -
<b>OPERATING RESULT (exc)</b>	<b>-\$ 157,702</b>	<b>-\$ 127,292</b>	<b>-\$ 115,451</b>	<b>-\$ 32,041</b>	<b>-\$ 137,502</b>
(Exc Capital Grants)					
Operating Result (inc)	-\$ 3,687,337	-\$ 3,402,343	-\$ 115,451	-\$ 32,041	-\$ 137,502
Depreciation & Remediation	-\$ 3,758,300	-\$ 3,204,114	-\$ 256,927	-\$ 205,410	-\$ 91,849
Loan Funds Utilised	-\$ 2,000,000	-\$ 2,000,000	\$ -	\$ -	\$ -
Repayment of Loans (Principal)	\$ 131,317	\$ 127,644	\$ -	\$ -	\$ 3,673
Non-Operating Transfers	\$ 1,562,746	\$ 943,898	\$ 341,700	\$ 134,846	\$ 142,302
Capital Expenditure	\$ 7,468,770	\$ 7,252,111	\$ 30,678	\$ 102,605	\$ 83,376
<b>BUDGET RESULT (CASH)</b>	<b>-\$ 282,804</b>	<b>-\$ 282,804</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Asset Renewal & Replacement	\$ 3,576,163	\$ 3,359,504	\$ 30,678	\$ 102,605	\$ 83,376
New/Upgraded Assets	\$ 3,892,607	\$ 3,892,607	\$ -	\$ -	\$ -
Total Capital Works	\$ 7,468,770	\$ 7,252,111	\$ 30,678	\$ 102,605	\$ 83,376
Infrastructure Renewal Result	-\$ 182,137	\$ 155,390	-\$ 226,249	-\$ 102,805	-\$ 8,473
Infrastructure Ratio	1.87	2.09	0.12	0.50	0.91
<b>RENEWAL RATIO</b>	<b>95%</b>	<b>105%</b>	<b>12%</b>	<b>50%</b>	<b>91%</b>

# Uralla Shire Council

## Summary - Expenditure & Revenue

Description	Estimate 2014/15
<b>Operating Expenditure</b>	
Civic Business	196,473
Corporate Services	769,340
Community & Culture	6,737,099
Infrastructure & Regulation	10,206,303
<b>General - Sub Total</b>	<b>17,909,215</b>
Water	814,324
Sewer	555,549
<b>Total Operating Expenditure</b>	<b>19,279,088</b>
<b>Operating Revenues</b>	
Civic Business	-
Corporate Services	(5,177,570)
Community & Culture	(6,327,958)
Infrastructure & Regulation	(9,943,532)
<b>General - Sub Total</b>	<b>(21,449,060)</b>
Water	(929,775)
Sewer	(587,590)
<b>Total Operating Revenues</b>	<b>(22,966,425)</b>
<b>Non Operating Movements</b>	
Civic Business	17,800
Corporate Services	(1,876,985)
Community & Culture	45,834
Infrastructure & Regulation	5,070,392
<b>General - Sub Total</b>	<b>3,257,041</b>
Water	115,451
Sewer	32,041
<b>Total Non Operating Movements</b>	<b>3,404,533</b>
<b>Net Cost General Fund</b>	<b>(282,804)</b>
<b>Net Cost Water Supplies</b>	<b>-</b>
<b>Net Cost Sewerage Services</b>	<b>-</b>
<b>Net Cost To Council</b>	<b>(282,804)</b>

**Uralla Shire Council  
2014/15 EOFY Review**

**Summary - Departments Operating Results**

Description	Budget Estimate Apr-15	Revised Estimate Jun-15	Actual to Jun-15	% Revised Estimate
<b>Operating Expenditure</b>				
Civic Business	596,123	592,377	592,377	100%
Corporate Services	351,568	373,436	373,435	100%
Community & Culture	6,408,581	6,737,099	6,737,098	100%
Infrastructure & Regulation	10,516,556	10,206,303	10,206,300	100%
Water Supplies	789,565	814,324	814,323	100%
Sewerage Service	571,788	555,549	555,548	100%
<b>Operating Expenditure TOTAL</b>	<b>19,234,181</b>	<b>19,279,088</b>	<b>19,279,080</b>	<b>100%</b>
<b>Operating Income</b>				
Civic Business	(5,500)	(4,526)	(4,526)	100%
Corporate Services	(5,139,998)	(5,173,044)	(5,173,044)	100%
Community & Culture	(5,911,860)	(6,327,958)	(6,327,957)	100%
Infrastructure & Regulation	(9,912,095)	(9,943,532)	(9,943,533)	100%
Water Supplies	(913,546)	(929,775)	(929,775)	100%
Sewerage Service	(585,024)	(587,590)	(587,590)	100%
<b>Operating Income TOTAL</b>	<b>(22,468,023)</b>	<b>(22,966,425)</b>	<b>(22,966,425)</b>	<b>100%</b>
<b>Operating Result</b>				
Civic Business	590,623	587,851	587,851	100%
Corporate Services	(4,788,430)	(4,799,608)	(4,799,609)	100%
Community & Culture	496,721	409,141	409,140	100%
Infrastructure & Regulation	604,461	262,771	262,767	100%
Water Supplies	(123,981)	(115,451)	(115,452)	100%
Sewerage Service	(13,236)	(32,041)	(32,042)	100%
<b>Operating Result TOTAL</b>	<b>(3,233,842)</b>	<b>(3,687,337)</b>	<b>(3,687,344)</b>	<b>100%</b>
<b>Consolidated Operating Result (Inc)</b>	<b>(3,233,842)</b>	<b>(3,687,337)</b>	<b>(3,687,344)</b>	<b>100%</b>

Uralla Shire Council

Capital Budget Review Statement

Quarterly Budget Review Statement  
for the period 01/07/14 to 30/06/15

Budget review for the quarter ended 30 June 2015  
Capital Budget - Consolidated

(\$'000's)	Original Budget 2014/15	Revised Budget 2014/15	Variations for this Mar QBRs	Notes	Projected Year End Result	
<b>Capital Expenditure</b>						
- General	6,912	7,337	(85)		7,252	7,252
- Water	152	160	(129)		31	31
- Sewer	103	111	(8)		103	103
- McMaugh Gardens	84	100	(17)		83	83
Loan Repayments (Principal)	112	112	19		131	131
<b>Total Capital Expenditure</b>	<b>7,363</b>	<b>7,820</b>	<b>(220)</b>		<b>7,600</b>	<b>7,600</b>
<b>Capital Funding</b>						
2014/15 General Fund Income	2,525	2,570	(63)		2,507	2,507
Unrestricted Cash Reserves	596	-			-	-
Capital Grants & Contributions	3,481	3,543	(69)		3,474	3,474
Loan Funds	-	1,040			1,040	1,040
Receipts from Sale of Assets	422	216	22		238	238
Reserves:						
- Developer Contributions	-	-	-		-	-
- General Restricted Assets	-	80	44		124	124
- Water & Sewer Restricted Assets	255	271	(137)		134	134
- McMaugh Gardens Restricted Assets	84	100	(17)		83	83
<b>Total Capital Funding</b>	<b>7,363</b>	<b>7,820</b>	<b>(220)</b>		<b>7,600</b>	<b>7,600</b>
<b>Net Capital Funding</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

Uralla Shire Council

**Cash & Investments Budget Review Statement**

Budget review for the quarter ended 30 June 2015  
**Cash & Investments - Council Consolidated**

	Original Budget 2014-15	Revised Budget 2014-15	Variations for this EOFY QBRs	Projected Year End Result
<b>(\$000's)</b>				
<b>Externally Restricted</b>				
Developer Contributions - General	418	418	-	418
Developer Contributions - Water Fund	-	-	-	-
Developer Contributions - Sewer Fund	-	-	-	-
Water Supplies	1,044	1,281	106	1,386
Sewerage Services	1,310	1,395	49	1,444
McMaugh Gardens	1,180	1,190	132	1,322
Unexpended Grants	-	424	144	568
<b>Total Externally Restricted</b>	<b>3,952</b>	<b>4,708</b>	<b>430</b>	<b>5,138</b>
<b>Internally Restricted</b>				
Plant & Vehicle Replacement	500	420	(44)	376
Employees Leave Entitlement	550	513	26	539
Accommodation Bond Guarantees	1,363	1,363	-	1,363
Community Care	328	328	(152)	176
Waste Management	-	-	-	-
Stormwater Drainage	-	-	8	8
Strategic Development	-	360	-	360
Carry Forward Works	20	-	315	315
<b>Total Internally Restricted</b>	<b>2,761</b>	<b>2,984</b>	<b>153</b>	<b>3,137</b>
<b>Unrestricted (ie. available after the above Restrictions)</b>	<b>117</b>	<b>118</b>	<b>164</b>	<b>282</b>
<b>Total Cash &amp; Investments</b>	<b>6,830</b>	<b>7,810</b>	<b>747</b>	<b>8,557</b>

**Uralla Shire Council**

**Quarterly Budget Review Statement**  
For the Quarter ended 30th June 2015

**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion the Quarterly Budget Review Statement for Uralla Shire Council for the financial year ended 30 June 2015 indicates that Council's financial position at 30/06/2015 is satisfactory having regard to the budget estimates of income and expenditure.

**Signed:** \_\_\_\_\_

Simon Paul  
Responsible Accounting Officer

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

28 September 2015



## REPORT TO COUNCIL

<b>Department:</b>	Finance
<b>Submitted by:</b>	Chief Financial Officer
<b>Reference:</b>	1.21.09.11
<b>Subject:</b>	Cash at Bank and Investments

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** 4.2 An effective and efficient organisation.  
**Strategy:** 4.2.2 Operate in a financially responsible and sustainable manner.  
**Action:** 4.2.2.9 Invest surplus funds to maximize the return to Council whilst complying with Council's Investment Policy risk parameters.

### SUMMARY:

The purpose of this report is to provide a summary of bank accounts, term deposits, cash management account and investment in structured credit instruments.

### COMMITTEE'S RECOMMENDATION:

That Council note the cash position as at 31 August 2015 consisting of cash and overnight funds of \$3,977,478.15, and term deposits of \$7,200,000, totalling \$11,177,478.15 of readily convertible funds.

### OFFICER'S RECOMMENDATION:

That Council note the cash position as at 31 August 2015 consisting of cash and overnight funds of \$3,977,478.15, and term deposits of \$7,200,000, totalling \$11,177,478.15 of readily convertible funds.

### BACKGROUND:

In accordance with Regulation 212 of the Local Government (General) Regulations 2005, the following report is prepared on monies not currently required for use by Council, invested in forms of investment approved by Order of the Minister.

### REPORT:

Current Term Deposits of \$7,200,000 spread over the next six months will receive a range of interest from 2.49% to 2.95%, with an average rate of 2.81%. A diary of maturing dates and amounts is attached.

Council's General Fund bank balances (listed in the attachments) have been reconciled to the bank statement as at 31 August 2015.

# REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

---

28 September 2015

## KEY ISSUES:

The new Everyday Business Account has been opened providing some improvement to the total returns from Council investments. Continuing low interest rates will result in loss of investment income compared to prior years but this is likely to flatten out by the end of this year.

## COUNCIL IMPLICATIONS:

**1. Community Engagement/ Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

- Local Government Act 1993
- Local Government (General) Regulations 2005
- Order of the Minister re Investments

**3. Financial (LTFP)**

Current interest rates affect Council's ability to meet projected investment returns, therefore reducing forecast revenue in the long term.

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

Risk management involves ensuring compliance with the Minister's Orders regarding approved type of investments thus reducing risk of future losses on investments made.

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member:

Simon Paul

Approved/Reviewed by Manager:

Simon Paul

Department:

Finance

Attachments:

L. Council's Investments as 31 August 2015

**URALLA SHIRE COUNCIL  
INVESTMENTS AT 31 AUGUST 2015**

**Cash at Bank – Operating Accounts:**

<b>Institution</b>	<b>Account</b>	<b>Bank Statement</b>
National Australia Bank	Main Account	\$910,187.01
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$22,364.45
<b>Total</b>		<b>\$963,847.79</b>

**Business Investment (Cash Management) Account**

<b>Institution</b>	<b>Interest rate</b>	<b>Balance</b>
National Australia Bank	0.10%	\$358.72
Everyday Business	2.00%	\$3,013,271.64
Business Cash Maximiser	1.50%	\$0.00
<b>Total</b>		<b>\$3,013,630.36</b>

**Term Deposits:**

<b>Institution</b>	<b>Interest rate</b>	<b>Maturity</b>	<b>Balance</b>
Newcastle Permanent	2.65%	9/09/2015	\$1,300,000.00
Newcastle Permanent	2.65%	15/09/2015	\$500,000.00
Community Mutual	2.49%	26/10/2015	\$400,000.00
Community Mutual	2.53%	11/11/2015	\$500,000.00
National Australia Bank	2.95%	15/11/2015	\$500,000.00
National Australia Bank	2.95%	15/01/2016	\$500,000.00
National Australia Bank	2.95%	24/11/2015	\$2,500,000.00
National Australia Bank	2.90%	29/02/2016	\$500,000.00
National Australia Bank	2.90%	28/02/2016	\$500,000.00
<b>Total</b>			<b>\$7,200,000.00</b>

**Financial Instruments through Lehman Brothers Australia:**

<b>Structured Credit</b>	<b>Maturity Date</b>	<b>Face Value at Acquisition</b>	<b>Current Book Value at 30 June 2015</b>
Parkes 1A AAA	Jun-15	\$250,000.00	\$0.00
<b>Total</b>		<b>\$250,000.00</b>	<b>\$0.00</b>



REPORTS FROM THE  
ENVIRONMENT, DEVELOPMENT  
& INFRASTRUCTURE  
COMMITTEE

28 September 2015

17. Reports from the Environment, Development &  
Infrastructure Committee

REPORTS FROM THE ENVIRONMENT,  
DEVELOPMENT & INFRASTRUCTURE COMMITTEE

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

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28 September 2015

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# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

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**REPORTS FROM THE ENVIRONMENT,  
DEVELOPMENT & INFRASTRUCTURE COMMITTEE**

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**REPORT TO COUNCIL**

<b>Department:</b>	<b>Infrastructure &amp; Regulation</b>
<b>Submitted by:</b>	Director Infrastructure & Regulation
<b>Reference:</b>	2.21.09.01
<b>Subject:</b>	Works Progress Report to 31 August 2015

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

<b>Goal:</b>	2.3 – A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained
<b>Strategy:</b>	2.3.1 – Provide an effective road network that balances asset conditions with available resources and asset utilisation
<b>Action:</b>	2.3.1.1 – Undertake bitumen maintenance program in line with established service levels and intervention points 2.3.1.5 – Undertake maintenance grading program in line with established service levels and intervention points

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**SUMMARY:**

The purpose of this report is to inform Council of the works that have been completed or progressed for the previous month.

