



URALLA SHIRE COUNCIL BUSINESS PAPER

Notice is hereby given, in accordance with the provision of the Local Government Act 1993 that a Meeting of Uralla Shire Council will be held in the Council Chambers, 32 Salisbury Street, Uralla, commencing at 12:30pm.

ORDINARY COUNCIL MEETING

26 February 2019

Andrew Hopkins
GENERAL MANAGER



Uralla Shire Council
Council Business Paper – 26 February 2019

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- BUSINESS AGENDA -
Ordinary Meeting of Council
26 February 2019 at 12:30pm

- 1. Opening & Welcome**
- 2. Prayer**
- 3. Acknowledgement of Country**
- 4. Apologies**
- 5. Requests for Leave of Absence**
- 6. Disclosures & Declaration of Interests**
- 7. Confirmation of Minutes of Previous Meeting**
- 8. Announcements**
- 9. Tabling of Reports & Petitions**
- 10. Recommendations for Items to be Considered in Confidential Section**
- 11. Urgent Supplementary & Late Items of Business**
- 12. Presentations**
 - Blake Reeson – Service NSW
 - Anne and Gerg Ward – Development Application 26/2018 - Modification of Development Application 26/2018 – Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)
- 13. Deputations**
- 14. Written Reports from Delegates**
 - Written Delegate Report 1 - Central Northern Regional Libraries – Annual General and Ordinary Meetings held in Tamworth on Wednesday 14 November 2018
- 15. Mayoral Minute**
- 16. Reports to Council**
 - Report 1 - LTFP – Horizontal Service Review – Priority Actions
 - Report 2 - Scope of Works for Waste Management Consultancy
 - Report 3 - Cash at Bank and Investments as at 31 December 2018
 - Report 4 - Cash at Bank and Investments as at 31 January 2019
 - Report 5 - 2018/19 – 2nd Quarter Budget Review Statements
 - Report 6 - Monthly Report – Library
 - Report 7 - Monthly Report – Visitor Information Centre
 - Report 8 - Quarterly Review – Progress of Actions on the Combined Delivery Program 2017-21 and Operational Plan 2018-19 as at 31 December 2018
 - Report 9 - Policy – Draft Code of Meeting Practice 2019
 - Report 10 - Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019
 - Report 11 - Cost Shifting on Local Government
 - Report 12 - Works Progress Report as at 31 January 2019
 - Report 13 - Bundarra Sewer Scheme Quarterly Report October - December 2018

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- Report 14 - Development Approvals and Refusals for December 2018
- Report 15 - Development Approvals and Refusals for January 2019
- Report 16 - Road Naming: “Somerset Close” in Stage A Phase 1 – DA-27-2015-5 – 114 Barleyfields Road, Uralla and “Wards Lane” off Eastern Avenue, Kentucky South
- Report 17 - DIVISION DECISION – Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla
- Report 18 - DIVISION DECISION – Modification of Development Application 26/2018 – Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)
- Report 19 - DIVISION DECISION – Development Application 51/2018 – 23 Lot Industrial Subdivision – Rowan Avenue Uralla
- Report 20 - Planning Proposal 8 – Amendment of Land Classification – Public Hearing and Recommendation
- Report 21 - Drought Communities Assistance Program
- Report 22 - Regulatory Statistics Ending 31 December 2018
- Report 23 - Heritage Advisory Services Summary for January 2019
- Report 24 - Heritage Advisory Services Summary for February 2019
- Report 25 - Recommendations of Uralla Township and Environs Committee November and December 2018 meetings
- Report 26 - Recommendation to fill the member vacancies on the Uralla Township and Environs Committee

17. Motions on Notice

Notice of Motion 1 - Uralla VIC

18. Schedule of Actions as at 26 February 2019

19. Responses to Questions from Previous Meeting

20. Questions for Next Meeting

21. Confidential Business

22. Meeting Close

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- 1. OPENING & WELCOME**
- 2. PRAYER**
- 3. ACKNOWLEDGEMENT OF COUNTRY**
- 4. APOLOGIES**
- 5. REQUESTS FOR LEAVE OF ABSENCE**
- 6. DISCLOSURES & DECLARATIONS OF INTEREST**

To be tabled at the Meeting.

7. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 26 February 2019 Meeting of Council:

- Ordinary Meeting of Council held 18 December 2018 (copy enclosed)

Minutes to be received and noted at the 26 February 2019 Meeting of Council:

- Australia Day Committee Meeting held 12 December 2018 (copy enclosed)
- Budget Review and Finance Committee Meeting held 12 February 2019 (copy enclosed)



ORDINARY MEETING OF COUNCIL

Held at 12:30pm
18 December 2018

ROLL CALL

Councillors:

Cr M Pearce (Mayor)
Cr R Crouch (Deputy Mayor)
Cr R Bell
Cr M Dusting
Cr N Ledger
Cr L Sampson
Cr T Toomey
I Strutt

Staff:

Mr A Hopkins, General Manager
Mr T Seymour, Director Infrastructure & Regulation
Ms T Kirkland, Director Community & Governance
Mr S Paul, Chief Financial Officer
Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 18 December 2018

Resolution
Number

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The Meeting Commenced at: 12:30pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, L Sampson, I Strutt, T Toomey, General Manager (Mr A Hopkins), Director Infrastructure and Regulation (Mr T Seymour), Director Community and Governance (Ms P Kirkland), Chief Finance Officer (Mr S Paul), Coordinator Community and Development (Ms J Ogden), Acting Coordinator Governance and Risk (Ms E Brown), Minute Clerk (G Stratton).

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT TO COUNTRY

4. APOLOGIES

The Chair advised there were no apologies received.

5. REQUESTS FOR LEAVE OF ABSENCE

The Chair advised there were no requests for Leave of Absence.

6. DISCLOSURES & DECLARATION OF INTERESTS

The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 18 December 2018 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
T Toomey	Report 10	Non-pecuniary	Friendship

7. CONFIRMATION OF MINUTES

Minutes to be confirmed or received and noted at the 18 December 2018 Meeting:

- Minutes of Ordinary Meeting held 27 November 2018 (to be confirmed)
- Minutes of Budget Review and Finance Committee held 11 December 2018 (to be received and noted)

AMENDMENTS

The Chair referred Councillors to the Minutes of the Ordinary Meeting held 27 November 2018 and called for any amendments.

There were no amendments requested by Councillors.

MOTION (Crs I Strutt / M Dusting)

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 27 November 2018.

01.12/18 CARRIED

AMENDMENTS

The Chair referred Councillors to the Minutes of the Meeting of Budget Review and Finance Committee held 11 December 2018 and called for any amendments.

MOTION (Crs M Dusting / N Ledger)

That;

Council receive and note the Minutes, as a true and correct record of the Meeting of Budget Review and Finance Committee held 11 December 2018.

02.12/18 CARRIED

8. ANNOUNCEMENTS

The Chair advised there were no announcements.

9. TABLING OF REPORTS & PETITIONS

The Chair advised there were no reports or petitions tabled.

10. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL SECTION

The Chair advised there were no items recommended for consideration in the confidential section of the meeting.

11. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

The Chair referred Councillors to the urgent item of business recommended for addition to the published Meeting Agenda.

Urgent Motion

- Delegation of the Functions of Council to an Acting General Manager in the absence of the General Manager

MOTION (Crs M Dusting / I Strutt)

That Council;

1. Note resolution 12.08/16 that in accordance with Section 377 of the Local Government Act 1993, delegates the functions of Council identified in the Report to Council titled 'Item 2 General Manager Delegations – Mr A Hopkins' from the 22 August 2016 Business Paper, contained at Attachment A.
2. In the absence of the General Manager and in accordance with Section 377 of the Local Government Act 1993, delegate the Functions and Authorities of Council as the Functions and Authorities of the General Manager (identified in Attachment A), to the General Manager's nominee as the Acting General Manager for the period of the General Manager's absence.

03.12/18 CARRIED

12. PRESENTATIONS

Speaker 1:	Thomas O'Connor
Subject:	Council Newsletter, Financial Statements, Customer Service and Council Culture

The Chair introduced the Speaker, Thomas O'Connor.

The Speaker made a presentation to Council in relation to Council Newsletter, Financial Statements, Customer Service and Council Culture.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

13. DEPUTATIONS

There were no deputations registered for the 18 December 2018 Meeting.

14. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

Councillors provided a verbal account of activities/meetings they have attended for the month.

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
27/11/2018	Ordinary Council Meeting	Uralla
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
17/12/2018	Weeds County Council Meeting	Armidale

COUNCILLOR NAME:	Bob Crouch	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
12/12/2018	Public Hearing for the Reclassification of Land	Uralla
13/12/2018	Bundarra Central School Presentation Night	Bundarra
18/12/2018	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Levi Sampson	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
08/12/2018	McCrossin's Mill Raise the Roof Celebration	Uralla
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
11/12/2018	Uralla Township and Environs Committee Meeting	Uralla
12/12/2018	Rocky River School Presentation	Rocky River

COUNCILLOR NAME:	Natasha Ledger	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
7/11/2018	Bundarra School of Arts Hall Committee Meeting	Bundarra
27/11/2018	Site Inspection	Uralla
30/11/2018	Grace Munro Christmas Party	Bundarra
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
11/12/2018	Uralla Township and Environs Committee Meeting	Uralla
11/12/2018	Show Society Meeting	Uralla
12/12/2018	Australia Day Committee Meeting	Uralla

COUNCILLOR NAME:	Tara Toomey	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
08/12/2018	McCrossin's Mill Raise the Roof Celebration	Uralla
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
18/12/2018	Ordinary Council Meeting	Uralla
18/12/2018	Kentucky School Presentation Night	Kentucky

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held at 12:30pm on 18 December 2018

COUNCILLOR NAME:	Rob Bell	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
27/11/2018	Ordinary Council Meeting	Uralla
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla

COUNCILLOR NAME:	Isabel Strutt	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
29/11/2018	Northern Inland Regional Waste Committee (Observer)	Uralla
06/12/2018	Kingstown School Annual Presentation Night	Kingstown
08/12/2018	McCrossin's Mill Raise the Roof Celebration	Uralla
11/12/2018	Councillor Strategic Planning Workshop	Uralla
11/12/2018	Budget Review and Finance Committee Meeting	Uralla
11/12/2018	Uralla Township and Environs Committee Meeting	Uralla
12/12/2018	Public Hearing for the Reclassification of Land	Uralla
18/12/2018	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:	Michael Pearce	
COUNCIL MEETING DATE:	18 December 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/11/18	Mayor's Office – Admin 2AD interview	Uralla
29/11/18	Northern Inland Regional Waste Committee	Uralla
30/11/18	Mayor's Office – Admin Grace Munro Christmas party	Uralla Bundarra
3/12/18	Mayor's Office – Admin	Uralla
4/12/18	Mayor's Office – Admin	Uralla
5/12/18	LEMC, Local Emergency Management Committee	Armidale
6/12/18	Mayor's Office - Admin	Uralla
8/12/18	McCrossins Mill Raise the Roof Project Dinner	Uralla
10/12/18	Mayor's Office – Admin	Uralla
11/12/18	Councillor Strategic Planning Workshop Budget Review Finance Committee meeting	Uralla
12/12/18	2AD interview – Admin	Uralla
13/12/18	UNE Graduation	Armidale
14/12/18	UNE Graduation	Armidale
15/12/18	UNE Graduation	Armidale
17/12/18	Mayor's Office – Admin	Uralla
18/12/18	Mayor's Office – Admin December Council meeting	Uralla

15. MAYORAL MINUTE

Submitted by: Mayor, Cr Michael Pearce
Reference/Subject: National Local Roads and Transport Congress, Alice Springs

MAYOR'S RECOMMENDATION:

That;
The mayoral minute be received and noted.

MOTION (Crs I Strutt / N Ledger)

That;
The mayoral minute be received and noted.

04.12/18 CARRIED

16. REPORTS TO COUNCIL (Scheduled Reports)

Department: Organisational Services – Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 1 - Cash at Bank and Investments

OFFICER'S RECOMMENDATION:

That;
Council note the cash position as at 30 November, 2018 consisting of cash and overnight funds of \$2,079,418, term deposits of \$13,550,000 totalling \$15,629,418 of readily convertible funds.

MOTION (Crs R Crouch / I Strutt)

That;
Council note the cash position as at 30 November, 2018 consisting of cash and overnight funds of \$2,079,418, term deposits of \$13,550,000 totalling \$15,629,418 of readily convertible funds.

05.12/18 CARRIED

Department: Community & Governance
Submitted by: Risk Management and Safety Officer
Reference/Subject: Report 2 - Report of the Audit, Risk and Improvement Committee Meeting held on 27 November 2018

OFFICER'S RECOMMENDATION:

- That;
1. That Council receive and note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 27 November 2018 [Attachment A].
 2. Report No. 1 Guide: Agency Information 2018-19
That the Audit, Risk and Improvement Committee recommend that Council:
 - a. Adopt the draft Agency Information Guide 2018-19 [Attachment B].
 - b. Repeal the Access to Council Documents Policy 2015 and remove it from Council's Corporate Documents Register.
 3. Report No. 4 Committee Annual Program
That the Audit, Risk and Improvement Committee recommend that Council receive and note the Committee Annual Program 2019 [Attachment C].

MOTION (Crs R Crouch / N Ledger)

1. That Council receive and note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 27 November 2018 [Attachment A].
2. Report No. 1 Guide: Agency Information 2018-19
That the Audit, Risk and Improvement Committee recommend that Council:
 - a. Adopt the draft Agency Information Guide 2018-19 [Attachment B].
 - b. Repeal the Access to Council Documents Policy 2015 and remove it from Council's Corporate Documents Register.
3. Report No. 4 Committee Annual Program
That the Audit, Risk and Improvement Committee recommend that Council receive and note the Committee Annual Program 2019 [Attachment C].

06.12/18 CARRIED

Department: Community and Governance
Submitted by: Acting Coordinator Governance and Risk
Reference/Subject: Report 3 - Assessment and Review of Council Policies

OFFICER'S RECOMMENDATION:
That Council receive and note this report.

MOTION (Crs R Crouch / I Strutt)

That Council receive and note this report.

07.12/18 CARRIED

Department: Community and Governance
Submitted by: Tourism Promotions and Operations Officer / Coordinator Community Development and Engagement
Reference/Subject: Report 4 - Monthly Report - Visitor Information Centre and Library

OFFICER'S RECOMMENDATION:
That the report be received and noted.

MOTION (Crs T Toomey / L Sampson)

That the report be received and noted.

08.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 5 - Heritage Advisory Services Summary for December 2018

OFFICER'S RECOMMENDATION:
That the Heritage Advisory Services Summary for December 2018 be received and noted by Council.

PROCEDURAL MOTION (Crs T Toomey / R Bell)

To move to Committee of the Whole

09.12/18 CARRIED

Councillors held a detailed discussion in committee regarding the Heritage Advisory Services Summary for December 2018.

PROCEDURAL MOTION (Crs R Bell / L Sampson)
To resume Standing Orders

10.12/18 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T Toomey / I Strutt)

That the Heritage Advisory Services Summary for December 2018 be received and noted by Council.

11.12/18 CARRIED

Department: Infrastructure and Regulation
Submitted by: Manager Planning and Regulation
Reference/Subject: Report 6 - Uralla Township and Environs Committee Member Vacancy

OFFICER'S RECOMMENDATION:

That Council resolve to advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of John Kurko.

MOTION (Crs I Strutt / L Sampson)

That Council advertise the Uralla Township and Environs Committee member vacancies resulting from the resignations of John Kurko and Ariella Van Luyn.

12.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 7 - Works Progress Report as at 30 November 2018

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during November 2018, and works programmed for December 2018.

MOTION (Crs T Toomey / M Dusting)

That the report be received and noted for the works completed or progressed during November 2018, and works programmed for December 2018.

13.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 8 - Uralla Bridges Assessment

OFFICER'S RECOMMENDATION:

That;

1. The Uralla Bridges Assessment report be received and noted by Council,
2. Council endorse the opening of these routes to HML B-Double vehicles, and
3. Council continue to liaise with RMS with a view to opening the Lone Pine Bridge in Bundarra to B-Double HML vehicles.

PROCEDURAL MOTION (Crs R Bell / T Toomey)
To move to Committee of the Whole

14.12/18 CARRIED

Councillors held a detailed discussion in committee regarding Report 8 – Uralla Bridges Assessment.

PROCEDURAL MOTION (Crs R Bell / L Sampson)
To resume Standing Orders

15.12/18 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs N Ledger / R Bell)

That;

1. The Uralla Bridges Assessment report be received and noted by Council,
2. Council endorse the opening of these routes to HML B-Double vehicles, and
3. Council continue to liaise with RMS with a view to opening the Lone Pine Bridge in Bundarra to B-Double HML vehicles.

16.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 9 - Development Approvals and Refusals for November 2018

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for November 2018.

MOTION (Crs M Dusting / N Ledger)

That Council receive and note the development approvals and refusals for November 2018.

17.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 10 - DIVISION DECISION - Development Application 47/2018 – M and J Croft – 3 Lot Residential Subdivision – 49 Marble Hill Road, Saumarez Ponds

Cr T Toomey, having previously declared a conflict of interest, left the meeting at 1:15pm).

OFFICER'S RECOMMENDATION:

That Council approve Development Application 47/2018 submitted by Michael and Jayne Croft for a 3 lot residential subdivision on land known as 49 Marble Hill Road, Saumarez Ponds, being Lot 16 DP 243988 subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

Erection of signs

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

GENERAL CONDITIONS

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

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

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

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

6. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

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

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

8. The subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council prior to the release of the subdivision certificate.

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

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

Reason: To ensure provision of appropriate documentation.

10. The applicant/developer is to ensure that a checklist, clearly showing that all conditions of consent have been met, is provided with the subdivision certificate application.

Reason: To ensure that appropriate documentation is provided.

Stage One

11. That two lots are created by the subdivision of Lot 16 DP 243988, one of about 2 hectares and the other about 3.7 hectares.
Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
12. The driveway in the access handle to proposed Lot 163 is to be gravel and bitumen sealed or concreted for a width of 3 metres and for the length of proposed lot 162. This is to be constructed to a standard approved by the Director of Infrastructure and Regulation and is to be at the expense of the developer.
Reason: To ensure a minimal level of dust and noise are generated by the access to proposed lot 163.
13. The developer is to provide a vehicle entrance that is gravel and bitumen sealed or concreted for a width of 3 metres to the property boundary with culvert to proposed Lot 162, to the satisfaction of Council, at their own expense.
Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.
14. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services, for which Council is satisfied that the proposed development is likely to create a demand, is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.
The Section 94 Contribution is currently \$3,691.00 in the 2018/19 financial year for each applicable lot. This is applicable for each additional lot created.
Reason: To ensure compliance with Uralla Shire Council Section 94 contributions plans and the provision of adequate infrastructure.
15. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.
Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.

Stage Two

16. Evidence must be provided that demonstrates that Crown Lands has approved the closure of the identified section Yellow Box Drive shown in plan 181035_D prepared by Croft Surveying and Mapping dated 31.08.18, and that the aforementioned portion is in the same ownership as the residual component of Lot 16 DP 243988.
Reason: To ensure that the development has owner's consent.
17. That two lots are created by the subdivision of the residual component of Lot 16 DP 243988 and the acquired portion of Yellow Box Drive, one of about 2 hectares and the other about 2.08 hectares.
Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
18. The developer is to provide a vehicle entrance that is gravel and bitumen sealed or concreted for a width of 3 metres to the property boundary with culvert to proposed Lot 161, to the satisfaction of Council, at their own expense.
Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.

19. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services, for which Council is satisfied that the proposed development is likely to create a demand, is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.

The Section 94 Contribution is currently \$3,691.00 in the 2018/19 financial year for each applicable lot. This is applicable for each additional lot created.

Reason: To ensure compliance with Uralla Shire Council Section 94 contributions plans and the provision of adequate infrastructure.

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

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

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

22. At the issue of subdivision certificate and in perpetuity the property around the existing dwelling on Lot 163 shall be managed as an inner protection area (IPA) for the following distances 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':

north, east and south for 10 metres; and

west for 30 metres.

23. Electricity supply to the proposed development shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

24. In recognition that no reticulated water supply is available to the development, a 20,000 litre fire fighting water supply shall be provided for fire fighting purposes at the existing dwelling on Lot 163. The fire fighting water supply shall be installed and maintained in the following manner:

- (a) Fire fighting water supply tank(s) shall be located not less than 5 metres and not more than 20 metres from the approved structure.
- (b) New above ground fire fighting water supply storages are to be manufactured using non-combustible material (concrete, metal, etc.). Where existing fire fighting water supply storages are constructed of combustible (polycarbonate, plastic, fibreglass, etc.) materials, they shall be shielded from the impact of radiant heat and direct flame contact.
- (c) Non-combustible materials (concrete, metal, etc.) will only be used to elevate or raise fire fighting water supply tank(s) above the natural ground level.
- (d) A 65mm metal Storz outlet with a gate or ball valve shall be fitted to any fire fighting water supply tank(s) and accessible for a fire fighting truck.
- (e) The gate or ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material.

- (f) All associated fittings to the fire fighting water supply tank(s) shall be non-combustible.
 - (g) Any below ground fire fighting water supply tank(s) constructed of combustible (polycarbonate, plastic, fibreglass, etc.) materials shall be shielded from the impact of radiant heat and direct flame contact.
 - (h) A hardened ground surface for fire fighting truck access is to be constructed up to and within 4 metres of the fire fighting water supply (tank or Storz fitting).
 - (i) Any fire fighting water supply tank(s) located below ground shall be clearly delineated to prevent vehicles being driven over the tank.
 - (j) All water supplies for fire fighting purposes shall be clearly signposted as a fire fighting water supply.
 - (k) Below ground fire fighting water supply tank(s) shall have an access hole measuring a minimum 200mm x 200mm to allow firefighting trucks to access water direct from the tank.
 - (l) Fire fighting water supply tank(s) and associated fittings, located within 60 metres of a bushfire hazard and on the hazard side of an approved building, shall be provided with radiant heat shielding to protect the tank from bush fire impacts and maintain safe access to the water supply for fire fighters.
 - (m) Pumps are to be shielded from the direct impacts of bush fire.
 - (n) A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
 - i. Markers must be fixed in a suitable location so as to be highly visible; and
 - ii. Markers should be positioned adjacent to the most appropriate access for the water supply.
25. Property access to the existing dwelling on Lot 163 shall comply with the following requirements of section 4.1.3(2) of 'Planning for Bush Fire Protection 2006':
- a minimum carriageway width of four metres; and
 - a minimum vertical clearance of four metres to any overhanging obstructions, including tree branches.