**COMMITTEE'S RECOMMENDATION:**

**That the report be received and noted for the works completed or progressed during August 2015.**

**OFFICER'S RECOMMENDATION:**

**That the report be received and noted for the works completed or progressed during August 2015.**

**BACKGROUND:**

Council is kept informed on the progress of maintenance and construction works within the Shire

**REPORT:**

- 1. Main Road Maintenance**

MR73 North and South	Patching, Guide posts
MR124	Patching, Guide posts
MR132	Maintenance

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

- |                                      |                       |  |
|--------------------------------------|-----------------------|--|
| <b>2. Sealed Roads Maintenance</b>   | Uralla Streets        | Patching   |
|                                      | Bundarra Town Area    | Patching   |
|                                      | Invergowrie Area      | Patching   |
|                                      | Kentucky/Wollun Area  | Patching   |
|                                      | Sealed Rural Roads    | Patching   |
| <br>                                 |                       |  |
| <b>3. Unsealed Roads Maintenance</b> |                       |  |
|                                      | <b>Grading</b>        |  |
|                                      | Retreat Road          | Grading  |
|                                      | Rowena Road           | Graded   |
|                                      | Gostwyck Road         | Graded   |
|                                      | Dwyers Range Road     | Graded   |
|                                      | Linfield Road         | Graded   |
| <br>                                 |                       |  |
| <b>4. Construction Crew</b>          |                       |  |
|                                      | MR73 Thunderbolts Way | Continue construction of approaches for the new Emu Crossing bridge.                         |
|                                      | MR73 Thunderbolts Way | Abington Creek Bridge. Tenderer finalising bridge design plans. Expected on site in October. |
|                                      | Bingara Road          | Reconstruction 2.6km to 4.6km. To be finalised after completion of Emu Crossing approaches.  |
| <br>                                 |                       |  |
| <b>5. Bridge / Sign Crew</b>         |                       |  |
|                                      | Marsh Lane            | Continue drainage and kerb works.  |
|                                      | Gostwyck Street       | Continue kerb works.   |
|                                      | Faulkner Street       | Continue kerb works.   |
| <br>                                 |                       |  |
| <b>6. Town Area</b>                  |                       |  |
|                                      | Uralla                | General maintenance  |
|                                      | Rocky River           | Cycleway repairs   |

### KEY ISSUES (Optional):

- Nil

### COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
Nil
2. **Policy and Regulation**  
Nil
3. **Financial (LTFP)**  
In accordance with budget
4. **Asset Management (AMS)**

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

In accordance with asset management plan

- 5. Workforce (WMS)**  
Council staff and contractors
- 6. Legal and Risk Management**  
Maintaining Council assets to minimise legal and risk exposure.
- 7. Performance Measures**  
Works completed to appropriate standards
- 8. Project Management**  
Manager Infrastructure and Works and Overseer

Prepared by staff member:	Manager Infrastructure & Works
Approved/Reviewed by Manager:	Director Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Regulation</b>
<b>Submitted by:</b>	Director Infrastructure & Regulation
<b>Reference:</b>	2.21.09.02
<b>Subject:</b>	Works Planning Report September 2015

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.3 – A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained
<b>Strategy:</b>	2.3.1 – Provide an effective road network that balances asset conditions with available resources and asset utilisation
<b>Action:</b>	2.3.1.1 – Undertake bitumen maintenance program in line with established service levels and intervention points 2.3.1.5 – Undertake maintenance grading program in line with established service levels and intervention points

### SUMMARY:

The following works are proposed to be carried out or continued in the next month.

### COMMITTEE'S RECOMMENDATION:

That the report be received and noted for the works planned for September 2015.

### OFFICER'S RECOMMENDATION:

That the report be received and noted for the works planned for September 2015.

### BACKGROUND:

Council is informed of the planned maintenance and construction works within the Shire.

### REPORT:

- 1. Main Road Maintenance**
  - Bitumen patching
  - Guide posting
  - Sign maintenance
  - Heavy patching
  - Shoulder mowing



# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

## **7. Performance Measures**

Works completed to appropriate standards

## **8. Project Management**

Manager Infrastructure and Works and Overseer

Prepared by staff member:	Manager Infrastructure & Works
Approved/Reviewed by Manager:	Director Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	Infrastructure and Regulation
<b>Submitted by:</b>	Director Infrastructure and Regulation
<b>Reference:</b>	2.21.09.03
<b>Subject:</b>	Emu Crossing land gazettal

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	2.3	A safe and efficient network of arterial roads and supporting infrastructure; town streets, footpaths and cycleways that are adequate, interconnected and maintained
<b>Strategy:</b>	2.3.2	Maintain, renew and replace Council bridges and culverts as required
<b>Action:</b>	2.3.2.1	Inspect all bridges and carry out the required maintenance programs

### SUMMARY:

The purpose of this report is for Council to approve the application for gazettal of the land that has been acquired for the Emu Crossing Bridge approaches. The southern side land was owned by M & S Claridge. The northern side is Crown land leased by H & L Parry. The survey plan has now been completed.

### COMMITTEE'S RECOMMENDATION:

That Council approve the application for gazettal of the land utilised for the new approaches to Emu Creek Bridge.

### OFFICER'S RECOMMENDATION:

That Council approve the application for gazettal of the land utilised for the new approaches to Emu Creek Bridge.

### BACKGROUND:

Council has completed negotiations with Mr and Mrs Claridge, however, for the completion of the purchase of the Crown Land on the northern side of the bridge, Council needs to complete under the "Just Terms" compensation. This includes formal gazettal and registration of the plan of subdivision. Council will have to purchase the land from the Crown at a price determined by the Valuer General and also compensate Mr and Mrs Parry.

### REPORT:

While Council has negotiated access to the land on the northern side of Emu Crossing Bridge, including the ensuring that there were no outstanding Native Title or Land Claims on the land leased by Mr & Mrs Parry, the next step is to gazette this proposed acquisition. Council staff have appointed a valuer to recommend the compensation due to Mr & Mrs Parry.

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

## KEY ISSUES:

- Council staff have been in negotiation for access and then purchase of the Crown Land on the northern side of Emu Crossing Bridge for the last twelve months. Staff now have an outline of the final steps that need to be carried out to complete this process.

## CONCLUSION:

That Council support the application for gazettal of the land required for the approaches to Emu Crossing Bridge.

## COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**  
Council has discussed this issue with the Lands Department and Mr & Mrs Parry.
- 2. Policy and Regulation**  
Nil
- 3. Financial (LTFP)**  
Cost of gazettal and land purchase and compensation has been included in bridge project.
- 4. Asset Management (AMS)**  
Nil
- 5. Workforce (WMS)**  
Nil
- 6. Legal and Risk Management**  
Compliance with purchase under "Just Terms" legislation
- 7. Performance Measures**  
Land purchase complete
- 8. Project Management**  
Nil

Robert Bell  
Director Infrastructure and Regulation

Prepared by staff member: Robert Bell  
TRIM Reference: U12/6865  
Approved/Reviewed by Manager:  
Department: Infrastructure and Regulation  
Attachments: A. Email from Mr David Mayers, Land and Property Information.  
B. Survey Plan 15<sup>th</sup> March 2015 Mr Michael Croft.

## Robert Bell

---

**From:** David Mayers <David.Mayers@lpi.nsw.gov.au>  
**Sent:** Friday, 3 July 2015 11:31 AM  
**To:** Robert Bell  
**Cc:** Just Terms  
**Subject:** Further Just Terms Enquiry Regarding: Thunderbolts Way - Emu Crossing Bridge (Uralla Shire Council)

**Importance:** High

**Categories:** Red Category

Dear Robert

Thank you for your time this morning in relation to the above matter.

I have reviewed the initial Just Terms request for additional information and now provide the following for your consideration:

- a) The Uralla Shire Council's file reference for inclusion in the Determination of Compensation report;
- b) An aerial photograph indicating both the land proposed to be acquired; the land affected by the acquisition(s) and the nearby vicinity;
- c) The scope of works being undertaken or which have been undertaken;
- d) Crown improvements to be included in the Determination(s);
- e) Acquiring Authority improvements to be excluded in the Determination(s);
- f) In relation to the Crown Licence interests RI 535856 (Mr and Mrs Parry) please advise whether agreement has or may be reached or whether a claim will be made which will require separate Determination of Compensation Reports being undertaken by Just Terms;
- g) A copy of the Proposed Acquisition Notice(s) and the date(s) issued to the claimant(s);
- h) The Proposed Acquisition Notice period;
- i) A copy of the completed Section 2 Form 39 Claim for Compensation Form(s);
- j) The proposed Gazetteal Date;
- k) The relevant contact details for inspection of the acquired land(s);
- l) Has the Crown's administration Fee of \$487.70 been paid;
- m) Provide Just Terms with a copy of the Gazetteal Notice on the date it is published;
- n) Any other issue or matter which the Acquiring Authority considers relevant in relation to this acquisition.

In addition Just Terms requests immediate notification as to the specific Date of Gazettal as approved by the Minister to the Acquiring Authority being in advance of its actual publication in the Government Gazette.

*Please note that Just Terms cannot commence this compulsory acquisition matter until all of the above required and requested documentation and clarifications are provided.*

Your early attention and response would be appreciated.

if you have any further enquiries please do not hesitate to contact the undersigned on landline: (02)4275 9406 or Email: [David.Mayers@lpi.nsw.gov.au](mailto:David.Mayers@lpi.nsw.gov.au) and [Just.Terms@lpi.nsw.gov.au](http://Just.Terms@lpi.nsw.gov.au) in the first instance.

Kind Regards

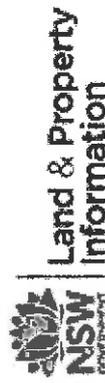
**David Mayers**

**District Valuer | Compensation Valuations**

Land and Property Information | Office of Finance & Services  
Level 1 Block J, 84 Crown St Wollongong NSW 2500  
PO Box 5368 Wollongong NSW 2500

E: [David.Mayers@lpi.nsw.gov.au](mailto:David.Mayers@lpi.nsw.gov.au) | T: 4275 9406 | M: 0427 406 154

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**From:** Robert Bell [mailto:[RBell@uralla.nsw.gov.au](mailto:RBell@uralla.nsw.gov.au)]

**Sent:** Friday, 3 July 2015 9:43 AM

**To:** David Mayers

**Cc:** 'Just'; Alan Harvey

**Subject:** Thunderbolts Way - Emu Crossing Bridge

Dear David,

Further to the email dated 2/07/2015 from Ayesha I wish to point out that in regard to b) & j) the information on National Native Title was carried out by Crownlands. It involved a 60 day delay prior to the issuing of a permit to carry out works to allow the tribunal to advise if there were any outstanding claims. This process was not done by Council.