ADVISORY NOTES – GENERAL

1. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
2. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
3. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
4. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.

5. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

PROCEDURAL MOTION (Crs R Crouch / M Dusting)
To move to Committee of the Whole

18.12/18 CARRIED

Councillors held a detailed discussion in committee regarding the Development Application.

PROCEDURAL MOTION (Crs R Crouch / R Bell)
To resume Standing Orders

19.12/18 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Bell / I Strutt)

That Council approve Development Application 47/2018 submitted by Michael and Jayne Croft for a 3 lot residential subdivision on land known as 49 Marble Hill Road, Saumarez Ponds, being Lot 16 DP 243988 subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

Erection of signs

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

GENERAL CONDITIONS

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

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

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

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

6. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

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

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

8. The subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council prior to the release of the subdivision certificate.

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Reason: To ensure a minimal level of dust and noise are generated by the access to proposed lot 163.

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Reason: To ensure compliance with Uralla Shire Council Section 94 contributions plans and the provision of adequate infrastructure.

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

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

22. At the issue of subdivision certificate and in perpetuity the property around the existing dwelling on Lot 163 shall be managed as an inner protection area (IPA) for the following distances 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':

north, east and south for 10 metres; and
west for 30 metres.

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- (d) A 65mm metal Storz outlet with a gate or ball valve shall be fitted to any fire fighting water supply tank(s) and accessible for a fire fighting truck.
- (e) The gate or ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material.
- (f) All associated fittings to the fire fighting water supply tank(s) shall be non-combustible.
- (g) Any below ground fire fighting water supply tank(s) constructed of combustible (polycarbonate, plastic, fibreglass, etc.) materials shall be shielded from the impact of radiant heat and direct flame contact.
- (h) A hardened ground surface for fire fighting truck access is to be constructed up to and within 4 metres of the fire fighting water supply (tank or Storz fitting).
- (i) Any fire fighting water supply tank(s) located below ground shall be clearly delineated to prevent vehicles being driven over the tank.

- (j) All water supplies for fire fighting purposes shall be clearly signposted as a fire fighting water supply.
 - (k) Below ground fire fighting water supply tank(s) shall have an access hole measuring a minimum 200mm x 200mm to allow firefighting trucks to access water direct from the tank.
 - (l) Fire fighting water supply tank(s) and associated fittings, located within 60 metres of a bushfire hazard and on the hazard side of an approved building, shall be provided with radiant heat shielding to protect the tank from bush fire impacts and maintain safe access to the water supply for fire fighters.
 - (m) Pumps are to be shielded from the direct impacts of bush fire.
 - (n) A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
 - i. Markers must be fixed in a suitable location so as to be highly visible; and
 - ii. Markers should be positioned adjacent to the most appropriate access for the water supply.
25. Property access to the existing dwelling on Lot 163 shall comply with the following requirements of section 4.1.3(2) of 'Planning for Bush Fire Protection 2006':
- a minimum carriageway width of four metres; and
 - a minimum vertical clearance of four metres to any overhanging obstructions, including tree branches.

ADVISORY NOTES – GENERAL

1. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
2. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
3. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
4. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
5. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

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

FOR: Cr M Pearce, Cr R Bell, Cr I Strutt, Cr M Dusting, Cr B Crouch, Cr L Sampson, Cr N Ledger
AGAINST: Nil
ABSENT: Cr T Toomey

20.12/18 CARRIED

Cr T Toomey was absent at the time of voting. Cr T Toomey returned to the meeting at 1:24pm.

Department: Community and Governance
Submitted by: Manager Community Care
Manager McMaugh Garden's Aged Care Centre
Reference/Subject: Report 11 - Strategic Business Plans for Community Services Business Units

OFFICER'S RECOMMENDATION:

1. That Council adopt the recommended strategic options below, provided by Stewart Brown Consulting:
 - a) Tablelands Community Support, Option 1B - Programs and Operations as contained in the Strategic Options Report at Confidential Attachment A, including combining Tablelands Community Transport and Tablelands Community Support into one Business Unit; and Option 2B - Geographical area as contained in the Strategic Options Report at Attachment A, to focus service in both the Uralla Shire municipal boundaries and wider Armidale Region, and including investment in marketing and promotions to transition the combined service into a provider of choice.
 - b) McMaugh Gardens Aged Care Centre, Option 1B – Refurbishment of the current site as contained in the Strategic Options Report at Confidential Attachment B, including renewal and upgrade of the existing facility as contained within the Asset Maintenance and Renewal Report at Confidential Attachment C.
2. That Stewart Brown Consulting be informed of the adopted strategic options for McMaugh Gardens Aged Care Centre and Tablelands Community Support so that the next stage, being detailed Business Plan development, can be progressed in accordance with Diagram 1.

MOTION (Crs R Bell / I Strutt)

1. That Council adopt the recommended strategic options below, provided by Stewart Brown Consulting:
 - a) Tablelands Community Support, Option 1B - Programs and Operations as contained in the Strategic Options Report at Confidential Attachment A, including combining Tablelands Community Transport and Tablelands Community Support into one Business Unit; and Option 2B - Geographical area as contained in the Strategic Options Report at Attachment A, to focus service in both the Uralla Shire municipal boundaries and wider Armidale Region, and including investment in marketing and promotions to transition the combined service into a provider of choice.
 - b) McMaugh Gardens Aged Care Centre, Option 1B – Refurbishment of the current site as contained in the Strategic Options Report at Confidential Attachment B, including renewal and upgrade of the existing facility as contained within the Asset Maintenance and Renewal Report at Confidential Attachment C.
2. That Stewart Brown Consulting be informed of the adopted strategic options for McMaugh Gardens Aged Care Centre and Tablelands Community Support so that the next stage, being detailed Business Plan development, can be progressed in accordance with Diagram 1.

21.12/18 CARRIED

Department: General Manager's Office
Submitted by: General Manager
Reference/Subject: Report 12 - Interpretation of Sections 531B & 548A of LG Act 1993 – LGNSW Response

OFFICER'S RECOMMENDATION:

That Council receive and note the attached email received from Local Government NSW which provides advice about the interpretation of Sections 531B and 548A of the Local Government Act 1993.

MOTION (Crs I Strutt / T Toomey)

That Council receive and note the attached email received from Local Government NSW which provides advice about the interpretation of Sections 531B and 548A of the Local Government Act 1993.

22.12/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 13 - Industrial Land Subdivision – Probity Advice for the Sale of Lands

OFFICER'S RECOMMENDATION:

That Council resolve to;

- a) Receive and note the probity advisors recommendations
- b) Prepare a probity plan to detail the procedures going forward to manage the sales of lots within the subdivision.

PROCEDURAL MOTION (Crs N Ledger / M Dusting)

To move into Closed Session of Committee

That Council move into closed session of Committee and close the meeting to members of the public and press to discuss the following:

- (a) personnel matters concerning particular individuals (other than councillors),
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or

23.12/11 CARRIED

PROCEDURAL MOTION (Crs R Crouch / M Dusting)

To return to Open Session of Council and resume Standing Orders

That;

Council move back to Open Session and move out of Committee.

24.12/18 CARRIED

MOTION (Crs T Toomey / R Crouch)

That Council;

- a) Receive and note the probity advisor's recommendations;
- b) Prepare a probity plan to detail the procedures going forward to manage the sales of lots within the subdivision.

25.12/18 CARRIED

Department: Infrastructure and Regulation
Submitted by: Manager Planning and Regulation
Reference/Subject: Report 14 - Funding for the Uralla Shire Open Space Strategy Consultancy

OFFICER'S RECOMMENDATION:

That Council vote \$20,000 from its current salaries and wages budget to fund a consultancy to undertake the Uralla Shire Open Space Strategy.

PROCEDURAL MOTION (Crs R Crouch / M Dusting)

To move to Committee of the Whole

26.12/18 CARRIED

Councillors held a detailed discussion in committee regarding Report 14 - Funding for the Uralla Shire Open Space Strategy Consultancy.

Cr Ledger left the meeting at 2:26pm.

Cr Ledger returned to the meeting at 2:27pm.

PROCEDURAL MOTION (Crs M Dusting / N Ledger)

To resume Standing Orders

27.12/18 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

MOTION (Crs R Bell / R Crouch)

That Council:

1. Consider the allocation of \$20,000 as part of the 2019-20 budget preparation, to fund consultancy to undertake the Uralla Shire Open Space Strategy; and
2. Subject to the allocation of funding above, that the consultant consult with and attend at least one Uralla Township and Environs Committee (UTEC) meeting.

28.12/18 CARRIED

Department: Infrastructure and Regulation
Submitted by: Manager Waste, Water and Sewer Services
Reference/Subject: Report 15 - Waste Management Services Options Evaluation

OFFICER'S RECOMMENDATION:

That Council;

1. Engage the necessary consultancy services to undertake an assessment of the available long term waste management options available to Council;
2. Approve a budget variance of up to \$40,000 from the Waste Management Fund for the consultancy.

PROCEDURAL MOTION (Crs R Bell / T Toomey)

To move to Committee of the Whole

29.12/18 CARRIED

Councillors held a detailed discussion in committee regarding Report 15 - Waste Management Services Options Evaluation.

PROCEDURAL MOTION (Crs M Dusting / L Sampson)

To resume Standing Orders

30.12/18 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

MOTION (Crs R Bell / T Toomey)

That Council;

1. Engage the necessary consultancy services to undertake an assessment of the long term waste management options available to Council;
2. Approve a budget variance of up to \$40,000 from the Waste Management Budget for the consultancy;
3. Instruct the Budget Review and Finance Committee to receive a draft scope of works for approval prior to engaging the consultant.

31.12/18 CARRIED

17. MOTIONS ON NOTICE

Submitted by: Cr Tara Toomey

Reference/Subject: Notice of Motion 1 – Bridge St Design Project

NOTICE of MOTION

That Council;

- 1) Resolve to present any design for the Bridge Street area to the entire Uralla Shire community via Council newsletter, social media, print media and by additional information to any address where street frontage is impacted by the design
- 2) Give full consideration to the suggestions and ideas that come from the community before progressing, consider the Creative Village concepts, refer the design to the UTEC committee, and provide feedback to the community accordingly
- 3) Refer to the Local Traffic Committee the ongoing concerns raised by local bus drivers and others about :
 - a. the perceived adverse impact on traffic flow of narrowing the Bridge St area
 - b. the growing use of Maitland St as an alternative to the National Highway/Bridge St
 - c. the increased reports of dangerous driving along this alternate route (as evidenced by the increasing crash history at the King & Maitland St intersection that is yet to be addressed)
- 4) Receive advice from the General Manager about including in the works list and budget, the planting and maintenance of those blisters which are not currently maintained by the generosity of the community, for example the blister on the corner of Park and Bridge Sts
- 5) Outline the impact of the project on our 18/19 budget or Long Term Financial Plan as part of the consultation process

PROCEDURAL MOTION (Crs M Pearce / M Dusting)

To move to Committee of the Whole

32.12/18 CARRIED

Councillors held a detailed discussion in committee regarding the Notice of Motion – Bridge Street Design Project.

Cr L Sampson left the meeting at 3:11pm.

Cr N Ledger left the meeting at 3:12pm.

PROCEDURAL MOTION (Crs R Bell / T Toomey)

To resume Standing Orders

33.12/18 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

Cr L Sampson returned to the meeting at 3:13pm.

Cr N Ledger returned to the meeting at 3:13pm.

Cr N Ledger left the meeting at 3:13pm.

MOTION (Crs T Toomey / R Crouch)

That;

Should funding be received for the High Pedestrian Activity Area-Bridge Street Detailed Design, Council resolve to;

- 1) As part of the community engagement strategy for the project:
 - a) Publicise proposed designs of the project to the Uralla Shire community via Council's newsletter and Facebook page and other print media where relevant.
 - b) Provide relevant additional information to any address where street frontage is impacted by the design.
 - c) Give consideration to suggestions and/or ideas which come from community consultation activities and provide feedback to the community which articulates that consideration.
- 2) Give consideration to the design intent of the Creative Village project and confirm to the design consultant the elements of the Creative Village project Council would like to see incorporated into the detailed design.
- 3) Request the design consultant address the potential for the project to increase traffic on local streets parallel to Bridge Street.
- 4) Refer the draft detailed design to the UTEC committee for comment.
- 5) Review traffic and accident data for local streets parallel to Bridge Street to determine if there has been an increase in traffic numbers and accidents over time.
- 6) Receive advice from the General Manager about the arrangements for the planting and maintenance of those blisters in Bridge Street not currently maintained by the generosity of volunteers.
- 7) Define the impact of any proposed project design on our Long Term Financial Plan and the next annual budget after implementation of the design is commenced.

34.12/18 CARRIED

Cr N Ledger was absent at the time of voting.

Cr N Ledger returned to the meeting at 3:14pm.

18. SCHEDULE OF COUNCIL RESOLUTIONS

Schedule of Action Items as at: 18 December 2018

Councillors undertook a review of the Schedule of Action Items.

19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING

Questions from 27 November 2018 Ordinary Meeting of Council

Cr Robert Bell

1. Please advise the current status of the Uralla State Emergency Service and the SES Control Building.

The Uralla SES is currently inactive. The Armidale SES are responding to requests for assistance in the Uralla area in the interim until the Uralla SES is reactivated.

20. QUESTIONS FOR NEXT MEETING

Questions for 26 February 2019 Ordinary Meeting of Council

Cr N Ledger

Cr N Ledger raised the following question at the 18 December meeting of Council:-

1. Is it possible to create an initiative to facilitate sales at the VIC during the months from August to November?

21. CONFIDENTIAL BUSINESS

There were no confidential items of business.

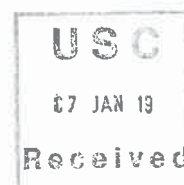
CLOSURE OF MEETING

The meeting was closed at: 3:30pm

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	
DATE:	
MAYOR:	

MINUTES OF AUSTRALIA DAY COMMITTEE MEETING

HELD ON 12TH. DECEMBER. 2018



PRESENT – Chris Pyros, Peter Phillips, Cr. Natasha Ledger, Leanne Doran, Tobie Redmond, Ben Pascoe and Bev Niland.

APOLOGIES – Arnold Goode. Moved L. Doran, seconded T. Redmond, that the apologies be accepted. Carried.

MINUTES OF PREVIOUS MEETING – Moved L. Doran, seconded P. Phillips, that the minutes of the meeting held on 21st. November, 2018, be adopted. Carried.

MATTERS ARISING FROM THE MINUTES

Merry-Go-Round – Tony Dwyer O.K.

Pace Painting – No-one yet.

Thunder Graphics – Gumboot Throwing trophies – not seen yet.

Ute – Graham Carlon O.K. to drive it.

Decorating Ute – Peter will be away, but it will be O.K. to use his shed, and he will leave his keys.

Awards – advertised on Facebook.

Colouring-In Competition – Leanne working on it.

FINANCIAL REPORT

Financial report was presented as attached, showing an amount brought forward of \$1,394.98. Moved B. Niland, seconded C. Pyros that the report be adopted, and that the Gumboot Throwing include junior sections.

CORRESPONDENCE – In

Moved C. Pyros, seconded N. Ledger, that the correspondence be dealt with as read. Carried.

1. Australia Day Council of S.A. – Merchandise order.

CORRESPONDENCE – Out

1. Australia Day Council of S.A. – Merchandise order.
2. Uralla Shire Council –. Activities for insurance cover.
3. Armidale Pipe Band – Australia Day procession etc.
4. Adam Marshall & Barnaby Joyce – Invitations.

GENERAL BUSINESS

Aboriginal Dancers - Ben will follow up.

Belly Dancers – Leanne to follow up.

Citizenship Ceremony – Council has advised that three people will receive their Australian Citizenship.

Cars for Ambassador and Mayor – It was agreed that we use the old fire truck if it is available.

Ambassador's Sign – See Thunder Graphics.

Ambassador's Gift – Helen Phillips is willing to provide a painting once again.

P.A. – Peter to ask the R.S.L.

Awards – Moved N. Ledger, seconded B. Pascoe, that the closing date be extended to 4th. January – new posters, Facebook.

Banners – Moved P. Phillips, seconded L. Doran that more banners be purchased.

Flag Raising – R.S.L.

Aboriginal Flag & Welcome to Country- Ask Les Townsend.

Velcro Hook Dots – Leanne to get some.

Bunting – It was agreed that more bunting be purchased to replace the old ones.

Gazebo – It was agreed that we look into purchasing one in the future.

NEXT MEETING – Wednesday, 9th. January, 2019.

The meeting closed at 8.30 p.m.



MINUTES

Budget Review & Finance Committee Meeting

12 February 2019, 12:30pm, Uralla Community Centre

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Minutes of the Budget Review & Finance Committee Meeting
held at 12 February 2019, 12:30pm, Uralla Community Centre

ATTENDANCE

Present were Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Disting, N Ledger, L Sampson, I Strutt, T Toomey, General Manager (Mr A Hopkins), Chief Finance Officer (Mr S Paul), Director of Infrastructure and Development (Mr T Seymour), Minute Clerk (G Stratton).

1. OPENING, WELCOME AND PRAYER

The Chair declared the meeting opened at 12:34pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged Country and Elders past and present.

3. APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE

The Chair advised there were no apologies received.

4. DISCLOSURES & DECLARATION OF INTERESTS

There were no disclosures or declarations made.

5. ANNOUNCEMENTS

The Chair advised there were no announcements.

6. TABLING OF REPORTS & PETITIONS

The Chair advised there were no reports or petitions tabled.

7. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

The Chair referred to the urgent, supplementary and/or late items of business recommended for addition to the published Meeting Agenda.

- Late Report #1 - Draft Scope of Works for Waste Management Consultancy

MOTION (Crs I Strutt / R Crouch)

That the Late Item of Business be heard following Report 1.

1/19 CARRIED

8. REPORTS TO COMMITTEE

Department: General Manager's Office
Submitted by: General Manager and Chief Financial Officer
Reference/Subject: Report # 1 / LTFP – Horizontal Service Review – Priority Actions

OFFICER'S RECOMMENDATION:

That the Committee:

Recommend to Council that the actions identified in the 'First Tranche of Potential Actions' list, in the Report, be addressed as follows:

Minutes of the Budget Review & Finance Committee Meeting
held at 12 February 2019, 12:30pm, Uralla Community Centre

- I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.
- II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as quickly as possible for consideration and direction.
- III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget.

Cr Toomey left the meeting at 1:10pm. Cr Toomey returned to the meeting at 1:14pm.

Cr Sampson left the meeting at 1:24pm. Cr Sampson returned to the meeting at 1:26pm.

MOTION (Crs I Strutt / R Crouch)

That the Committee:

Recommend to Council that the actions identified in the 'First Tranche of Potential Actions' list, in the Report, be addressed as follows:

- I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.
- II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as quickly as possible for consideration and direction.
- III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget.

2/19 CARRIED

9. LATE REPORTS TO COMMITTEE

Department: Infrastructure and Development
Submitted by: Manager Waste, Water and Sewer Services
Reference/Subject: Late Report #1 - Draft Scope of Works for Waste Management Consultancy

OFFICER'S RECOMMENDATION:

That the Committee:

1. Acknowledge Council resolution 31.12/18, part 3, "Instruct the Budget Review and Finance Committee to receive a draft scope of works for approval prior to engaging the consultant".
2. Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved.

MOTION (Crs L Sampson / N Ledger)

That the Committee:

1. Acknowledge Council resolution 31.12/18, part 3, "Instruct the Budget Review and Finance Committee to receive a draft scope of works for approval prior to engaging the consultant".
2. Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved.

3/19 CARRIED

Minutes of the Budget Review & Finance Committee Meeting
held at 12 February 2019, 12:30pm, Uralla Community Centre

10. MOTIONS ON NOTICE

There were no 'Notices of Motion' addressed to the 12 February 2019 Meeting.

11. CONFIDENTIAL BUSINESS

There were no Confidential Business items.

12. MEETING CLOSE

The meeting closed at 1:55pm.

8. ANNOUNCEMENTS

9. TABLING OF REPORTS & PETITIONS

10. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL SECTION

There are no Items recommended for the Confidential Section.

11. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

12. PRESENTATIONS

Blake Reeson – Service NSW

Anne and Greg Ward – Modification of Development Application 26/2018 - Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)

13. DEPUTATIONS

There are no Deputations registered for the Meeting.

14. WRITTEN REPORTS FROM DELEGATES



COUNCILLOR REPORT

Submitted by:	Cr Isabel Strutt
Subject:	Written Delegate Report 1 - Central Northern Regional Libraries – Annual General and Ordinary Meetings held in Tamworth on Wednesday 14 November 2018

The Annual General Meeting of Central Northern Regional Library was attended by the delegates or a delegate's representative from the six member Councils. The Chairman's Report, CNRL 2017/2018 Annual Report and 2017/2018 Annual Financial Statement were presented to the meeting, received and noted by the meeting. The Chairman's Report for 2018 is attached, and the 2017/2018 Annual Report is tabled at this meeting of Uralla Shire Council on 26 February 2019 for the information of Councillors.

Councillor Bill Heazlett of Walcha Council was re-elected unopposed as Chairperson of CNRL for 2019 and Councillor Cathy Redding of Narrabri Shire Council was re-elected unopposed as Deputy Chairperson for 2019.

The Annual Reports for each of the member Council's libraries for the 2017/2018 year are contained in the CNRL 2017/2018 Annual Report and include a comparison with the activities of the previous year 2016/2017. Central Northern Regional Library 2017/2018 "at a glance" reports 302,981 library visits; 64,752 library members; 53,212 public PC bookings; 42,815 Wifi sessions; 287,587 loans; 841 Seed library loans; 2,652 programs, and 28,048 program attendees.