Council did investigate the possible of any Land Claims with the local Crown lands Office. A copy of there response was forwarded to you.  
Regards

**Robert Bell**  
**Director Infrastructure & Regulation**  
Uralla Shire Council | PO Box 106 Uralla NSW 2358  
p 02 6778 6300 | f 02 6778 6349 | m 0427 215 970  
[rbell@uralla.nsw.gov.au](mailto:rbell@uralla.nsw.gov.au) | [www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au)



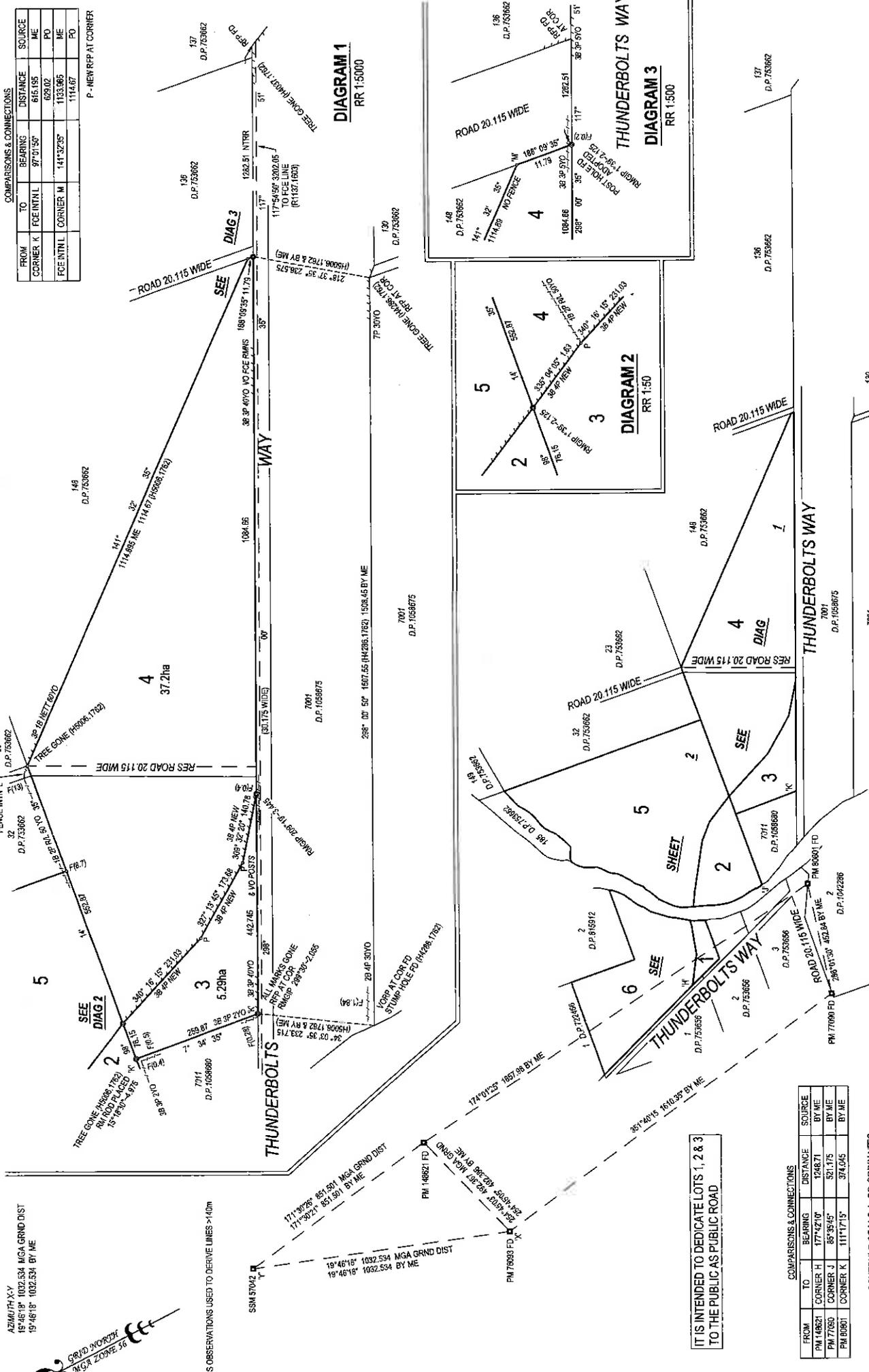
URALLA SHIRE COUNCIL

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COMPARISONS & CONNECTIONS

FROM CORNER	TO CORNER	BEARING	DISTANCE	SOURCE
K	F	97°01'50"	615.155	ME
F	P	69°02'	629.02	PO
F	M	141°32'35"	1133.965	ME
M	P	1114.67'	1114.67	PO

P - NEW RIPRAT CORNER

SCHEDULE OF M.G.A. CO-ORDINATES

SURVEY AND SPATIAL INFORMATION REGULATIONS 2012 CLAUSE 34(1) & 6(2)

MARK	EASTING	NORTHING	CLASS	ORDER	SOURCE
PM 7093	314 353.354	6 655 653.579	B	2	SCMS
PM 7790	314 697.184	6 655 050.304	E	E	GNSS - STATIC OCC
PM 8080	315 032.389	6 657 535.304	E	E	GNSS - STATIC OCC
PM 4821	314 838.945	6 650 753.068	B	2	SCMS
SSM 5702	314 713.331	6 660 625.160	B	2	SCMS

MGA ZONE 56 CSF 03698914 SCMS SEARCH DATED 26/02/2015

IT IS INTENDED TO DEDICATE LOTS 1, 2 & 3 TO THE PUBLIC AS PUBLIC ROAD

COMPARISONS & CONNECTIONS

FROM CORNER	TO CORNER	BEARING	DISTANCE	SOURCE
H	I	177°42'0"	1948.71	BY ME
J	K	85°35'45"	521.175	BY ME
K	L	111°17'15"	374.045	BY ME

Surveyor: Michael James Croft  
 Date of Survey: 15th MARCH 2015  
 Surveyor's Reference: 834 - USC EMU REPORT

PLAN OF ACQUISITION OF PART OF LOTS 38 & 190 IN DP753662, LOT 110 IN DP753656 AND CROWN LAND

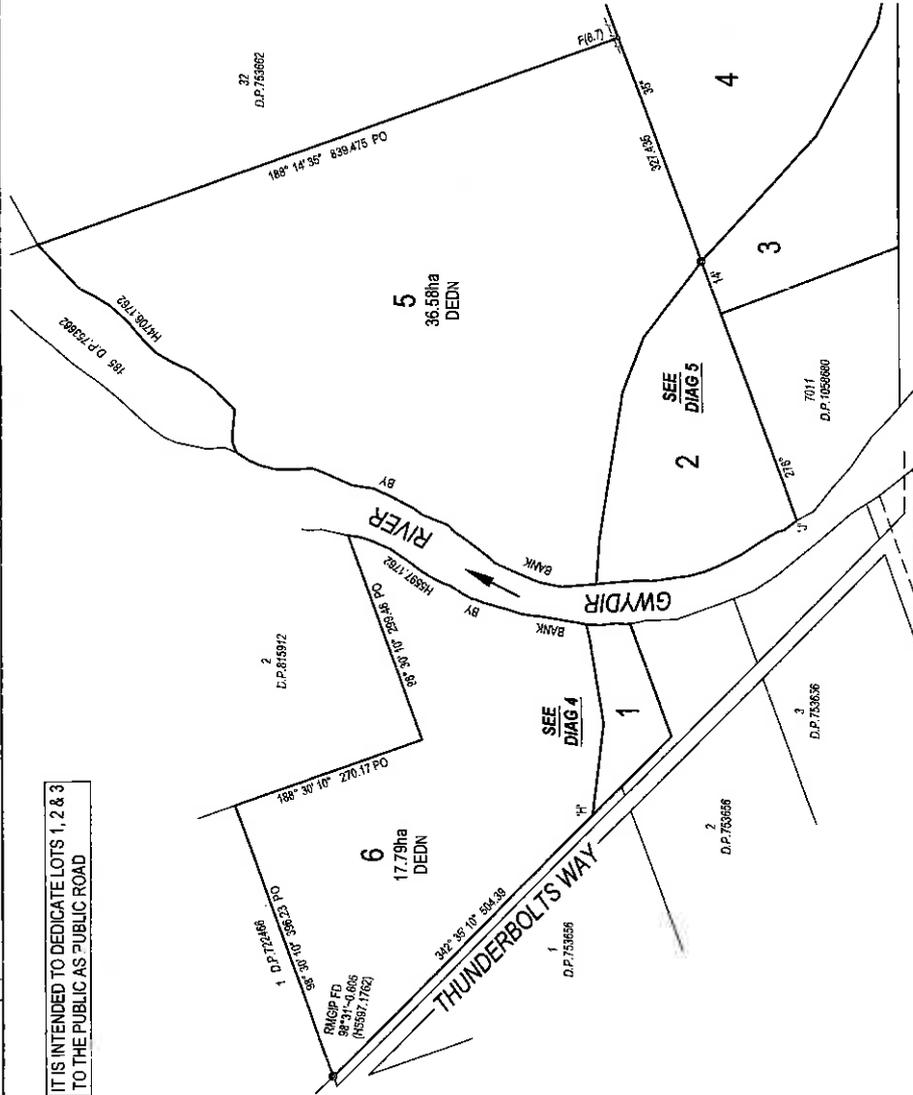
LGA: URALLA  
 Locality: BUNDARRA  
 Subdivision No: DP753656 AND CROWN LAND

Registered DP

Scale: 1:1000  
 Lengths are in metres. Reduction Ratio: 1:1000



IT IS INTENDED TO DEDICATE LOTS 1, 2 & 3 TO THE PUBLIC AS PUBLIC ROAD



SHORT LINE TABLE

LINE	BEARING	DISTANCE
1	351°10'35"	22.605
2	17°59'45"	8.095
3	357°18'05"	28.985
4	354°18'05"	33.67
5	1°24'05"	33.38
6	5°20'10"	19.94
7	13°17'05"	20.735
8	20°22'10"	23.755
9	20°33'55"	26.44
10	31°25'05"	15.485
11	23°23'05"	35.31
12	22°41'30"	23.215
13	212°36'10"	19.085
14	201°09'25"	22.425
15	244°1'00"	11.545
16	207°11'30"	6.195

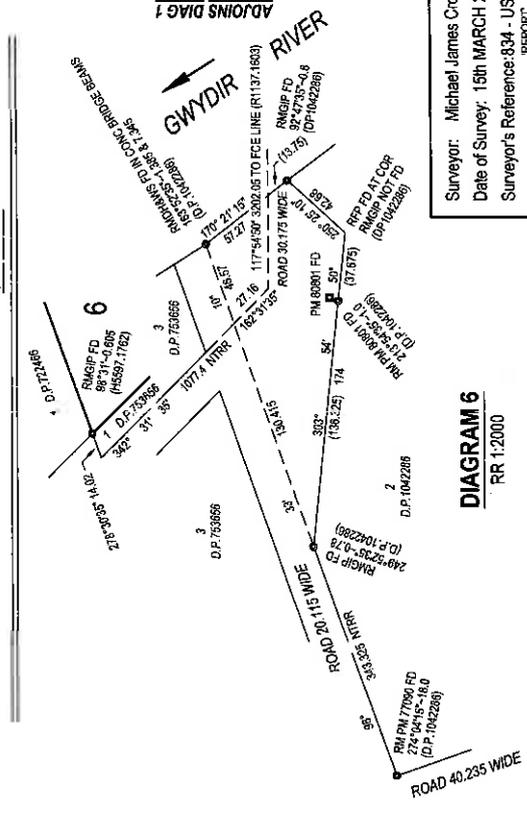


DIAGRAM 5 RR 1:2000

DIAGRAM 4 RR 1:2000

DIAGRAM 6 RR 1:2000

Surveyor: Michael James Croft  
 Date of Survey: 15th MARCH 2015  
 Surveyor's Reference: 834 - USC EMMU REPORT

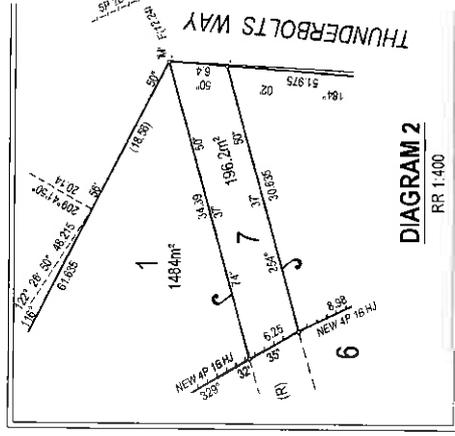
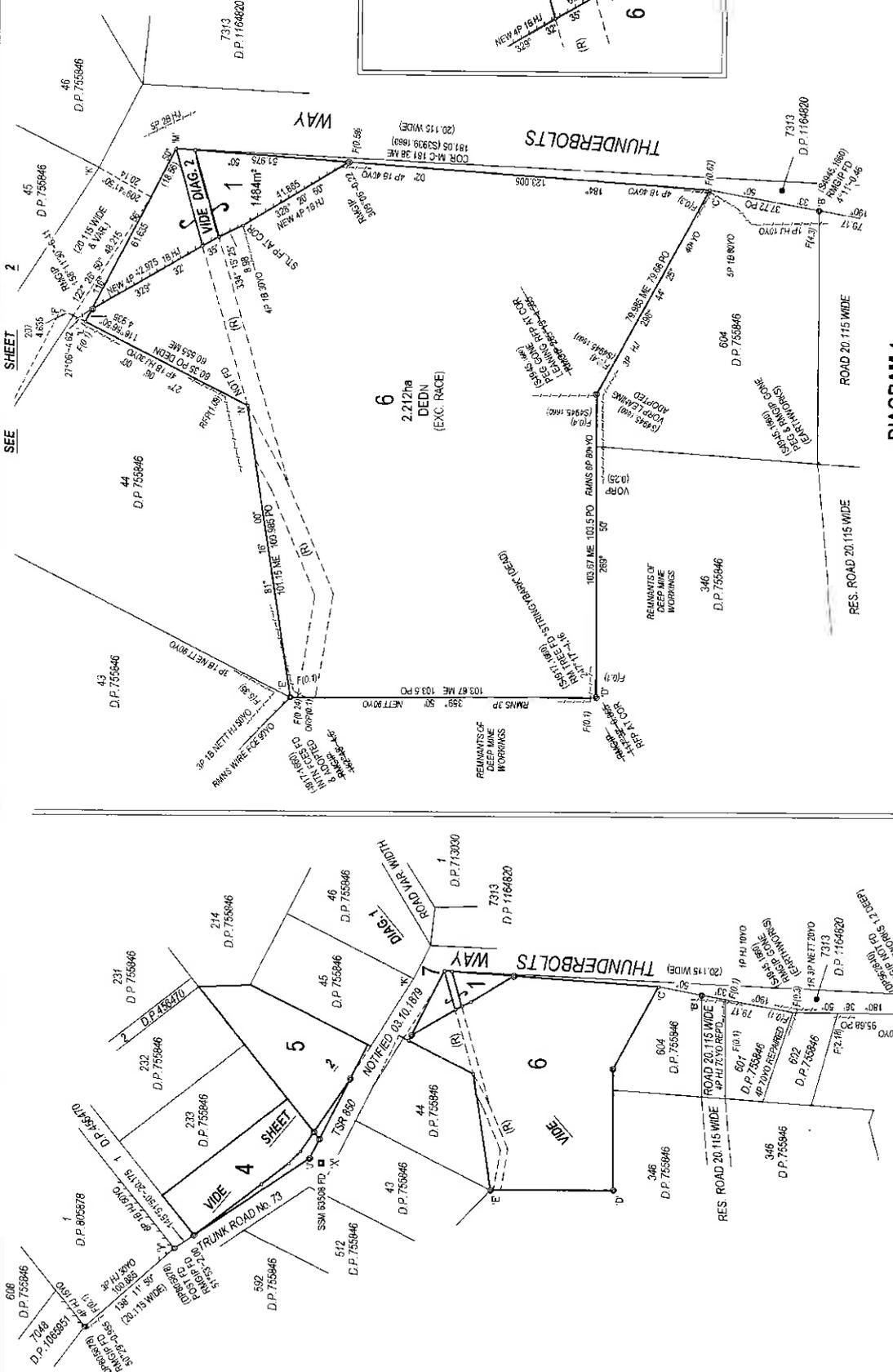
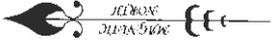
PLAN OF ACQUISITION OF PART OF LOTS 38 & 190 IN DP753662, LOT 110 IN DP753656 AND CROWN LAND