For the 2017/2018 year Uralla library reports 28,490 library visits, and increase of 5.3%; 3,168 membership, an increase of 3.8% which is an interesting statistic showing that just over half the Shire's population are library members; and 4,764 reservations, an increase of 25.7%, while loans, stock, new stock, PC bookings, and Wifi sessions have all shown a decrease from the 2016/2017 year.

In the 2017/2018 year Uralla library foyer was well utilised by community groups for promotion of the groups and their activities. There were also many promotional displays to promote library resources, including Book Week, e-Smart Week, NAIDOC Week, Australian Authors, Get Your Hands on a Good Book, and Lifecycle of a Chicken to name a few. Baby Booktime program continues on a weekly basis, and Makerspace education/research/activity programs were held at Uralla and Bundarra libraries.

The Ordinary Meeting of CNRL followed immediately after the Annual General Meeting and received reports on programs and upgrades in some of the libraries. The One Book One Region community reading program commenced in July 2018. The selected book was "Scrublands" by Chris Hammer who, as part of a new initiative, visited the Tamworth, Narrabri and Uralla libraries to discuss the book at community events. Uralla is reported as the standout venue with 50 people attending.

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The Library Services Manager's report contained an update on the Renew Our Libraries campaign and strategy to achieve certainty of adequate funding, and indexation of funding beyond the 4-year period 2019-2020 to 2022-2023 from the NSW Government and the Chair asked Councillor

Cathy Redding to take the matter to both the Country Mayors Association and the relevant Joint Organisations to seek their support. NSW Government still contributes less than 10% of total funding for public libraries, meaning that local government bears 90% of the cost. It is reported that NSW public libraries make a \$330 million contribution to the NSW economy every year and support over 3,000 full time equivalent jobs.

Progress reports were also received on the Spydus Upgrade, the implementation of the RFID (Radio Frequency Identification) technology throughout all CNRL libraries; Makerspace programs; and Children's Literacy Framework.

The next meeting date is to be confirmed – is expected to be in first quarter of 2019.

Councillor Isabel Strutt
18 February 2019

ANNUAL REPORT 2018

Tayberries and Truffles. What can they contribute to an annual Regional Library report? Food for thought - **AND** -perhaps a small insight into our shared humanity. My Tayberry bush came from Kay, a gift, which shares a common interest, gardening. On a different level, our meeting is not a truffle (underground fungi), but an open sharing of a common interest, Libraries. This interest promotes the common good through Library service. At our last meeting Kay expressed the belief to me that CNRL staff were working as harmoniously as they ever have. Great staff doing great work. At the regional level ALL members of the library family strive for Libraries to be the best community service and in so doing, succeed. Personally, I would urge you not to depend on the hope of results. Much of our work may apparently not achieve any positive result or even the opposite of what you expect. With the wisdom of age do not concentrate on results but on the value, the rightness, the truth of the work itself. At the end of the day it is the reality of personal relationships that saves everything.

Our CNRL annual report contains both general and specific information about the Library service. A marvellous and through account which does all the staff credit.

At this time the USA have had their midterm elections which has changed their Federal political composition. President Trump continues to rail against "Fake News," the reporting in the press and TV that is opposed to what he is or does. This does Democracy great damage in that the public are not given information that they can weigh up. Democracy relies on argument and evidence not emotion and prejudice. The presenting of issues as Back or White instead of reality, there is no other side presented. In Australia, Federal politicians are held in low regard as they are seen as self interested and self absorbed. Local government representatives must lead the way in listening to our community and acting in its best interest. Easy to say, hard to do. To all the Councillors that come here to represent your communities in our Regional Library, take heart in that you are contributing to keeping this Library service as an integral part of community.

We are all delighted that the State Government increased the available money for Libraries (Thank You All, for Supporting the Claim). This does put a responsibility on us all to have an active VISION for Libraries. One challenge central to our existence is connectivity (IT., mobile phones, face book, et al). CNRL is building for this through the software upgrades that will take place next year. I am confident that our staff will be free to be innovative to develop future Libraries incorporating synodality with community. Libraries will need to keep changing to continue to be an essential part of community.

Annual Conference could be different this year, as Library governance becomes more centralised. The expectation is to be invigorated, so come to the conference and feel the vibes - I hope.

A Challenge - Over 30 years ago I tried to get our Regional Libraries to take on hiring Videos' as a source of revenue & to bring in people. The committee had the good sense NOT to adopt the idea. Looking back, Videos are gone and so are most of these businesses. Thank God for democratic decisions!!! However, can I suggest another idea - being a book agent. For myself I do not wish to have a home Library, but the books I would like to scan or read are not in our Library or book shop (town or airport eg. best sellers). I am also lazy and only occasionally go to Amazon and would be mostly happy to pass the books onto the Library and I read lots of reviews and I would love to scan or read some of the books. Can I challenge somebody to investigate this (possibly for our Libraries) !!! OR work with me on fleshing out the idea. (How, cost, etc)

In conclusion please accept my heartfelt thanks, to ALL Councillors, librarians and helpers across the CNRL. Through you, our Libraries continue to be the most accepted, comforting public places in our communities.

Bill Heazlett Chairman CNRL 2018

15. MAYORAL MINUTE



MAYORAL MINUTE

26 February 2019

MAYORAL MINUTE

MAYORAL MINUTE

26 February 2019

Recommendation:

That Council observe one minute of silence to honour the memory of ex-councillor Kevin Ward, who passed away on the evening of 8th February 2019.

16. REPORTS TO COUNCIL



REPORT TO COUNCIL

Committee:	Budget Review and Finance
Submitted by:	<i>General Manager</i>
Reference/Subject:	Report 1 - LTFP – Horizontal Service Review – Priority Actions

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	4.2.2	Operate in a financially responsible and sustainable manner
Activity:	4.2.2.1	Maintain and control financial system and improve long term financial sustainability
Action:	4.2.2.1.1	Review and revise the 10-year Long Term Financial Plan

SUMMARY:

This report makes recommendations to Council about the Horizontal Service Review – Priority Actions considered by the Budget Review and Finance Committee at its February 2019 meeting.

COMMITTEE RECOMMENDATION:

That Council:

Address the actions identified in the 'First Tranche of Potential Actions' list, in the Report, as follows:

- I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.*
- II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as quickly as possible for consideration and direction.*
- III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget.*

BACKGROUND:

As part of the 2018/19 Operational Plan requirement to investigate making application to the State Government for a Special Rate Variation (SRV) Council management and supervisory staff and several councillors contributed to a Horizontal Service Review. The purpose of this type of review is to put any idea for cost savings or improved revenue (other than an SRV) 'on the table' for review.

REPORT (as presented to the Budget Review and Finance Committee):

For several years Uralla Shire Council has been identifying and working towards a number of fundamentally important bodies of work to position itself as a sustainable, effective, efficient and 'fit for purpose' council. These bodies of work have made progress, aggressively in recent years. They have required, as part of their development (or continuing development/implementation), a strong level of interrogation of the way Council goes about its business. These bodies of work are necessary

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The process generated a total of 107 initial ideas that covered a broad range of Council functions – these were then grouped into 77 to remove duplication. Staff participated in a workshop to review (in teams) each of the ideas, ask further questions about them or to challenge/support them and then determine whether the idea was a priority 1, 2 or 3. The priority level was assigned according to the importance of the idea and the ease with which it could be implemented.

The priority lists from the Horizontal Service Review are attached at Attachment A.

The financial benefits and implementation costs for the list of priorities (principally priority levels 1 and 2 only) were estimated, and high priority actions were scheduled over three financial years and modelled as part of Scenario 2 (“Improvement Option”) of the SRV report provided for the Extraordinary Meeting to determine whether to commence consultation about an SRV. Scenario 2 (Improvement Option) represented an SRV above the rate peg of 25% (which converts to a 37.3% cumulative rise over a four year period when the rate peg is included).

The costs and benefits for the General Fund of these priority actions were estimated to be as follows:

- 2019-20 (cost = \$236,618)/(benefit = \$277,200).
- 2020-21 (cost = \$68,618)/(benefit = \$304,200).
- 2021-22 (cost = \$8,618)/(benefit = \$344,200). And then,
- Recurring net benefit of \$340,582 annually.

It is important not note that the Horizontal Service Review was not a detailed service review and many of the potential benefits require further research.

(The Scenario 2 (“Improvement Option”) also included a reduction of \$500,000pa for asset renewal funded from the General Fund).

The following actions and their corresponding potential or estimated saving/benefit are considered to comprise the immediate priority list, from those included in Attachment A, for Council to consider. It should be noted that this list generally excludes options for service reduction or service cessation or significant alterations to service levels. Matters concerning service changes were proposed to be discussed with the community as part of the community consultation program for the SRV, to help reduce the overall amount of the SRV. Council should give consideration to which services or service levels it could potentially reduce once this process of identifying and implementing initial savings has been resolved.

It is recommend that the list below be read in conjunction with Attachment A, which contains further information about each of the actions. Please note some dollar values contained in the list below and in Attachment A vary due to subsequent, additional analysis of the underlying estimates.

First Tranche of Potential Actions

1. Review and increase pricing of stock at the VIC*	\$ 1,500
2. Implement full cost recovery for non-statutory fees and charges+	\$150,000
3. Energy initiatives (eg solar and LED for street lighting)#	\$ 15,000
4. Review overhead costs of community care for full recovery*	\$ 30,000
5. Reduce the number of councillors+	\$ 30,000
6. Close the Bundarra Library+	\$ 2,500
7. Strategic review of waste services+	\$ 25,000
8. Dividends from water and sewer funds@	\$ 40,000
9. Reduce service levels for nature strip mowing at Bundarra+	\$ 30,000
10. Upgrade Bundarra maintenance water truck@	\$ 40,000
11. Reduce number of newsletters (staff cost)/review print and delivery+	\$ 13,000

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12. Implement business paper efficiencies (purchase software)@	\$ 12,000
13. Reduce printing, including issuing only digital business papers+	\$ 2,500
14. Savings on phone and internet*	\$ 7,000
15. Employ project management staff@	\$ 48,000
16. Issue fines for infringements+	\$ 39,000
17. Contract out general waste collection services+	\$ 70,000
18. Reduce opening days at tip+	\$ 19,500
	<hr/> \$575,000 <hr/>

Note:

* = actions which will be implemented by staff.

= actions which will be researched further by staff/others and if viable will be implemented by staff.

+ = actions which will be researched further by staff/others and then presented to Council or which require direction from Council.

@ = actions which cannot be implemented without initial cost or which are dependent upon another action occurring first.

Recommended way forward.

Immediate Tasks

Activate the First Tranche of Potential Actions from the Horizontal Service Review as follows:

- I. Items: 1, 3, 4, and 14 will be implemented or researched further then, where viable, implemented by staff as quickly as possible.
- II. Items: 2, 5, 6, 9, 11, 13, 16, and 18 will be researched further and then presented to Council for consideration and direction as quickly as possible.
- III. Items: 7, 8, 10, 12, 15 and 17 require expenditure to be outlaid prior to a benefit being returned. Separate assessment of cost/benefit to be prepared and presented, where possible, to Council prior to the final determination of the 2019/20 budget.

Target Timeframe – current and ongoing.

Intermediate Tasks

- I. Undertake a review of existing services and service levels to identify potential opportunities for service and service level reduction and consequential expense reductions. Part of this assessment should include consideration of Council's assets and the benefit/cost of retention.
- II. Identify the potential consequential implications to assets, if any, of the outcome of I. (above) upon the Asset Management Plans and identify options for the management of deficiencies.
- III. Identify the resourcing required to achieve the delivery of the services and service levels identified at I., above.
- IV. Assess the implications of the outcomes of the Immediate and Intermediate Tasks and recalibrate the Long Term Financial Plan.

Target Timeframe – March, April and May Budget Review and Finance Committee.

Prepared by staff member: Andrew Hopkins
TRIM Reference Number: UINT/19/1066
Approved/Reviewed by Manager: As above
Department: General Manager's Office
Attachments: Attachment A: Priority Actions List

Priority 1

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
VIC Pricing Review	Review of VIC retail pricing has been planned for some months. Last financial year we increased our profit by nearly \$3.5K and should be able to increase that further with careful reviews of some lines / items. At least some of the increase in profitability has been due to the introduction of EFTPOS but we are slowly increasing our range when appropriate local produce is discovered.	\$	4,500 \$	1,500
Energy Management Systems	<p>Review and assess Council energy management systems following advice from qualified consultant. There is potential for significant savings through consolidation of billing structures, building energy efficiency systems and usage data to change patterns in energy consumption energy management technology. The main advantages of energy management systems are:</p> <ul style="list-style-type: none"> -simplify finance process; -flag bill anomalies; -flag energy anomalies; -auto import and display data; and -centralise energy data and account information. <p>Consolidation of Councils energy providers and billing structure has further potential to reduce costs through negotiated pricing.</p>	\$	12,000 \$	5,000
Solar Power - McMaugh Gardens	Not applicable to McMaugh Gardens, but all other air conditioned areas have limits set for temperature to 20cC in winter and 23oC in Summer. Each additional degree has a measurable cost. Ask staff to participate by wearing less or more clothing. Under desk heaters to be banned in air conditioned areas. ZNET will surely have other suggestions, such as the expansion of PV on all Council buildings to both reduce cost and carbon footprint.	\$	10,000 \$	High
Fees and charges review	<p>Assess McMaugh Gardens current solar energy production and improve capacity to reduce current electricity consumption particularly in regard to heating</p> <p>Wholesale review of fees and charges to identify costs of service, clear identification of commercial services and level of council subsidies. Adoption of appropriate profit margins to compensate the community for the risks and cost of investment of providing user pay services. Clear and consistent application of fees and charges policy across all business units.</p> <p>Benchmark fees and charges against similar rural councils a quick comparison would indicate that a number of fees and charges in the domestic waste and in facilities charges are low based on a very quick analysis.</p>	\$	30,000 \$	10,000
Fees and charges review - building and development	<p>Review/assess whether current fees and charges are actually applied at cost. Increase those fees and charges for which there is a gap between actual cost and charged amount.</p> <p>Full cost recovery for Planning and regulatory Services</p>	\$	240,000 \$	80,000
Fees and charges review - cemetery	<p>Review fees and charges for all town planning, building and health administration/inspection areas to ensure there is appropriate recovery of costs.</p> <p>Recouping costs of contract Building Certifier</p> <p>Increase charges at cemetery to cover costs</p>	\$	29,000 \$	13,000

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
Fees and charges review - Liquid trade waste	Implementation of Liquid Trade Waste charges	\$	15,000 \$	5,000
Fees and Charges Review - Waste Charge on vacant blocks	Start charging the Waste Management Charge on vacant blocks. This would require a change in revenue policy to specify what the rate would be for vacant land as opposed to occupied land.	\$	11,375 \$	4,125
Fees and Charges Review - water and sewer	Review and update policy on charging of water and sewer access charges to multiple occupancy dwellings.	\$	72,000 \$	2,000
Systematic Review of Overhead Costing for full cost recovery	Identify all business activities where fees and revenue is collected including waste, water, sewer, private works, cemetery services, caravan park, aged care, grant funded community services, and any other business services. Critically review methodology for allocation of overhead costing, ensuring that all fee recovery is based on the full direct and indirect cost of service and if there is a level of subsidy, that it is identified and resolved as a decision of council.	\$	90,000 \$	30,000 High
Reduce Councillor numbers	Reduce councillor numbers by at least two. Savings on councillor expenses and facilities, councillor fees and internal support.	\$	70,000 \$	40,000
Close the Bundarra Library	Close Bundarra Library. Council has an 'outreach' library branch in Bundarra - established approx. 12 months ago. It holds stock, has free WiFi, 2 x public PCs, internet services, and library resources (books, dvd, etc). It is poorly utilised and operates under extensively reduced hours based on volunteer availability.	\$	2,500 \$	2,500
	Close the Bundarra Library and offer a monthly mobile service.			
	Close the Bundarra Library. Monthly usage stats show it is hardly utilised. State government subsidies are ending so cost to Council for providing the service (including public NBN access which is also hardly used) will double. Provide a mobile service or a delivery service to the general store.			
Strategic Business Review of Waste Services	Strategic business review of waste services including levels of service, asset management, and fees and charges.	\$	- \$	25,000
Dividends to General Fund	Develop a medium term strategy for water and sewer funds to return a surplus and return a minimum dividend payment to general fund. Accepting there is a high upfront cost to be compliant with Best Practice Guidelines before a dividend higher than \$3 per assessment for tax equivalent charges is allowable.	\$	(20,000) \$	40,000
Fees and Charges Review - Developer Contributions	Implement Developer Charges - generate additional revenue. Improve Councils compliance with best practice pricing; improve access to funding (compliance with best practice is a criteria for some funding support);	\$	40,000 \$	30,000

Section 64 Contributions - upfront payments levied to recover part of the infrastructure costs incurred in servicing new developments or additions/changes to existing developments which impose a loading on Council's water supply and/or sewerage infrastructure.

Reduce the area of nature strips mowed by Council. Council currently mows a lot of the nature strips in Uralla and Bundarra. This has a very positive visual impact throughout the towns and is appreciated by many residents. In most other Council areas in NSW the Councils maintain nature strips, as needed, on the main thoroughfares and entrances and at Council facilities with most residents maintaining the nature strip adjacent to their property. In Uralla the main thoroughfares are Bridge Street, Thunderbolts Way, Kingstown Road and Gostwyck Road. In Bundarra the main thoroughfares are Thunderbolts Way, Barraba Road and Dawkins Street to the cemetery. There are also many vacant lots in Bundarra where it would be necessary to continue mowing the nature strip. The main mowing season is for about 29 weeks from mid September to the end of March. In Uralla it is estimated that the "rest" of town mowing is every 3 weeks and requires 2 men and ride on mowers for 4 days at \$1,150 per day. Allowing for 10 mowings this equates to 40 days and \$46,000. In Bundarra it is estimated that the "rest" of town mowing is every 2 weeks requiring 2.5 days with an out-front ride on mower at \$663 per day and 2.5 days with a tractor and slasher at \$748 per day. Allowing 26.25 days for each mowing method this equates to 52.5 days and \$37,039. The combined total potential saving is \$83,039 per year.

Opportunity	Description	Net Benefit after 3 years	p.a.	Recurrent benefit	Uncertainty
Upgrade the Bundarra Maintenance Water Truck	<p>The current Bundarra maintenance water truck is a single axle tipper with an approximately 7,000L slip on water tank. In dry periods and during hot weather the current truck does not have the capacity to keep up with the grading crew as has to refill regularly and this results in less grading completed each day. It is sometimes necessary to hire an additional water truck to assist the grading crew and maintain productivity. The current rectangular tank is also subject to fractures and again a water truck is hired while repairs are carried out. The purchase of a dual axle 13,000L dedicated water truck (the same as Councils 2 other water trucks) would minimise the hire of other water trucks and improve efficiency as it would be filling up about half as often. The existing truck could be retained for maintenance works at Bundarra and be available for use across the Council. Over the past 5 years the average water truck hire is 13 weeks per year costing approximately \$42,700 per year for the truck (\$400/day) with a Council operator included (\$330/day). The approximate cost of new dual axle 13,000L water truck is \$200,000. The current internal hire rate for the Bundarra water truck and tank is \$28.13 per hour. The current internal hire rate for a dual axle water truck is \$30.00 per hour. Allowing for 1,400 hours per year the additional annual internal hire cost is \$2,618.</p>	\$	(79,754)	\$	40,082

Priority 2

Opportunity		Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
Reduce number of newsletters	The Council Newsletter go to being created quarterly instead of monthly.	\$	39,000 \$	13,000
Fees and charges review - pool	Increase admission fees at swimming pool and reduce discount for bulk buy tickets	\$	15,000 \$	5,000
Implement business paper efficiencies	Stop printing hard copies of the Council business paper. Average 11 meetings per annum, average cost per page to print \$1.00, average business paper pages 400, x 9 councillors x 11 meetings = \$39,600 (not including toner, paper and labour costs).	\$	18,000 \$	6,000
	All Council monthly paper be electronic. All of the Councillors have ipads for their use.			
	Business paper efficiencies: Only print 1 copy and offer a photocopying service to Councillors who require hard copies of selected pages. Also save on delivering to outlying locations. Print savings is 11 months X 14 copies X 9c per page + distribution			
Implement business paper efficiencies	Procure InfoCouncil to streamline the production of Business Papers and Minutes for Council, Section 355 and Audit, Risk and Improvement Committee meetings. The current process is burdensome, inefficient and incredibly time consuming. InfoCouncil would realise efficiencies through electronic submission, review and approval of reports, and ensure consistency across templates used.	\$	(7,000) \$	6,000
Reduce printing of paper in the office	Making USC a paper-free operation, enabling all staff and entities to take part and circulating printing numbers and costs for each area on a monthly basis. Stop printing all business and Council papers for those with iPads. Also default all print drivers to 'draft' mode the reduce amount of toner used.	\$	7,500 \$	2,500
	Implement initiatives to reduce the cost of printing and postage including targeting ratepayer take-up of option for email delivery of notices, as well as internal printing targets by increased use of electronic reporting and electronic business papers.			
Communication technology	Review opportunities for cost savings on current telephone and internet services including improving performance and decreasing costs by taking advantage of communications infrastructure, cheap VOIP software options, and telephone account management.	\$	21,000 \$	7,000
Employ project management staff	2 Additional project management staff to better manage projects. Savings may be up to 5% of capital works projects, current capital budget is \$4m, therefore capital savings of \$200,000pa. Also increase opportunities for grant funding.	\$	144,000 \$	48,000
Asset rationalisation	Sell any unused Council land/buildings. Old Flats near McMaugh Gardens.	\$	200,000 \$	-
	Identify assets not currently in use or where there is potential for better commercial / private use. Consider high-cost assets where maintenance costs are exceeding current service outcomes, or where maintenance costs are currently not being met. Prepare strategy for sale of land and building assets, including consideration of opportunities for development and subdivision by private developers.			
	Sell Council owned Flats. Realise the property value - especially for the ones that are empty due to asbestos (well that is my understanding). Remove administration and maintenance costs			