LGA: URALLA  
 Locality: BUNDARRA  
 Subdivision No: DP753656  
 Lengths are in metres. Reduction Ratio: 1:5000

Registered DP

RR 1:2000

AZIMUTH-X-Y (SSM3308 - COR Y)  
 329°18'57" 143.92 D.P. 805878  
 329°18'57" 143.92 BY ME



COMPARISONS & CONNECTIONS

FROM	TO	BEARING	DISTANCE	SOURCE
CORNER A	CORNER B	51°02'00"	174.185	SSM345 1880
CORNER C	CORNER D	57°04'10"	174.2	BY ME
CORNER E	CORNER F	282°34'30"	177.44	4817 1690
CORNER G	CORNER H	282°23'00"	177.94	BY ME
CORNER I	CORNER J	59°32'20"	152.88	44 1680
CORNER K	CORNER L	59°32'20"	66.285	3829 1690
SSM 63508	SSM 159045	166°38'25"	568.31	BY ME
SSM 159045	CORNER C	4°16'25"	263.295	BY ME

DIAGRAM 1  
RR 1:1000

(R) RESERVED RACE 6 035 WIDE (S3359 1640)

SCHEDULE OF M.G.A. COORDINATES

MARK	EASTING	NORTHING	CLASS	ORDER	SOURCE
SSM 63508	345.978	6 611.542	U	J	SCMS
SSM 159045	348.807	6 611.004	U	J	SCMS

MGA ZONE 55 CSF 0.939583 SCMS SEARCH DATED 10/3/13

PLAN OF ACQUISITION OF PART OF  
 LOTS 234, 383, & 268 IN D.P. 755846  
 AND CROWN LAND

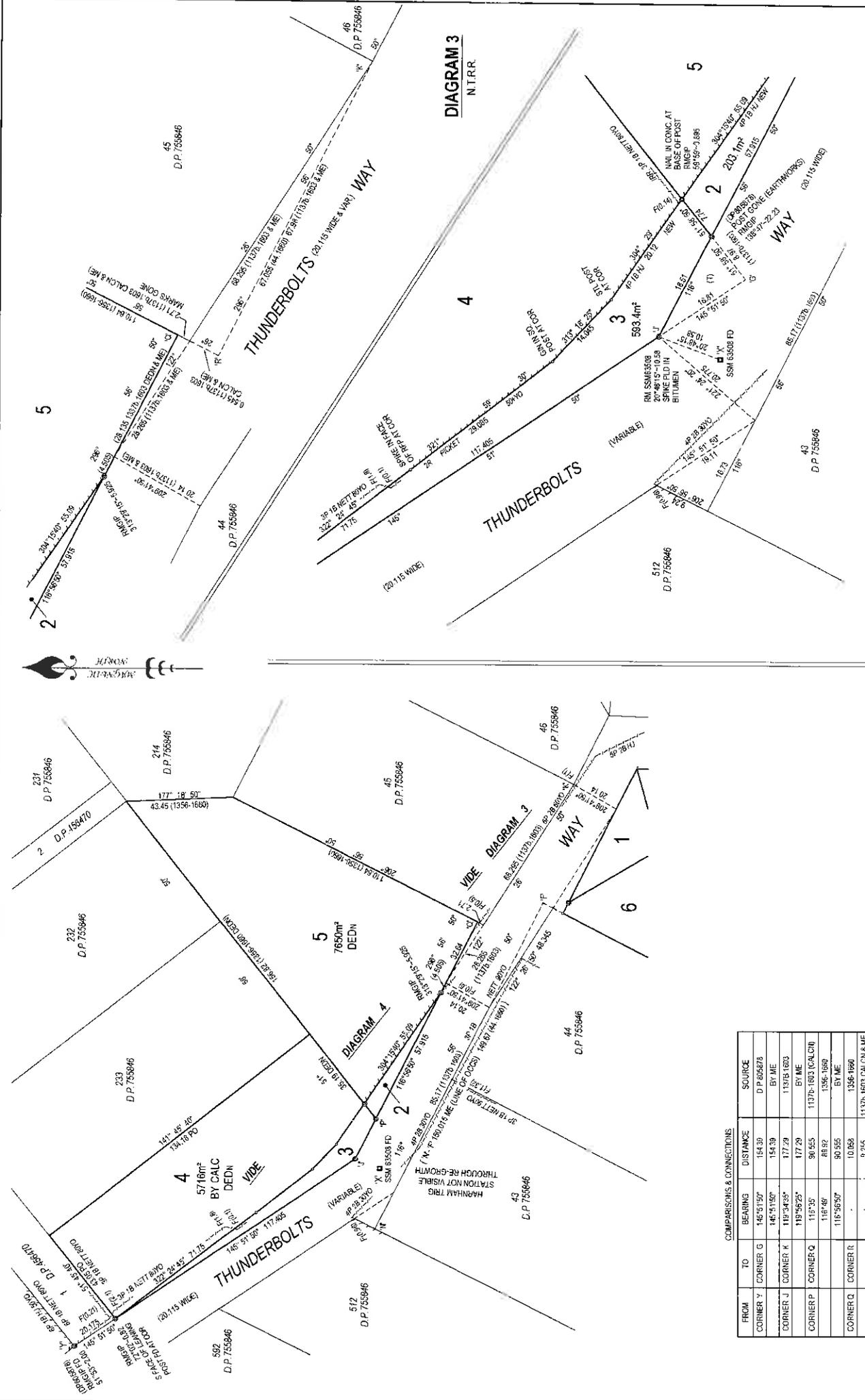
Surveyor: Michael James Croft  
 Date of Survey: 14th March 2013  
 Surveyor's Reference: 714 - USC  
 REPORT 2013/M/100289

Registered  
 27.6.2013  
 DP1184102

LGA: URALLA  
 Locality: ROCKY RIVER  
 Subdivision No.  
 Lengths in metres Reduction Ratio 1:2500

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)



**DIAGRAM 4**  
RR 1:400

(1) - 75.2m BY 113.7m 1803 FOR INFORMATION ONLY

<p>Surveyor: Michael James Croft Date of Survey: 14th March 2013 Surveyor's Reference: 714 - USC REPORT: 2013M7100289</p>	<p>PLAN OF ACQUISITION OF PART OF LOTS 234, 383, &amp; 268 IN D.P. 755846 AND CROWN LAND</p>	<p>LGA: URALLA Locality: ROCKY RIVER Subdivision No: Lengths are in metres Reduction Ratio 1:1000</p>
		<p>Registered 27.6.2013</p>
		<p>DP1184102</p>

COMPARISONS & CONNECTIONS  
Table of mm

FROM	TO	BEARING	DISTANCE	SOURCE
CORNER Y	CORNER G	146°51'59"	154.30	D.P. 605673
		146°51'56"	154.39	BY ME
CORNER J	CORNER K	119°34'35"	177.29	1137611803
		119°34'25"	177.29	BY ME
CORNER P	CORNER Q	113°35'	90.555	1137611803 (CALC'D)
		113°46'	90.555	1956-1980
CORNER Q	CORNER R	118°56'57"	90.555	BY ME
		118°56'57"	10.058	1356-1990
			9.255	1137611803 (CALC'D & ME)

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	Infrastructure & Regulation
<b>Submitted by:</b>	Director Infrastructure & Regulation
<b>Reference:</b>	2.21.09.04
<b>Subject:</b>	Thunderbolts Way road acquisition gazettal

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.3 <i>A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained</i>
<b>Strategy:</b>	2.3.1 <i>Provide an effective road network that balances asset conditions with available resources and asset utilisation</i>
<b>Action:</b>	2.3.1.2 <i>Undertake sealed roads capital renewal program</i>

### SUMMARY:

The purpose of this report is for Council to approve the gazetting of land identified in the Plan of Acquisition of Part of Lot 234, 383 & 268 in DP 755846 and crown land.

### COMMITTEE'S RECOMMENDATION:

That Council approve the gazetting of Part of Lot 234,383, and 268 in DP755846 as shown in the survey plan prepared by Michael Croft 14 March 2013.

### OFFICER'S RECOMMENDATION:

That Council approve the gazetting of Part of Lot 234,383, and 268 in DP755846 as shown in the survey plan prepared by Michael Croft 14 March 2013.

### BACKGROUND:

Thunderbolts Way was reconstructed approximately 3 kilometres from Uralla heading to Bundarra. While the property acquisitions were completed the Plan of Acquisition has not been gazetted. Once this occurs Council will request our solicitors complete the registration process.

### REPORT:

Council received a Plan of Acquisition from surveyor, Michael Croft, 14 March 2013. The plan and administration sheets have been registered with Lands and Property Information and a new deposited plan number has been created, DP 1184102. Council's solicitors now require a resolution from council to continue with the gazetting and finalisation of this acquisition. All other works relating to this acquisition have been completed.

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

## KEY ISSUES:

- Council needs to resolve to gazette the land before the plan of acquisition can be fully completed and registered.
- The upgrade of this section of Thunderbolts Way was completed in 2012/13.
- All property owners have been compensated.

## CONCLUSION:

That Council should support the gazettal of this Plan of Acquisition to allow this project to be finalised.

## COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
Nil
2. **Policy and Regulation**  
Nil
3. **Financial (LTFP)**  
Gazettal and Registration will be funded from Roads and Maritime Block Grant.
4. **Asset Management (AMS)**  
Nil
5. **Workforce (WMS)**  
Nil
6. **Legal and Risk Management**  
Gazettal required prior to registration.
7. **Performance Measures**  
Nil
8. **Project Management**  
Nil

Robert Bell  
Director Infrastructure and Regulation

Prepared by staff member: Robert Bell  
TRIM Reference: U12/152  
Approved/Reviewed by Manager:  
Department: Infrastructure and Regulation  
Attachments: C. Plan of Acquisition and Administration Sheets



PLAN FORM 6A (2012)

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

Registered:  27.6.2013 Office Use Only

Office Use Only

DP1184102

PLAN OF ACQUISITION OF PART OF LOTS 234, 383 & 268 IN D.P.755846 AND CROWN LAND

- This sheet is for the provision of the following information as required:
- A schedule of lots and addresses - See 6D(c) SSI Regulation 2012
  - Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919
  - Signatures and seals - see 195D Conveyancing Act 1919
  - Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number: .....

Date of Endorsement: .....

NOT ALL ADDRESSES AVAILABLE

LOTS 1, 2, 3 & 7 TO BE ACQUIRED FOR ROAD WIDENING PURPOSES

If space is insufficient use additional annexure sheet

Surveyor's Reference: 714 - USC '2013M7100(269)' REPORT

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Regulation</b>
<b>Submitted by:</b>	Manager Waste and Resource Recovery
<b>Reference:</b>	2.21.09.05
<b>Subject:</b>	2014-2015 Yearly Waste Data Reports

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	3.3	Reuse, recycle and reduce wastage
<b>Strategy:</b>	3.3.1	Promoting recycling, reusing and providing regular and efficient waste and recycling services
<b>Action:</b>	3.3.1.2	Manage Council's Waste Management facility, landfill sites and transfer station

### SUMMARY:

In accordance with the Protection of the Environment Operations (Waste) Regulation 2014, Council is required to report waste and recycling data to the NSW Environment Protection Authority (NSW EPA).

### COMMITTEE'S RECOMMENDATION:

That Uralla Shire Council resolve to approve the affixing of the Council Seal on the 2014-2015 Annual Local Government Waste and Resource Recovery Data Survey which was submitted on the due date; 31 August 2015.

### OFFICER'S RECOMMENDATION:

That Uralla Shire Council resolve to approve the affixing of the Council Seal on the 2014-2015 Annual Local Government Waste and Resource Recovery Data Survey which was submitted on the due date; 31 August 2015.

### BACKGROUND:

In accordance with the Protection of the Environment Operations (Waste) Regulation 2014, Council is required to report waste and recycling data to the NSW Environment Protection Authority. One data survey and three annual waste data reports were required to be completed by Council.

The Local Government Waste and Resource Recovery Data Survey collates information about waste services and municipal waste generated in a local government area.