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
	<p>Asset rationalisation: What have got we develop and sell What can we dispose of What can we develop and keep for a commercial return on investment Do we need to keep the affordable seniors units in Hill street? Is the Industrial Land Project going to yield the best value outcome or should we be looking at other land uses - such as residential development and sale?</p>	\$	\$ 147,000	\$ 39,000
Issue Fines	Assess what land we own and intended use. Sell surplus to requirements.			
	Issue of infringement notices for circa 80% of offences. Currently below 10%	\$	\$ 180,000	High
Contract out waste collection	Subcontract general waste collection only and landfill general waste an alternative location. Keep recycling services in house, including the kerbside recycling bin collection.	\$	\$ -	\$ -
	Contract out waste collection. Review the opportunity to collect by private contractors and identify if there are any cost savings	\$	\$ -	\$ -
	Contract out kerbside waste collection; business case would need to be done to identify cost benefit of outsourcing the service over a 10 year period compared to the cost of Council providing the service with a reduction in plant, equipment and staffing costs and taking into account the service provided to Walcha residents and revenue to Council for providing the service.	\$	\$ -	\$ -
	Assess viability of subcontracting kerbside collection services. Subcontracting kerbside services may not prove to save significantly on operational costs. However, the proposal hasn't been examined for its business case merit. Comparing landfill costs against those at an alternative site could also be considered as part of this review.	\$	\$ -	\$ -
Reduced opening days at tip	Consider opening the waste facility only on weekends and one or two other days. Divert staff responsible for customer services on current open days to sort recyclables and other duties on some non-open days.	\$	\$ 48,500	\$ 19,500

Priority 3

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
Ask community how we can make savings	Ask our community for where they see council could make savings.	\$	- \$	-
Review and reduce the customer service hours at the Council Office, Library and Visitors Information Centre	Reduce the operating hours at the Visitors Information Centre Monday 10am - 3pm, Wednesday 10am - 3pm, Friday 10am - 3pm (retain Saturday/Sunday hours). Effectively reducing operating hours by 20 hours per week and corresponding saving in casual wage costs.	\$	51,000 \$	17,000
	Consolidate Customer Service, Library and Visitor Information Centre to current Library building. This would provide a one-stop-shop for those services and ensure that the library building is open for longer and better utilised, while allowing more space at the Admin building to accommodate staff.	\$	43,000 \$	31,000 High
	Council has current service level to open the library 7-days a week. This is a very unusual service level within the NSW Public Library Network. Central Northern Regional Library, who manage our library services, have no other libraries open on a Sunday, a review of other rural library networks has identified nil other libraries open on a Sunday. Current library staffing levels have staff rostered to work in isolation whilst dealing directly with the public, and the remuneration is paid at double time for the Sunday shift.	\$	28,500 \$	9,500
	I don't know of any other local library that is open on a Sunday. Savings will be salaries rate X 6 hours X @ 50 weeks / pa			
	Change the opening times of front counter at council.			
	The library's function has changed. It now serves as a child minding centre and an activities centre for young children, as well as performing multiple other standard library activities. Consider not opening the library on the weekends and only opening for reduced hours during the day eg 10am to 6pm			
	Reduce opening hours for Admin Centre Customer Service to 10am-3pm and Library from 7 days/week to 5 or 6 days/wk. Admin Centre in particular needs more time to process work without regular interruption and this is not an uncommon time frame for LGA services. The Library is unusual to be opening for 7 days, even with restricted hours. Analyse of patron numbers via a counter will indicate if one shift or day is consistently lower for patrons and could be considered for closing.			
	Operate a VIC that is not VIC accredited (so opening hours can be reduced). As an accredited VIC the VIC must be open every day (including public holidays and weekends) and must be open for a minimum number of hours per week. Operating a non-accredited VIC will provide an opportunity to reduce opening hours and therefore reduce expenditure. Just closing for NSW prescribed public holidays will produce a financial saving.			
Rent out the café space at the Visitors Information Centre	Cancel the VIC Improvement Project, proceeding only with smaller, aesthetic improvements and video screens. Rent out the old cafe space at the earliest opportunity to a commercial tenant (but not a drum clinic).	\$	40,000 \$	15,000 High
Solar Power - pool	Increased investment in PV solar power generation by installing a PV solar system at the swimming complex	\$	(4,290) \$	1,570

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
Solar Power - water and sewer services	Opportunity for solar power usage for water and sewer services. Reduce operational costs: electricity costs treatment plants, pump stations, Assess business case for installing solar/battery on facilities.	\$	10,000 \$	20,000
Upgrade street lighting	Upgrade street lighting. Replace older high energy mercury vapour and Sodium Fluorescent streetlights with LED luminaries	\$	(12,464) \$	16,553
Fees and charges review - waste Community Grants Program	Charge Walcha equivalent of full recovery plus margin/commercial cost for service for the supply of waste collection and ranger services Remove the community grants program and review and revise policy for granting section 356 requests for community contributions. Reduce the annual community grant to \$10k - saving \$5k per annum. Focus for this project is on capital and other projects, therefore benefits will be capital; benefit to operating result will be minor; indirectly only affecting depreciation.	\$	10,000 \$ 180,000 \$	10,000 60,000
Procurement management practices, including with Joint Organisation	Focus for this project is on capital and other projects, therefore benefits will be capital; benefit to operating result will be minor; indirectly only affecting depreciation. In the absence of a broad understanding of Council's current procurement strategies, it seems to me that there may be an opportunity to better exploit the potential offered by NEJO membership for upscaling the procurement of goods and services if member Councils jointly aggregate their orders, prior to seeking quotes from suppliers. Depending on Uralla Councils current procurement strategies the range of goods and services that potentially could be included in the mix might spread from suppliers of electricity, gas and fuel, to providers of "one-off" high level strategic assistance in maybe HR, IT, Risk, Safety, and Audit and, if such are initially successful, supply sources might eventually extend to instances such as a NEJO-wide heavy plant and replacement procurement. ROADBLOCKS This exercise will be easier said than done because it would require NEJO member Councils to synchronise their individual procurement schedules for aggregation with each other maybe 12 months in advance, and might come at an excessive administrative cost (NEJO Executive Officer !!) which could maybe exceed the savings effected. It would also require NEJO Councils, their Mayors and General Managers to take the risk of delegating to say, an Executive Officer (or substitute) of maybe untested capacity, the responsibility of "getting it right". Those Councilors with memories of the short-lived Uralla/Armidale Strategic Alliance debacle are unlikely to show a high level of enthusiasm for delegation of procurement control or any other control to persons unknown, at least in the short term. A further indicator of Councilor support or reluctance in becoming more deeply embedded in NEJO through a joint procurement strategy and/or multiple administrative functions, is the extent to which the notion is held by maybe nervous Councilors that Joint Organisations will eventually morph into Regional Councils if or when the member Councils operational and administrative activity, becomes so intertwined within their JO as to be irretrievably irreversible. Despite the numerous obstacles to implementation of even a small-scale JO-wide trial procurement strategy, I believe that it could be worth the effort and if only partially successful, maybe provide some benefit for Councils NEJO membership fee.	\$	9,000 \$	5,000
Joint Organisation - shared services	Pursue group buying opportunities across council for items such as stationary, investigate combining clinical procurement with TCS Joint Organisation shared Services - across all back end administration services. An example is that ARC is currently recruiting a Governance coordinator who will be performing essentially the same the role and duties as our Governance coordinator. Utilise the New England Joint Organisation for shared services for specialist functions - for example, procurement and legal services - which could realise savings for both Uralla Shire Council and other NEJO member councils.	\$	120,000 \$	40,000
Transition indoor workforce from 9 day fortnight RDO system to 19 day month (excluding TCS/TCT LG Staff)	Transition indoor workforce from 9 day fortnight RDO system to 19 day month (excluding TCS/TCT LG Staff). Reduced staff costs - particularly casuals for backfilling all our front line service positions for 8 hours each fortnight. Improved productivity and effectiveness	\$	210,000 \$	70,000
Privatise McMaugh Gardens	Sell McMaugh Gardens to an Aged Care provider. Are Council willing to invest in McMaugh Gardens? Not everyone wants to move to McMaugh when they are older. The facility wont leave the area, but Council wont have to invest any money in it. Uralla residents care that it exists but they don't care who owns it. It adds considerable administrative overhead.	\$	49,000 \$	30,000 High

Opportunity	Description	Net Benefit after 3 years	Recurrent benefit p.a.	Uncertainty
Reduce opening days of swimming pool	only open the pool on weekends and other high usage days	\$ 144,000	\$ 48,000	
Green waste collection	Green waste pick up to cease. Do we need to offer this as a service? Is it financially viable?	\$ 180,000	\$ 60,000	
Review of water and sewer reticulation condition	The current condition of Councils piped assets is based on age rather than actual condition. This is leading to a large backlog in water and sewer assets and increases in annual depreciation. Understanding the typical and likely age of the reticulation network is essential.	\$ (75,000)	\$ -	
Asset Management	Review Transport Asset Management Plan for reduction of proposed service levels and therefore costs associated with this work. Specific areas to review would include bridge maintenance (maybe \$26K), local urban street maintenance (\$40K) and capital (say 20% = \$30K), regional rural unsealed, sealed rural roads (say 20% = \$18K), shared bike path (FAGS reallocated of say half = \$20K)	\$ 392,000	\$ 100,000	
	Roads no longer serving their intended function. Some roads within the shire (eg at Kentucky) were sealed for dust impact upon non-residential activities - eg fruit production. These roads no longer carry traffic volumes or otherwise meet the tests now applied for the sealing of roads. When these roads reach renewal intervention consider returning to gravel.			
Fleet management	Look at the possibility of reducing the fleet and sharing vehicles via a shared calendar with other areas, eg McMaughs and TCS - uncertain of the excess of availability, but even reduction by a single vehicle would be of benefit. Replace vehicles with electric / hybrid to reduce fuel costs and include more small cars - most vehicles seem rarely to have 3 or more passengers.	\$ 30,000	\$ 10,000	
	Most Councils have too much plant and equipment or underutilised plant which are not economic for the organisation to keep. Council should undertake a review of its current plant and fleet needs			
	Set benchmark utilisation rates for heavy plant and equipment and ensure optimum plant & equipment utilisation			
	Replace fleet vehicles with more fuel efficient models. Consider smaller and/or hybrid vehicles.			
Leaseback vehicle arrangements	Cost / benefit review of staff leaseback vehicle arrangements including consideration of tax benefits, alternative employee remuneration, and options for private salary sacrifice. Consider options to reduce the size of council's fleet to save fleet costs and reduce FBT.	\$ 15,000	\$ 5,000	

Unprioritised

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REPORT TO COUNCIL

Committee:	Budget Review and Finance
Submitted by:	<i>Manager Waste, Water and Sewer Services</i>
Reference/Subject:	Report 2 - Scope of Works for Waste Management Consultancy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.3	Reuse, recycle and reduce wastage
Strategy:	3.3.1	Promoting recycling, reusing and providing regular and efficient waste and recycling services
Activity:	3.3.1.1	Provide waste removal and recycling services within the Shire
Action:	3.3.1.1.1	Provide waste collection services to the current established service areas

SUMMARY:

Uralla Shire Council should develop a long term strategy for the management and operations of Council's waste management services. An assessment of the options and review of the services is considered to be warranted. A Draft Scope of Works for the Waste Management Consultancy was presented to the Budget Review and Finance Committee on 12 February 2019 for their consideration. The Final Scope of Works for Waste Management Consultancy is presented here for Council approval.