Yearly waste data reports were required for each of the waste facilities owned and operated by Council. Yearly waste data reports were completed for Kingstown Waste Transfer Station, Bundarra Landfill and Uralla Landfill and Community Recycling Centre.

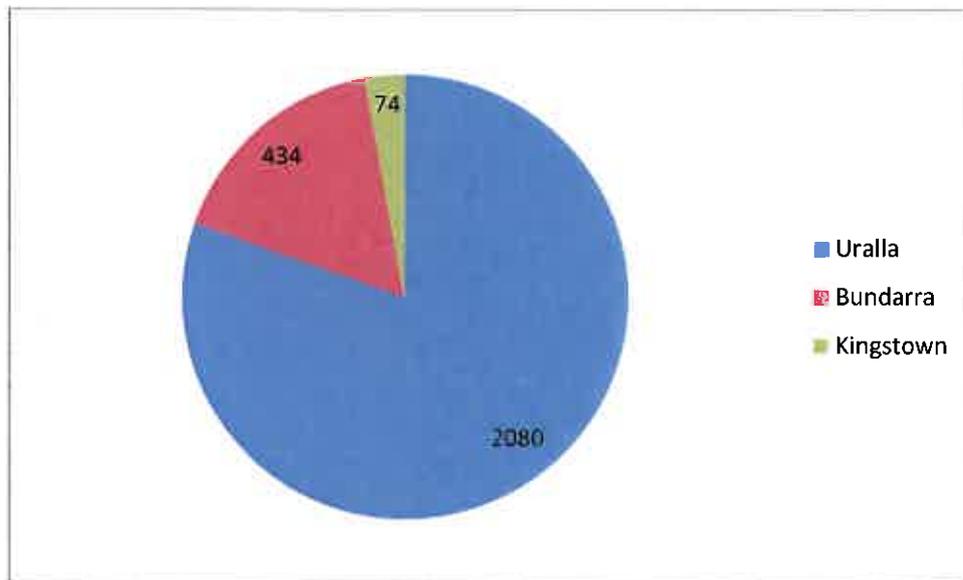
## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

### REPORT:

Waste and recycling data is recorded throughout the year and reported in the annual waste and resource recovery data surveys. Kerbside services are measured by using actual bin counts for each day and using average bin weights. The average weight of a waste bin used in the calculations was 9.2kgs.

Council conducts recycling bin audits throughout the year and percentages found in these audits are used to calculate the mix of kerbside recycling. The average recycling bin weighs 6.25kgs, and is made up of 46% paper/cardboard, 28% glass, 13% plastic, 4% aluminium and steel cans and 13% waste. (Based on a recycling bin audit in Uralla on 29 April 2015).

The total municipal waste collected at Council facilities in 2015 was 8,172 tonnes, and 5,584 tonnes of this material was recycled. 4,932 tonnes of recycled material was garden organic waste. Uralla Council landfilled 2,588 tonnes of waste in 2015.



**Waste disposal by facility in Uralla Shire 2014-2015 – Figures are in tonnes**

Kingstown Waste Transfer Station has improved waste diversion rates (what percentage of waste is recycled) from 22.79% in 2014 to 30.96% in 2015. Waste to landfill has reduced in Kingstown from 58.92 tonnes to 41.67 tonnes.

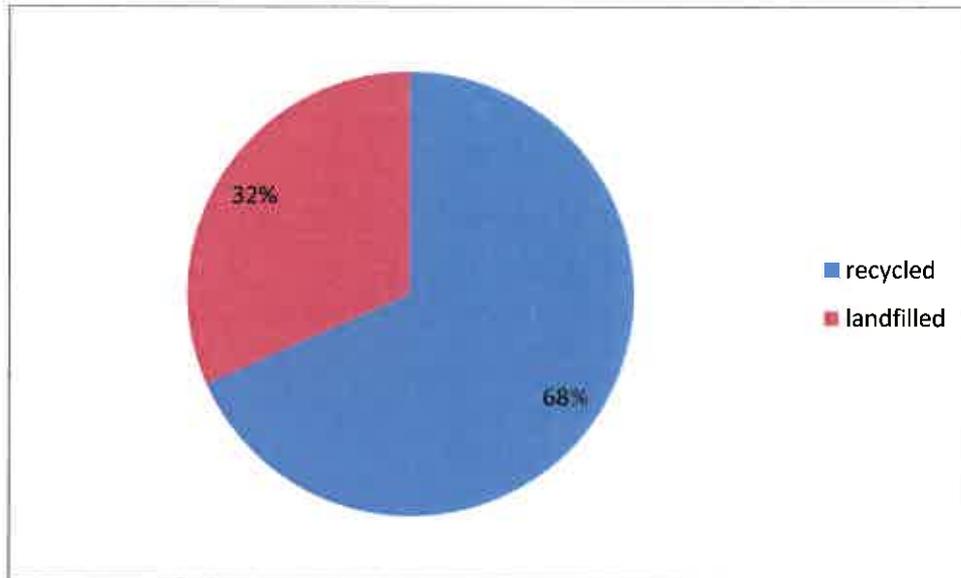
Bundarra waste disposal has increased from 211 tonnes in 2014 to 434 tonnes in 2015. During the 2015 year there has been an increase in the number of users of the Bundarra site which has correspondingly increased the waste disposed at that site.

Uralla waste to landfill has reduced to 2,588 tonnes in 2015. There were some data parameters that differed making a comparison between years difficult and this reflects the problem in relying on vehicle counts as a method of waste disposal measurement.

Shire wide only 30.23% of kerbside collected material is recycled. The State target 2020-21 for kerbside municipal waste diversion is 70%.

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Council's current municipal waste diversion rate is 68.32%, which is much closer to the state 2020-21 target of 75%. Council has recycled 4,932 tonnes of green waste as mulch. This is a vital component of Council's waste diversion rate.



**Uralla Shire Municipal Waste Diversion Rate**

### **KEY ISSUES:**

There is always room for improvements in avoiding waste to landfill and increasing recycling rates. It is encouraging that small communities such as Kingstown are separating their waste and reducing the amount of waste to landfill. Bundarra landfill has seen an increase in facility users, but not the corresponding increasing in recycling. Further investigation needs to take place to determine contributing factors to Bundarra's increase in waste, especially given the limited landfill space at the site.

Uralla landfill has seen a decrease in the quantities of waste to landfill. There was been a large increase in garden waste recycled and turned into mulch in 2015 which has greatly contributed to this waste decrease. There has been a reduction in illegal dumping to just over 1 tonne for the 2015 year. There has been an increase in recycling of items such as tyres, batteries and household items in 2015.

The limiting factor for Council's kerbside services is that there is no green waste/ household organics kerbside collection. Industry standard says that 30% of waste collected at the kerbside could be collected as kitchen organic waste and recycled. Council is undertaking waste audits and further investigation in this area this year to see what opportunities may be available to address this.

### **CONCLUSION:**

Council has complied with the legislative requirement to lodge waste and data reports for the 2014-2015 year for the Uralla Landfill and Community Recycling Centre, Bundarra Landfill and Kingstown Waste Transfer Station, along with lodgement of the Local Government Waste and Resource Recovery Data Survey. The affixing of the Council Seal is required to complete this process.

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

## COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**  
Waste and recycling data to be used in waste education and community engagement.
- 2. Policy and Regulation**  
Environment Operations (Waste) Regulation 2014
- 3. Financial (LTFP)**  
Nil
- 4. Asset Management (AMS)**  
Waste data will be included in calculation of landfill life assessments for Uralla Landfill and Bundarra Landfill.
- 5. Workforce (WMS)**  
Nil
- 6. Legal and Risk Management**  
Nil
- 7. Performance Measures**  
Nil
- 8. Project Management**  
Nil

Prepared by staff member:	Manager Waste & Resource Recovery
Approved/Reviewed by Manager:	Director Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Regulation</b>
<b>Submitted by:</b>	Director Infrastructure and Regulation
<b>Reference:</b>	2.21.09.06
<b>Subject:</b>	Adoption of Infrastructure Asset Management Policy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.2	An effective and efficient organisation
<b>Strategy:</b>	4.2.3	Develop and consistently apply an asset management framework that ensures existing and future infrastructure is affordable, funded and maintained to ensure inter-generational equity and sustainability
<b>Action:</b>	4.2.3.1	Develop funding models that ensure all of Council's infrastructure can be maintained and renewed as required

### SUMMARY:

The purpose of this report is to adopt the draft Infrastructure Asset Management Policy as a working policy.

### COMMITTEE'S RECOMMENDATION:

**That Council adopt the draft Infrastructure Asset Management Policy.**

### OFFICER'S RECOMMENDATION:

**That Council adopt the draft Infrastructure Asset Management Policy.**

### BACKGROUND:

The draft Infrastructure Asset Management Policy was presented to Council at the July 2015 meeting. It was placed on public exhibition between Monday, 10 August 2015 and Monday, 24 August 2015. No submissions were received. The draft policy now requires approval from Council to be adopted.

### REPORT:

The draft Infrastructure Asset Management Policy was created to outline the framework for the management of assets that support the delivery of services required, as outlined in Council's Community Strategic Plan. It sets out the purpose, scope, legislative framework, policy statement and responsibility for the implementation of this policy. This will ensure that Council's assets are capable of providing services of a desired quality, in a sustainable manner, for present and future communities.

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

The draft policy was presented to Council at the July 2015 meeting. It was placed on public exhibition between Monday, 10 August 2015 and Monday, 24 August 2015. No submissions in relation to this policy were received. The draft policy now requires approval from Council to be adopted.

### **CONCLUSION:**

That the draft Infrastructure Asset Management Policy be referred to Council for final adoption.

### **COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

This Draft Policy has been placed on public exhibition. Once adopted the Policy will be placed on the Council webpage.

**2. Policy and Regulation**

NSW Local Government Act 1993  
Local Government (General) Regulation  
Uralla Shire Council Operating Policies  
Uralla Shire Council Community Strategic Plan  
Department of Local Government – Integrated Planning Framework 2009  
Uralla Shire Council Asset Management Strategy  
Uralla Shire Council Infrastructure Asset/ Activity Management Plans

**3. Financial (LTFF)**

Nil

**4. Asset Management (AMS)**

Policy Document for all Infrastructure Asset Management

**5. Workforce**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Completion and updating of all Infrastructure Management Plans

**8. Project Management**

Nil

Prepared by staff member:	Regulatory Services Office Manager
TRIM Reference:	U07/2166 & U12/70
Approved/Reviewed by Manager:	Director Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	D. Infrastructure Asset Management Policy

	<b>Infrastructure Asset Management Policy</b>		

Policy Number	
Document Version	V1.0
Adoption Date	
Endorsed By	Executive
Approved By	
Minute Number	
Consultation Period	
Review Due Date	June 2017
Policy Custodian	Director of Infrastructure & Regulation
Superseded Documents	NA
Related Documents	Asset Management Strategy, Asset Management Plans
Delegations of Authority	

### Purpose and Scope

Uralla Shire Council is governed by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The purpose of this policy is to outline a framework for the management of assets that support the delivery of the services required, as outlined in Council's Community Strategic Plan, to ensure that Council's assets are capable of providing services of a desired quality, in a sustainable manner, for present and future communities.

This Policy applies to all assets owned or controlled by Council.

This Policy forms part of the Resourcing Strategy, which underpins the Community Strategic Plan whilst meeting the outcomes of the Division of Local Government's Integrated Planning and Reporting Framework.

### Legislation, Standards and Guidelines

- *NSW Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- Uralla Shire Council Operating Policies
- Uralla Shire Council Community Strategic Plan
- Department of Local Government - Integrated Planning Framework 2009
- Uralla Shire Council Asset Management Strategy
- Uralla Shire Infrastructure Asset/Activity Management Plans

## Definitions

### **Asset**

A physical component of a facility that has value, enables services to be provided, and has an economic life greater than 12 months. Council's assets include roads, bridges, footpaths, parks, buildings, drainage, water supply, sewerage, waste, stormwater, caravan park, swimming pool, and heritage items. These assets are generally called infrastructure assets. The principles in this Policy apply to all assets. The financial modelling and conclusions only apply to infrastructure assets.

### **Asset Management**

The process applied to assets from their planning, acquisition by Council, operation, maintenance, renewal and disposal, to ensure that the assets meet Council's priorities for service delivery.

## Policy Statement

Council is the custodian of community assets worth \$294 million. Good stewardship, maintenance and management of these assets are core Council responsibilities and a key community expectation. To ensure this Council's day to day asset management practices are to:

### **Embrace Asset Management practices through:**

- A planned maintenance, renewal, replacement and disposals scheduling process for new and existing assets.
- Effectiveness in spending, using life cycle methods to identify the lowest cost life cycle options.
- Reducing future life cycle costs by applying an optimised level of maintenance and renewal.
- Reducing future asset loss by adopting optimal intervention phases.

### **Allow informed and accurate decision making through:**

- Developing Asset Management Strategies and Plans that will apply to all major asset categories under its care and control.

### **Enable transparent financial framework through:**

- A needs based budgeting process that is linked to service levels.
- Demonstrable long term financial management.
- Providing trade-off options, where funds are restricted.
- Intergenerational equity.
- Revaluing assets at intervals of no greater than five (5) years using component level assessments in accordance with the Australian Accounting Standards 116.

### **Balance stakeholders needs and expectations through:**

- Measuring utilisation and demand.
- Prioritising capital works, based on the community's acceptable level of service and affordability.
- Funding the optimised levels of maintenance and renewal.

### **Improve corporate governance through:**

- Sustainable, equitable and affordable service delivery.

- Assessment and management of risk to be undertaken within the framework outlined in Council's Risk Management Policy.
- The acquisition of new assets to take into account the full cost of acquisition, operation, maintenance, renewals and disposal over its life cycle. The future cost impact of new assets will be fully considered as part of any new asset approval.

### Responsibility

Councillors adopt the Policy and ensure sufficient resources are applied to manage the assets.

The Director of Infrastructure & Regulation has overall responsibility for developing asset management systems, policies and procedures and reporting on the status and effectiveness of asset management with Council.

Appropriate Managers are responsible for implementing asset management systems, policies and procedures.

Employees with management or supervisory responsibility are responsible for the management of assets within their area of responsibility as determined under asset management plans.

Employees will be tasked under implementation plans, and will be responsible for the timely completion of those activities contained within those plans, and shall be familiar with asset management and how it is applied within Uralla Shire Council.

This policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any NSW Legislation and/or the National Asset Management Framework changes.

### Accountability, Roles and Responsibility

The Asset Management Policy prescribes the standards and provides guidelines to ensure that Council has information, knowledge and understanding about the long term and cumulative consequences of being the custodian of public infrastructure.

The Infrastructure & Regulation Department is responsible for this policy and the implementation of it. This will be done by ensuring systems, processes and people are able to make informed decisions on the most effective and efficient options for delivering related services whilst controlling exposure to risk and loss.

By having an efficient and effective Asset Management Strategy and Asset Management Plans Uralla Shire Council is better able to provide the long term strategic management of assets in order to cater for the community's desired levels of service in the future, in accordance with key strategic documents and within available resources.

### Attachments

Nil

Version	Review Date	Reviewer	Approved

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Regulation</b>
<b>Submitted by:</b>	Environmental Management Coordinator
<b>Reference:</b>	2.21.09.07
<b>Subject:</b>	ZNET Launch, 6 October 2015

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** 3.2 Maintain a healthy balance between development and the environment  
3.3 Reduce, recycle and reduce wastage

**Strategy:** 3.2.2. Educate the community about sustainable practices in the home, at work and in public places  
3.3.5 Identify technologies in Council's facilities, infrastructure and service delivery to reduce our ecological footprint

**Action:** 3.3.5.1 Engage and collaborate with the Uralla ZNET project through participation on the Community Reference Group

### SUMMARY:

The purpose of this report is to provide an update for the Committee regarding progress with the ZNET project.

### COMMITTEE'S RECOMMENDATION:

**That the report be received and noted.**

### OFFICER'S RECOMMENDATION:

**That the report be received and noted.**

### BACKGROUND:

The Zero Net Energy Town (Z-NET) Blueprint will be released publically by the Minister on 6 October 2015 at a media event in Uralla (at McCrossin's Mill). The Blueprint (which is a case study with Uralla as the subject) sets out to establish the degree to which it is possible to switch the Shire's stationary energy supply to alternative and renewable sources, while remaining on the grid. The Blueprint focuses on electricity, gas and wood use within the Shire. That is, it does not take transport energy into consideration.

The approach of the Blueprint is to examine what is technically and practically feasible, given currently available technologies, financially viable, and desirable to the community in changing to alternative and renewable energy resources. Options for switching to alternative and renewable energy sources are least cost and competitive with current sources of energy in respect to the price, quality, reliability and security of supply. The logic of the approach is to ensure that those actions which have least cost and the most benefit are taken first.

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

A consortium of agencies led by the Moreland Energy Foundation Limited has undertaken the necessary research and consultation with the Uralla Community. The Z-NET project was conceived and the funding secured by collaboration initiated within the New England Region. Starfish Enterprises has managed the project.

### **REPORT:**

The Zero Net Energy Town (Z-NET) Blueprint will be released publically on 6 October 2015 by the Minister for the Environment, Hon. Mark Speakman, at a media event at McCrossin's Mill. The launch will run from 10am – 11.30am and will be followed by lunch from 12.00 – 12.30pm. The Launch is being managed by Lauren Zell, Regional Clean Energy Coordinator for the Office of Environment and Heritage.

The event will be attended by the Minister for the Environment, the Hon. Mark Speakman, the Member for the Northern Tablelands, Adam Marshall, senior management from the Office of Environment and Heritage, ZNET project team staff, Moreland Energy Foundation Consultancy staff, and members of the ZNET Consortium. The Mayor has been invited to speak. Invitations have been extended to Councillors, the General Manager, members of the community and other Council staff. The Chair of the Community Reference Panel, Sandra Eady, has also been invited to give a short address.

The Minister will release the ZNET Blueprint Business Case and may have further announcements regarding support for the ZNET project in Uralla and around the State.

The launch will be followed by an open workshop for communities around NSW wishing to undertake a ZNET business case analysis for their town. It will be an opportunity for the Uralla Community and members of the Project Team who worked on the ZNET Uralla Business Case to share their experience, knowledge and expertise with these groups. This workshop will be hosted by Starfish Enterprises and Moreland Energy Foundation in the Uralla Shire Council Chambers from 12.30pm – 2.00pm. Starfish Enterprises and Moreland Energy Foundation Limited have responsibility for the logistics and management of this workshop.

Finally, in an invitation only event, the Coalition 4 Community Energy (C4CE) will host a discussion about the strategy needed to generate support for community renewable energy projects. The Coalition 4 Community Energy is the peak organisation body for community energy in Australia. Its mission is to: "To develop a shared agenda and vision, a set of objectives and priority initiatives and to grow a vibrant community energy sector across Australia. To ensure that this is truly a shared agenda, a highly collaborative process has been undertaken to build and secure commitment to this agenda from all key actors in the emerging community energy sector." The Institute for Sustainable Futures, Moreland Energy Foundation, a number of community energy projects from around Australia and the Total Environment Centre are some of its members. It is legally auspiced by Starfish Enterprises. <http://c4ce.net.au/nces/>

All arrangements and invitations to this event are managed by Starfish Enterprises and Moreland Energy Foundation Limited.

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

## COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
N/A
2. **Policy and Regulation**  
N/A
3. **Financial (LTFFP)**  
N/A
4. **Asset Management (AMS)**  
N/A
5. **Workforce (WMS)**  
N/A
6. **Legal and Risk Management**  
N/A
7. **Performance Measures**  
N/A
8. **Project Management**  
N/A

Prepared by staff member:	Stephanie McCaffrey
Approved/Reviewed by Manager:	Alan Harvey
Department:	Infrastructure and Regulation
Attachments:	Nil

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



## REPORT TO COUNCIL

<b>Department:</b>	<b>Division Decision</b>
<b>Submitted by:</b>	Director Infrastructure & Regulation
<b>Reference:</b>	2.21.09.08
<b>Subject:</b>	Planning Proposal – D & J Heagney - Part Lot 12 DP 529709 – Rowan Avenue, Uralla – Exhibition Completion

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.2	Growing and diversified employment, education and tourism opportunities
<b>Strategy:</b>	2.2.1	Provide land use planning that facilitates employment creation
<b>Action:</b>	2.2.1.1	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents
	2.2.2.1	Assess and maintain a sufficient supply of residential, lifestyle, agricultural, commercial and industrial zoned land

### SUMMARY:

The purpose of this report is to consider any submissions made during the exhibition and if Council agrees to the Planning Proposal proceeding, to forward it to the NSW Department Planning & Environment for determination.

### COMMITTEE'S RECOMMENDATION:

That Council:

1. Amend the Uralla Local Environmental Plan 2012 by amending the Zoning and Minimum Lot Size maps applicable to Part Lot 2 DP 529709:
  - a) from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and
  - b) to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.
2. Forward planning proposal to NSW Department of Planning & Environment under section 58(2) of the Environmental Planning & Assessment Act 1979, to determine whether any further consultation is required or if a new Gateway Determination is required to be issued.
3. If no further consultation or a New Gateway Determination is not required to be issued, Council requests the NSW Department of Planning & Environment to amend the Uralla Local Environmental Plan 2012 in that:
  - a) a draft Local Environmental Plan be prepared under section 59(1) of the Environmental Planning & Assessment Act 1979,

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

- b) Consultation be undertaken with the Director General on the content of the draft Local Environmental Plan,
  - c) Obtain an Opinion from Parliamentary Counsel that the plan can be made, and
  - d) Request the Minister to make the plan under section 59(2) and (3) of the Environmental Planning & Assessment Act 1979.
4. The General Manager be given delegated authority to make any minor alterations requested by the NSW Department of Planning & Environment or Parliamentary Counsel.
5. The Committee note the content of the addendum report in regards to the late submission by NSW Department of Transport Roads and Maritime Services, and
6. If the planning proposal is to proceed, the access be relocated to Rowan Avenue as a requirement of the Planning Proposal.

### OFFICER'S RECOMMENDATION:

#### That Council:

1. Amend the Uralla Local Environmental Plan 2012 by amending the Zoning and Minimum Lot Size maps applicable to Part Lot 2 DP 529709:
  - a) from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and
  - b) to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.
2. Forward planning proposal to NSW Department of Planning & Environment under section 58(2) of the *Environmental Planning & Assessment Act 1979*, to determine whether any further consultation is required or if a new Gateway Determination is required to be issued.
3. If no further consultation or a New Gateway Determination is not required to be issued, Council requests the NSW Department of Planning & Environment to amend the Uralla Local Environmental Plan 2012 in that:
  - a) a draft Local Environmental Plan be prepared under section 59(1) of the *Environmental Planning & Assessment Act 1979*,
  - b) Consultation be undertaken with the Director General on the content of the draft Local Environmental Plan,
  - c) Obtain an Opinion from Parliamentary Counsel that the plan can be made, and
  - d) Request the Minister to make the plan under section 59(2) and (3) of the *Environmental Planning & Assessment Act 1979*.
4. The General Manager be given delegated authority to make any minor alterations requested by the NSW Department of Planning & Environment or Parliamentary Counsel.

### BACKGROUND:

It is intended to subdivide 76 ha of rural zoned land from the industrial zoned land (approximately 5 ha) to enable an industrial subdivision under a future development proposal. The subdivision will result in a residual rural zoned lot of approximately 76 ha. The most logical use of the land is as a rural small holding with a dwelling to allow for the effective onsite management of the land. The present RU1 and RU1 zoning and the minimum lot sizes of 200 and 400 ha need to be amended to achieve this outcome.

# REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

At Council's Ordinary meeting 22 June 2015 Council resolved that:

1. the Planning Proposal seeking to amend the Zoning and Minimum Lot Size maps applicable to Part Lot 12 DP 529709 be forwarded to NSW Planning and Environment for a Gateway Determination,
2. the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment;
3. the Planning Proposal is advertised as per the provisions of *Section 57 of the Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued; and
4. Council advise the NSW Department of Planning & Environment that they do not wish to have delegated authority to make the amendment due possible conflict of interest due to Council purchasing the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning.

This has now been completed.

## REPORT:

This Planning Proposal applies to part of Lot 12 DP 529709, Rowan Avenue Uralla. The Planning Proposal seeks to amend the Zoning and Minimum Lot Size maps applicable to the land:

- from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and
- to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.

At Council's Ordinary Meeting held 22 June 2015, Council recommended that it sought a Gateway Determination from the NSW Department of Planning and Environment requesting to place the Planning Proposal on public exhibition.

A Gateway Determination (copy attached to this report) was given by the Department of Planning & Infrastructure on 15 July 2015. The Gateway Determination was that the planning proposal proceed subject to conditions. The conditions are:

1. *Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:*
  - a) *the planning proposal must be made publicly available for a minimum of 28 days; and*
  - b) *the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).*
2. *Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.*
3. *A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).*
4. *The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.*

The planning proposal was placed on public exhibition for 28 days (24 July 2015 to 24 August 2015) with no submissions being made.

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Consultation was undertaken with the NSW Rural Fire Service with a response (copy attached to this report) being received 20 August 2015 and it detailed the following:

*The Service has reviewed the plans and documents received for the proposal and subsequently raise no concerns or issues in relation to bush fire.*

Council has advised NSW Department Planning & Environment they do not wish to have delegated authority to make the amendment due possible conflict of interest due to Council purchasing the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning. To forward the planning proposal Council needs to:

1. Resolve to support the planning proposal.
2. Forward the Planning Proposal to the NSW Department Planning & Environment for their approval.
3. If they approve they will forward the Planning Proposal onto the Planning Proposal to Parliamentary Counsel to offer an opinion and to draft the amendment instrument.
4. The signed instrument is returned to the Department of Planning & Infrastructure to arrange the Ministers Approval and subsequent notification to Parliamentary Counsel to organise notification of the NSW legislation website.

The date of publish in the Government Gazette is when the amendment comes into force.

### KEY ISSUES:

- *The Planning Proposal seeks to amend the URALLA LEP 2012 by amending the Zoning and Minimum Lot Size maps applicable to Part Lot 12 DP 529709 Rowan Avenue, Uralla.*
- *The Planning Proposal does involve mapping amendments to the URALLA LEP.*
- *Due to the proposed purchase and development of the industrial zone land reside by Council, Council should not use its delegation from the Director General, NSW Department of Planning & Environment, to make the amendment to the Uralla Local Environmental Plan 2012.*

### CONCLUSION:

It is recommended that Council NSW Department of Planning and Environment amend the Uralla Local Environmental Plan 2012 by supporting the Planning Proposal to amend the Zoning and Minimum Lot Size maps applicable to Part Lot 12 DP 529709:

- from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and
- to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.

### COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
The Planning Proposal was placed on Public Exhibition from 24 July 2015 until 24 August 2015 as per the Gateway Determination.
2. **Policy and Regulation**  
*Environmental Planning & Assessment Act, 1979.*  
*Environmental Planning & Assessment Regulations, 2000.*

## REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Possible conflict interest due to Council purchase of the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning.

**7. Performance Measures**

Nil

**8. Project Management**

Nil

Prepared by staff member:

Elizabeth Cumming, Contract Planner

Approved/Reviewed by Manager:

Director Infrastructure & Regulation

Department:

Infrastructure & Regulation

Attachments:

- E. Gateway Determination – dated 15 July 2015
- F. Letter from NSW Rural Fire Service - dated 24 August 2015
- G. Gateway Determination – dated 15 September 2015



Mr Damien Connor  
General Manager  
Uralla Shire Council  
PO Box 106  
URALLA NSW 2358

Our ref: PP\_2015\_URALL\_003\_00 (15/10870)  
Your ref: U12/6915

Attention: Melody Styles

Dear Mr Connor

**Planning proposal to amend Uralla Local Environmental Plan 2012**

I am writing in response to your Council's letter dated 10 July 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone and amend the minimum lot size for part of Lot 12 DP 529709, Rowan Avenue, Uralla, and to make associated changes to Uralla Local Environmental Plan 2012.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 1.2 Rural Zones is of minor significance. No further approval is required in relation to this Direction.

Council will still need to obtain the agreement of the Department's Secretary to comply with the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Craig Diss of the Department's regional office to assist you. Mr Diss can be contacted on (02) 6701 9685.

Yours sincerely

*J. Matthews 15 July 2015*

**James Matthews**  
**Acting General Manager, Northern Region**  
**Planning Services**

Encl:  
Gateway Determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_URALL\_003\_00):** to rezone and amend the minimum lot size for part of Lot 12 DP 529709, Rowan Avenue, Uralla, and to make associated changes to Uralla Local Environmental Plan 2012.

I, the Acting General Manager, Northern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Uralla Local Environmental Plan 2012 to rezone and amend the minimum lot size for part of Lot 12 DP 529709, Rowan Avenue, Uralla, and to make associated changes to Uralla Local Environmental Plan 2012 should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment 2013)*.
2. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 15 day of JULY 2015

**James Matthews**  
Acting General Manager, Northern Region  
Planning Services  
Department of Planning and Environment

**Delegate of the Minister for Planning**

All communications to be addressed to:

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Headquarters  
Locked Bag 17  
Granville NSW 2142

Telephone: 1300 NSW RFS  
e-mail: [csc@rfs.nsw.gov.au](mailto:csc@rfs.nsw.gov.au)

Facsimile: 8741 5433



The General Manager  
Uralla Shire Council  
PO Box 106  
URALLA NSW 2358

Your Ref: U12/6915  
Our Ref: L11/0010  
DA15072897886 AB

**ATTENTION:** Libby Cumming

20 August 2015

Dear Ms Cumming

**Planning Instrument for Consultation Regarding Planning Proposal To Amend Uralla Local Environment Plan 2012**

I refer to your letter dated 22 July 2015 seeking advice for the above Planning Instrument in accordance with the 'Environmental Planning and Assessment Act 1979'.

The Service has reviewed the plans and documents received for the proposal and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ivan Perkins', written over a light blue grid background.

Ivan Perkins  
**Acting Manager**

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.



Transport  
Roads & Maritime  
Services

File No: NTH15/00086  
Your Ref: U12/6915

The General Manager  
Uralla Shire Council  
PO Box 106  
URALLA NSW 2358

Attention: Keiley Hunter – Relief Planner

Dear Sir / Madam,

**Draft LEP Amendment No. 5 – Proposed Rezoning of Lot 12 DP 529709 Rowan Avenue, Uralla**

I refer to your email correspondence of 25 August 2015 requesting comment from Roads and Maritime Services in relation to the abovementioned planning proposal.

**Roles and Responsibilities**

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.

Uralla Shire Council is the 'Roads Authority' for all public roads in the subject area. Roads and Maritime's has a role in the management of classified roads under the *Roads Act 1993*.

In accordance with Clause 101 of the *State Environmental Planning Policy (Infrastructure) 2007* (SEPP) the Consent Authority is to have consideration for the safety, efficiency and ongoing operation of a classified road where a development has frontage to a classified road.

**Roads and Maritime Response**

Roads and Maritime has reviewed the proposal and provides the following comments to assist Council in considering the proposed rezoning;

1. The existing access is located in a 100k/h zone at the merge of a southbound overtaking lane. Any vehicle turning right into the property is at increased risk of a rear end collision. The access should be relocated to improve safety.
2. It is noted that the property is accessible from Rowan Avenue, a local road with a 50k/h speed zone. Consideration should be given to access being achieved from the local road in accordance with clause 101 of the SEPP.
3. Any access to the New England Highway would need to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and RMS Supplements. Where works are required on the New England Highway, a 'Works Authorisation Deed' (WAD) with Roads and Maritime will be required.

If you have any further questions in relation to the above comments then please contact Liz Smith, Manager Land Use Assessment on (02) 6640 1362 or via email at: [development.northern@rms.nsw.gov.au](mailto:development.northern@rms.nsw.gov.au)

Yours faithfully

15 September 2015

Monica Sirol  
Network & Safety Manager, Northern Region

**Roads and Maritime Services**



## SCHEDULE OF ACTIONS

28 September 2015

19. Schedule of Actions

**SCHEDULE OF ACTIONS**

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	12.05/15	<p><b>Visitor Information Centre</b> That:</p> <ol style="list-style-type: none"> <li>1. Council adopt the strategic approach towards visitor services of strengthened Regional collaboration, increased digital presence and less reliance on a physical Visitor Information Centre (VIC) as the connection point with visitors;</li> <li>2. A Uralla Information Hub be developed using a range of digital tools;</li> <li>3. The Visitor Information services be relocated to the Library building with refurbishments completed to incorporate information services into the current Library; and</li> <li>4. Council investigate future options for the VIC building.</li> </ol>	Executive Manager Community & Culture					<p>Project Plan in development. Stakeholder Consultation planned for 6<sup>th</sup> October</p> <p>NEHC Motorcycle Campaign underway</p>	B	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
22JUNE15	15.06/15	<p><b>Amend Uralla Local Environmental Plan - Uralla Flood Planning Map</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>1. The Uralla Local Environmental Plan 2012 be amended to include an additional Flood Planning Map in the Uralla Local Environmental Plan 2012 that identifies land within a "flood planning area" derived from the Rocky and Uralla Creeks Flood Study.</li> <li>2. Council forwards the amendment to the Uralla Local Environmental Plan 2012 to Parliamentary Counsel Office to:                             <ol style="list-style-type: none"> <li>a) Make arrangements for drafting of the necessary instrument under section 59(1) of the Environmental Planning &amp; Assessment Act 1979, and</li> <li>b) Obtain an Opinion from which the plan can be made.</li> </ol> </li> <li>3. The General Manager be given delegated authority to:                             <ol style="list-style-type: none"> <li>a) Make any minor alterations requested by Parliamentary Counsel, and</li> <li>b) To exercise Council's delegation to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning &amp; Assessment Act 1979 as per the instrument of delegation dated 14 October 2012.</li> </ol> </li> </ol>	MP/DIR				20/7/2015	Draft LEP Maps being prepared prior to PC Opinion request being drafted.	B	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	16.06/15	<p><b>Amend Uralla Local Environmental Plan - Boundary Adjustment Clause and Rural Detached Dual Occupancy Dwellings</b></p> <p>1. The Uralla Local Environmental Plan 2012 be amended:</p> <p>a) To include the 'standard' LEP rural and environmental boundary adjustment clause.</p> <p>b) To expand permissible uses within rural and environmental zones to include detached dual occupancies with certain restrictions within the RU1, RU2, E3 and E4 Zones while ensuring that they remain in close proximity to the primary dwelling, share the same access and remain on the same title.</p> <p>2. Forward this amendment to the Uralla Local Environmental Plan 2012 to the Parliamentary Counsel Office to:</p> <p>a) Make arrangements for drafting of the necessary instrument under section 59(1) of the Environmental Planning &amp; Assessment Act 1979, and</p> <p>b) Obtain an Opinion from which the plan can be made.</p> <p>3. The General Manager be given delegated authority to:</p> <p>a) Make any minor alterations requested by Parliamentary Counsel, and</p> <p>b) To exercise Council's delegation to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning &amp; Assessment Act 1979 as per the instrument of delegation dated 14 October 2012.</p>	MP/DIR				(2.) 21/7/15	PC Opinion requested	C	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	25.06/15	<b>Naming of "Emu Crossing" Bridge</b> Council advertise for public comments on the naming of two bridges due for completion in 2015, the bridge at Emu Crossing and the bridge over Abington Creek.	DIR	Advertised and submissions received.			August 2015	Report to August Meeting	B	
	26.06/15	<b>Uralla Local Traffic Committee</b> That: (i) Traffic calming in Uralla's CBD- Council staff prepare a report for the next Traffic Committee (ii) Plane Avenue – Speed review – That Council staff place a traffic classifier at the 50/100 signage to determine 85th percentile speed and AADT; note that does not meet warrant for extension of 50km/hr zone; and erect Pedestrian warning signs at either end of Plane Avenue (iii) Request for automatic speed board at Kentucky- That Council place a traffic classifier near 40km/hr school sign & erect 4 x 50km/hr advance warning signs for Kentucky Village. (iv) Bundarra Central School – that Council arranges signage for bus zones and "no parking" zone. (v) Kingstown Road – that Council reviews the size of the Cemetery warning sign and investigates additional parking in Quartz Gully Road (vi) Corner of Bridge Street/ East Street- relocate "no stopping" sign to south of access to 158 Bridge Street.	DIR						B C C C B CB	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	27.06/15	<p><b>GATEWAY DETERMINATION: Planning Proposal – D &amp; J Heagney - Part Lot 12 DP 529709 – Rowan Avenue, Uralla</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>the Planning Proposal seeking to amend the Zoning and Minimum Lot Size maps applicable to Part Lot 12 DP 529709 be forwarded to NSW Planning and Environment for a Gateway Determination;</li> <li>the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment;</li> <li>the Planning Proposal is advertised as per the provisions of Section 57 of the Environmental Planning &amp; Assessment Act, 1979 once a Gateway Determination has been issued; and</li> <li>Council advise the NSW Department of Planning &amp; Environment that it does not wish to have delegated authority to make the amendment due to possible conflict of interest due to Council purchasing the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning.</li> </ol>	MP/DIR				<ol style="list-style-type: none"> <li>15.7.15</li> <li>20.7.15</li> <li>10.7.15</li> </ol>	<p>Gateway determination received</p> <p>Exhibition in progress from 24.7.15 until 24.8.15</p> <p>completed</p>	C	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	14.07/15	<b>Infrastructure Asset Management Policy</b> That the draft Infrastructure Asset Management Policy be adopted and the policy be placed on exhibition for 14 days to allow for public comment prior to final adoption.	DIR					Policy is on exhibition from 10 August to 24 August 2015	C	
	18.07/15	<b>Septic Tank Effluent Disposal</b> That Council advises all Shire residents that the Bundarra Landfill site will no longer accept septic tank effluent.	DIR						B	
	23.07/15	<b>Disused former Service Station site, Bridge Street, Uralla</b> That a report be provided to Council detailing available options, with costings, for action which can be taken by Council.	DIR					Attempting to track down owners after deregistration of company. Solicitor checking births deaths register.	A	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
24 AUGUST 2015	6.08/15	<p><b>Bridge Naming: New Bridges Over The Gwydir River and Abington Creek</b></p> <p>That Council, after considering the content and views of the public submissions:</p> <ol style="list-style-type: none"> <li>Names the new bridge over the Gwydir River as "The Emu Crossing Bridge."</li> <li>Names the bridge, under construction over the Abington Creek, as the "Abington Bridge".</li> <li>Places a plaque/s to honour the work of Nurse May Yarrowyck at a location to be determined.</li> </ol>	DIR						B	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM	
	9.08/15	<p><b>Sponsorship request – Thunderbolts Festival</b></p> <p>1. That Council enter into a major sponsor agreement with the Thunderbolts Festival Committee, conditional on items (a), (b), (c) and (d) below;</p> <p>(a) A requirement that Uralla Shire Council be showcased as the major sponsor on all event and promotional material.</p> <p>(b) A requirement that Uralla Shire Council be permitted to set-up a pop-up visitor information centre in a high traffic location in Alma Park for the Thunderbolts festival.</p> <p>(c) A full event risk management plan be satisfactorily completed and supplied to Council along with any other Council required documents before the end of September.</p> <p>(d) A written report including financials be provided to Council following completion of the event.</p> <p>2. That Council provide major sponsorship of \$10,000 in cash for the 2015 Thunderbolts Festival;</p> <p>3. That Council provide non-cash sponsorship in the form of the following:</p> <p>(a) the provision of and collection of garbage bins;</p> <p>(b) the erection and removal of</p>	EMCC						Council Resolution sent to Thunderbolts Committee. Agreement from Committee on terms.	B	



**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
23 MAR	26.03/15	<p><b>Land Disposal - Karava Place, Uralla</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notify all affected landowners of the completion to Amendment 2 of the Uralla Local Environmental Plan 2012;</li> <li>2. Offer Option 5 to all affected landowners being purchaser payment consisting of a peppercorn payment of \$1.00, conveyancing costs and a percentage of the surveying relating to the area of land being purchased;</li> <li>3. Give the General Manager delegation to negotiate payment options; and</li> <li>4. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.</li> </ol>	MTPR				<p>23/3/15</p> <p>2/6/15</p> <p>2/6/15</p> <p>2/6/15</p> <p>2/6/15</p> <p>2/6/15</p> <p>2/6/15</p> <p>20/7/15</p> <p>5/8/15</p>	<p>Letter sent</p> <p>Offer sent with contract of sale for consideration by affected parties</p> <p>Negotiations between all parties not yet completed.</p> <p>Plan of Subdivision</p> <p>Contract of Sale – Herbert</p> <p>Contract of Sale – O'Halloran</p> <p>Contract of Sale – Chapman</p> <p>Contract of Sale – Hudson</p> <p>Contract of Sale – Carter</p> <p>Contract of Sale – Ackling</p> <p>Titles have been received and forwarded to solicitors.</p> <p>Title transfers signed and forwarded to solicitors.</p>	<p>C</p> <p>C</p> <p>B</p> <p>C</p> <p>B</p> <p>B</p> <p>B</p> <p>B</p> <p>B</p> <p>B</p>	

**SCHEDULE OF ACTIONS – COUNCIL MEETINGS**

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Complete	Action Date	Comments	Status	Minute No. TRIM
27 APR 2015	23.04/15	<p><b>Grace Munro Lease Arrangement</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>1. A formal lease agreement for Grace Munro be arranged to cover Council's annual maintenance and renewal expenses of \$35,000;</li> <li>2. A robust Memorandum of Understanding (MOU) with Hunter New England (HNE) Health be developed clearly stipulating each party's responsibility; and</li> <li>3. A budget allocation for the installation of a Sprinkler System be incorporated into the 2016-17 year of the draft Long Term Financial Plan (LTFP).</li> </ol>	EM-C&C					<p>Communicated Council resolution to the GM Board; the GM Board have requested a reduced amount (of \$25,000) as they are concerned about ongoing funding. EMCC has written to GM Board to explain that amount set by Council is based on costs of maintenance.</p> <p>Draft lease finalised and sent to GM Board.</p> <p>Sprinkler system tender underway</p>	B	



AUTHORITY TO AFFIX  
THE COMMON SEAL

28 September 2015

21. Authority to Affix the Common Seal

AUTHORITY TO AFFIX THE COMMON SEAL

# AUTHORITY TO AFFIX THE COMMON SEAL

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28 September 2015

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# AUTHORITY TO AFFIX THE COMMON SEAL



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Regulation – Division Decision</b>
<b>Submitted by:</b>	Director of Infrastructure & Regulation
<b>Reference:</b>	Item 1
<b>Subject:</b>	Application of Council Seal to Section 88b instrument – DA 69/2014– Mr J & Mrs M Lauder

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	2.1 – An attractive environment for business, tourism and industry.
<b>Strategy:</b>	2.1.4 – Implement tools to simplify development processes and encourage quality commercial, industrial and residential development.
<b>Action:</b>	2.1.4.1 – Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates.

### SUMMARY:

A section 88b Instrument needs to be prepared as per the requirements of the Conveyancing Act 1919 to finalise the subdivision certificate, which requires the affixing of the Council Seal.

### OFFICER'S RECOMMENDATION:

**That Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application 69/2014 on land known 28 Stringybark Ridge Road Invergowrie, being Lot 12 DP 875212.**

### BACKGROUND:

Council has placed development approval conditions on the abovementioned subdivision to enforce the conditions issued under the General Terms of Approval by the NSW Rural Fire Service in relation to the asset protection zones, access and right of carriageway, design and construction of future dwellings, and easement for fire trail for emergency use.

Council has also placed a development approval condition on the subdivision requiring an easement to supply electricity for future infrastructure.

# AUTHORITY TO AFFIX THE COMMON SEAL

## REPORT:

As part of a subdivision for Mr J & Mrs M Lauder on land known as 28 Stringybark Ridge Road Invergowrie, being Lot 12 DP 875212, a Section 88b land use restriction is required to ensure compliance with a development approval. The development approval enforces the conditions issued under the General Terms of Approval by the NSW Rural Fire Service in relation to the asset protection zones, access and right of carriageway, design and construction of future dwellings, and easement for fire trail for emergency use.

These conditions are in accordance with Section 91 of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service:

Council has also placed development approval conditions on the subdivision requiring an easement to supply electricity for future infrastructure.

The conditions read:

10. A Section 88B Instrument is to be submitted with the application for a subdivision certificate. The final plan of subdivision and accompanying Section 88B Instrument are to provide for the following items listed:
  - a) Easement to supply electricity for future infrastructure as required (width as directed by Essential Energy)
  - b) Reciprocal Right of Carriageway, 5 metre wide (over access handle to jointly benefit proposed Lots 2 and 3)
  - c) Easement for fire trail for emergency use of track marked "C" on approved plan (Croft Surveying and Mapping Drawing 13754-I 30/5/15). The Easement is to provide access by NSW Rural Fire Service in the event that maintenance is not carried out.

### 13. **Asset Protection Zones**

*The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply.*

At the issue of subdivision certificate, and then in perpetuity, the land surrounding the existing dwelling on proposed Lot 1, for the following identified distances, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

- a) North-east and East for 17m, and
- b) South-west and West for 22m.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

## AUTHORITY TO AFFIX THE COMMON SEAL

14. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon proposed Lot 3 identifying:
- a) A building envelope at the proposed building area,
  - b) An asset protection zone around the building envelope for a distance of 29 metres to the North-east, East and South, and 43 metres to the North-west and West, and
  - c) A property access road corridor (thus permitting construction of a future property access road compliant with 4.1.3 Access (2) Property Access).

The terms of the restriction to land use shall require the building envelope, associated asset protection zone and the property access road corridor to be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

The asset protection zones shall be established prior to the issue of a subdivision certificate.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

15. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon proposed Lot 2 identifying:
- a) A building envelope at the proposed building area,
  - b) An asset protection zone around the building envelope for a distance of 22 metres to the North and North-west, and 17 metres to the South, North-east and East, and
  - c) A property access road corridor, located upon proposed Lot 2 (thus permitting construction of a future property access road compliant with 4.1.3 Access (2) Property Access).

The terms of the restriction to land use shall require the building envelope, associated asset protection zones and the property access road corridor to be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

The asset protection zones shall be established prior to the issue of a subdivision certificate.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

18. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon proposed Lot 1 that benefits proposed Lot 2, identifying:
- a) A property access road corridor, provided as a ROW, permitting construction of a property access road compliant with section 4.1.3 Access (2) Property Access of 'Planning for Bush Fire Protection 2006'.

The terms of the restriction to land use shall require the property access road corridor to be constructed prior to the issue of a subdivision certificate.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction as to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

## AUTHORITY TO AFFIX THE COMMON SEAL

19. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon Lot 230 DP 1186682 that benefits proposed Lot 3, identifying;

- a) A property access road corridor, provided as a Right Of Carriageway, permitting construction of a property access road compliant with section 4.1.3 Access (2) Property Access of 'Planning for Bush Fire Protection 2006'.

The terms of the restriction to land use shall require the property access road corridor to be constructed prior to the issue of a subdivision certificate.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction as to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

22. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon proposed Lot 3, identifying;

- a) That any future dwelling (upon proposed Lot 3) shall be located within the identified building envelope and be constructed to comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006', or other equivalent requirements at that time.

*Addition to Condition by Uralla Shire Council*

To ensure perpetuity, a Restriction to User is to be prepared as per the provisions of the *Conveyancing Act 1919*.

Council's Seal needs to be fixed to the Section 88b instrument to allow registration with the Land Titles Office. The *Local Government Act 1993* requires a resolution of Council to allow the seal to be affixed.

### COUNCIL IMPLICATIONS:

**1. Community Engagement/ Communication (per engagement strategy)**

Nil

**2. Policy and Regulation**

*Conveyancing Act 1919*

*Uralla Local Environmental Plan 2012*

*Uralla Development Control Plan 2011*

*Local Government Act 1993*

*Environmental Planning & Assessment Act 1979*

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

## AUTHORITY TO AFFIX THE COMMON SEAL

### 7. Performance Measures

Nil

### 8. Project Management

Nil

Prepared by staff member:	Administration Officer
TRIM Reference Number:	DA-69-2014
Approved/Reviewed by Manager:	Director – Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil

# AUTHORITY TO AFFIX THE COMMON SEAL



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Regulation – Division Decision</b>
<b>Submitted by:</b>	Director of Infrastructure & Regulation
<b>Reference:</b>	Item 2
<b>Subject:</b>	Application of Council Seal to Section 88b instrument – DA 80/2013-2 – Mr D & Mrs M Ward

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	2.1 <i>An attractive environment for business, tourism and industry.</i>
<b>Strategy:</b>	2.1.4 <i>Implement tools to simplify development processes and encourage quality commercial, industrial and residential development.</i>
<b>Action:</b>	2.1.4.1 <i>Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates.</i>

### SUMMARY:

A section 88b Instrument needs to be prepared as per the requirements of the *Conveyancing Act 1919* to finalise the subdivision certificate and it will require the Council Seal.

### OFFICER'S RECOMMENDATION:

That Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application 80/2013-2 on land known 2076 Kingstown Road, Balala, being Lot 146 DP 753661.

### BACKGROUND:

Council has placed a development approval condition on the abovementioned subdivision to enforce the conditions issued under the General Terms of Approval by the NSW Rural Fire Service in relation to an asset protection zone.

### REPORT:

As part of a subdivision for Mr D & Mrs M Ward on land known as 2076 Kingstown Road Balala, being Lot 146 DP 753661, a Section 88b land use restriction is required to ensure compliance with a development approval. The development approval enforces the conditions issued under the General Terms of Approval by the NSW Rural Fire Service in relation to an asset protection zone.

## AUTHORITY TO AFFIX THE COMMON SEAL

These conditions are in accordance with Section 91 of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service.

The condition reads:

### 10. Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919', shall be placed upon proposed Lot 4 identifying;

- A building envelope at the proposed building area, and
- An asset protection zone around the building envelope for a distance of 21 metres to the North, 33 metres to the South and 27 metres to the East and West.

The Terms of the restriction to land use shall require the building envelope and associated asset protection zone to be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. The asset protection zones shall be established prior to the issue of a subdivision certificate.

Council's Seal needs to be fixed to the Section 88b instrument to allow registration with the Land Titles Office. The *Local Government Act 1993* requires a resolution of Council to allow the seal to be affixed.

### COUNCIL IMPLICATIONS:

#### 1. Community Engagement/ Communication (per engagement strategy)

Nil

#### 2. Policy and Regulation

*Conveyancing Act 1919*

*Uralla Local Environmental Plan 2012*

*Uralla Development Control Plan 2011*

*Local Government Act 1993*

*Environmental Planning & Assessment Act 1979*

#### 3. Financial (LTFP)

Nil

#### 4. Asset Management (AMS)

Nil

#### 5. Workforce (WMS)

Nil

#### 6. Legal and Risk Management

Nil

## AUTHORITY TO AFFIX THE COMMON SEAL

### 7. Performance Measures

Nil

### 8. Project Management

Nil

Prepared by staff member:	Administration Officer
TRIM Reference Number:	DA-80-2013-2
Approved/Reviewed by Manager:	Director – Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil

# AUTHORITY TO AFFIX THE COMMON SEAL



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Regulation – Division Decision</b>
<b>Submitted by:</b>	Director of Infrastructure & Regulation
<b>Reference:</b>	Item 3
<b>Subject:</b>	Application of Council Seal to Section 88b instrument – DA-13-2014-2– Mr J Goode & Mr B Miller & Mrs R Miller

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	2.1 <i>An attractive environment for business, tourism and industry.</i>
<b>Strategy:</b>	2.1.4 <i>Implement tools to simplify development processes and encourage quality commercial, industrial and residential development.</i>
<b>Action:</b>	2.1.4.1 <i>Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates.</i>

### SUMMARY:

A Section 88b Instrument needs to be prepared as per the requirements of the *Conveyancing Act 1919* to finalise the subdivision certificate and it will require the Council Seal.

### OFFICER'S RECOMMENDATION:

That Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application 13/2015-2 on land known 99 Bridge Street Uralla, being Lot 5 & Lot 6 Section 25 DP 759022.

### BACKGROUND:

Council has placed a development approval condition on a subdivision requiring an easement to be created over a sewer main.

### REPORT:

As part of a subdivision for Mr J Goode & Mr B Miller & Mrs R Miller on land known as 99 Bridge Street Uralla being Lot 5 & Lot 6 Sec 25 DP 759022, Council has placed a development approval condition on a subdivision requiring an easement to be placed over a sewer main to allow future Council access for maintenance. A Section 88b land use restriction is required to ensure compliance with the development approval.

## AUTHORITY TO AFFIX THE COMMON SEAL

The condition reads:

5. A Section 88b instrument will be required for the easements noted on plans as:
  - (A) Easement to drain sewage 3 metres wide
  - (B) Easement to drain sewage 3 metres wide

Council's Seal needs to be affixed to the Section 88b instrument to allow registration with the Land Titles Office. The *Local Government Act 1993* requires a resolution of Council to allow the seal to be affixed.

### COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**  
Nil
2. **Policy and Regulation**  
*Conveyancing Act 1919*  
*Uralla Local Environmental Plan 2012*  
*Uralla Development Control Plan 2011*  
*Local Government Act 1993*  
*Environmental Planning & Assessment Act 1979*
3. **Financial (LTFP)**  
Nil
4. **Asset Management (AMS)**  
Nil
5. **Workforce (WMS)**  
Nil
6. **Legal and Risk Management**  
Nil
7. **Performance Measures**  
Nil
8. **Project Management**  
Nil

Prepared by staff member:	Administration Officer
TRIM Reference Number:	
Approved/Reviewed by Manager:	Director – Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	Nil