RECOMMENDATION:

That Council:

- 1. Note the clarifications and additions to the Draft Scope of Works for the Waste Management Consultancy, as outlined under Key Issues; and**
- 2. Acknowledge the Budget Review and Finance Committee Meeting resolution 3/19 part 2, "Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved."**

BACKGROUND:

Uralla Shire Council does not have a long term strategy to guide necessary investment in and development of waste management services for the Shire.

Modelling has been undertaken to determine the potential remaining life of the Uralla landfill licenced area under various operational scenarios.

REPORT:

The long term strategy for Council's waste management operations need to be determined. After the assessment of the options and selection of the preferred strategy, Council will be better able to inform the long term financial plan and the shorter term plant procurement requirements.

KEY ISSUES:

A draft Waste Management Consultant's Brief was presented to the Budget Review and Finance Committee on 12 February 2019 for consideration. The following additions and clarifications have been made to the final Waste Management Consultants Brief, attached to this report:

- The waste tonnage specified on Environmental Protection Licence 5899 is 3, 000T per annum.
- ‘Waste Transfer Stations’ now refers to green waste, paper and cardboard, metals and battery waste at the Bundarra Transfer Station.
- The Scope of works listed for ‘Kerb-side waste collections’ now includes the development of a Financial Analysis Tool to support decision making around the sale of recyclable products.
- The Scope of works for the Bundarra Landfill now includes investigations to extend the life of the current landfill and the development of a new landfill.
- The Scope of works for ‘Green Waste’ now includes an investigation in regard to compulsory green waste collection, and a request to identify a suitable associated charge. Some clarification was made regarding the scope of the green waste services available in the introduction to this section of the brief.

CONCLUSION:

A provision of a long term strategic direction will better inform the Long Term Financial Planning including asset and workforce planning and management.

It is recommended that Council proceed to engage suitable services to examine the business case and community benefits of the available long term waste management options available to Council. A budget variance of up to \$40, 000 to cover expenditure for the consultancy will be required.

COUNCIL IMPLICATIONS:

1. Community Engagement/Communication (per engagement strategy)

Not required.

2. Policy and Regulation

Nil

3. Financial (LTFP)

The chosen strategy will inform the LTFP

4. Asset Management (AMS)

The chosen strategy will inform the AMS.

5. Workforce (WMS)

The chosen strategy will inform the WMS.

6. Legal and Risk Management

No anticipated legal issues. An assessment of the risks associated with each long term waste management strategy will form part of the options assessment.

7. Performance Measures

To be identified via the options assessment.

8. Project Management

Manager Waste, Water and Sewer Services

Prepared by staff member: Stephanie McCaffrey, Manager Waste, Water and Sewer Services
TRIM Reference Number: UINT/19/1084
Approved/Reviewed by Manager: Terry Seymour, Director Infrastructure and Development
Department: Infrastructure and Development
Attachments: Attachment 1 Draft Scope of Works Waste Management Consultancy

Waste Management Consultant's Brief

Prepared by:
James Turnell

Prepared for:
Stephanie McCaffrey
Uralla Shire Council

3 February 2019

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Waste Management Consultant's Brief

Introduction

Uralla Shire Council (Council) requires the services of an experienced waste management consultant to provide an assessment of their long term waste management options. The scope of work includes assessment of the Uralla and Bundarra landfills, Uralla, Bundarra and Kingstown transfer stations, recycling operations, and kerb side waste collection services. Each option should provide Council with Long Term Financial Plan (LTFP) implications, ability to comply with relevant regulations, impact on Council's waste management service levels, and assess overall risks, liabilities and approvals.

Council currently operates its landfills and transfer stations; and in addition, provides kerbside residual waste and recycling service collections to Walcha Shire Council (WSC). Currently Council provides kerbside collection services in the Uralla Local Government Area (LGA) and the Walcha LGA. Recyclables collected and 'dropped off' at transfer stations are processed at the Uralla Transfer Station's material recovery facility (MRF). The MRF is in the vicinity of the Community Recycling Centre (CRC), green waste processing area, and Uralla Landfill.

Uralla Landfill

The Uralla landfill is Council's primary landfill facility and is located at Tip Road, off Rowan Avenue conveniently close to the township of Uralla. The landfill has a NSW Environment Protection Licence (EPL 5899) issued by the NSW EPA. It currently receives ~3,000T per annum of General Solid Waste (GSW) and does not have a weighbridge. Preliminary landfill void space estimates indicate that there is 21-29 years of capacity remaining. The longer life expectancy modelling assumes greater compaction of waste and reduced consumption of daily and intermediate cover.

It is accepted that Council may need to undertake further engineering investigations, quantity surveys, and detail designs so that costs estimates can be more accurately developed for each option. The consultant will be expected to advise Council accordingly of any information that should be gathered as part of ensuring the validity of the long term waste management options being considered.

Council is aware of the regulatory and financial risks associated with operating the landfill. Initial costs estimates have future landfill closure and rehabilitation costs (remediation liability) at \$2.26M. Complying with its EPL, meeting WHS requirements, and delivering excellent customer service are particular areas of focus for Council.

Scope

Council would like the consultant to undertake the following:

1. Review a recently prepared preliminary conceptual design and landfill life assessment report and provide advice as to which scenarios/options modelled should be pursued.
 - a. Consultant to identify any other options available.
 - b. Alternative landfill options including developing a new landfill, or transporting waste to another facility within the region should be considered.
2. Investigate options available to Council for the operations of the landfill:
 - a. Should also consider the operations of Council's MRF, transfer stations, CRC and kerb side waste collection services.

3. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations, in particular, waste compactors and installation of a weighbridge.
 - b. Identification of the impact on Council's LTFP, asset management plan, and human resourcing strategy.
 - c. Licencing, regulations and approvals.
 - d. Key gaps, barriers and risks associated with the options presented.
 - e. Each option having costings, cost-benefit analysis and business case where applicable.

Waste Transfer Stations

As mentioned above Council operates three waste transfer stations of which two (Uralla & Bundarra) are also attached to landfills. The Uralla waste transfer station also located next to the MRF, CRC, and green waste processing/ mulching. The Bundarra waste transfer station also takes green waste, metals, paper and cardboard and batteries. Council is focused on ensuring these facilities are safe, environmentally responsible, and meet service level expectations.

Scope

Council would like the consultant to undertake the following:

1. Review the existing operations of the Council's waste transfer stations and provided options, with a particular focus on:
 - a. Opening hours and staff numbers at the facilities.
 - b. Impact on service levels.
2. Options developed should also consider the operations of Council's landfills, CRC, MRF, and kerb side waste collection services.
3. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations, in particular, transfer station upgrades, renewals, and waste transport.
 - b. Identification of the impact on Councils LTFP, asset management plan, and human resourcing strategy.
 - c. Licencing, regulations and approvals.
 - d. Key gaps, barriers and risks associated with the options presented.
 - e. Each option having costings, cost-benefit analysis and business case where applicable.

Material Recovery Facility (MRF)

Council operates the Uralla MRF for recyclables collected from its kerbside collections, including WSC, and transfer stations. With recent changes to the value of recycling since the China Sword policy and the introduction of the NSW container deposit scheme, there is uncertainty as to how recycling operations at the MRF will best service the community into the future. The Uralla community values the role the MRF plays in landfill diversion and having the CRC and transfer station in close proximity adds further value to this asset.

Scope

Council would like the consultant to undertake the following:

1. Review the existing recycling operations at the Council's MRF and provided options, with a particular focus on:

- a. Including possible ways Council can add value to products streams, i.e. Polystyrene compressor.
 - b. Impact on service levels.
2. Options developed should also consider the operations of Council's landfills, CRC, transfer stations, and kerb side waste collection services.
3. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations, in particular, MRF upgrades and renewals.
 - b. Identification of the impact on Councils LTFP, asset management plan, and human resourcing strategy.
 - c. Licencing, regulations and approvals.
 - d. Key gaps, barriers and risks associated with the options presented.
 - e. Each option having costings, cost-benefit analysis and business case where applicable.

Kerb-side waste collections

Council currently operates its own kerb side waste collection service and provides services to WSC which is 43 km SE of Uralla, on Thunderbolt Way. Residents in both Council areas receive a weekly 240L residual waste (red lid) and recycling (yellow lid) service. Green waste is collected in a 240L (green lid) at a frequency that varies between fortnightly and monthly depending on the season. Green waste/ garden organics (GO) collections are optional in both LGAs and currently food organic (FO) is not collected in either Uralla or Walcha.

Scope

Council would like the consultant to undertake the following:

1. Conduct an assessment of current kerbside waste collection services and determine different options for Council, focusing on:
 - a. The financial sustainability of the service levels provided and whether the services are being supplied at or below cost.
 - b. Is there capacity for extending collections to other areas of the Council LGA?
 - c. Alternative collection arrangements, bin sizes and collection frequencies should be considered.
 - d. The viability of providing waste collection services to WSC.
2. Options developed should also consider the operations of Council's landfills, CRC, transfer stations, and MRF.
 - a. Outsourcing the collection services to a contractor or neighbouring Council should be investigated.
3. Develop a Financial Analysis Tool to support decision making regarding the financial viability of recycling scenarios. For example in relation to the sale of recycling product to market.
4. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations, in particular, waste collection fleet and bin infrastructure.
 - b. Identification of the impact on Councils LTFP, asset management plan, and human resourcing strategy.
 - c. Licencing, regulations and approvals.
 - d. Key gaps, barriers and risks associated with the options presented.

- e. Each option having costings, cost-benefit analysis and business case where applicable.

Bundarra Landfill

The township of Bundarra and surrounds is serviced by an unlicensed landfill that is near capacity. The Uralla and Bundarra landfills are 82 km apart via Thunderbolts Way.

Scope

Council would like the consultant to undertake the following:

1. Investigate the option to extend the life of the current landfill.
2. Investigate the option to develop a new landfill for Bundarra.
3. Investigate the option to close the Bundarra Landfill and replace with an upgraded transfer station, and transport waste back to the Uralla Landfill.
4. If Council was to close the landfill, provide estimated closure and remediation costs.
5. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations, in particular, transfer station upgrade, waste transport and remediation and closure.
 - b. Identification of the impact on Councils LTFP, asset management plan, and human resourcing strategy.
 - c. Licencing, regulations and approvals.
 - d. Key gaps, barriers and risks associated with the options presented.
 - e. Each option having costings, cost-benefit analysis and business case where applicable.

Green waste

Council collects green waste via kerb side collections and direct drop off to the Uralla landfill and Bundarra transfer station. Green waste is processed into mulch at the Uralla Landfill and Bundarra transfer station. Mulch is used for landfill operations and has been sold to residents/donated to community projects. Council implemented a suspension of mulch sales in August 2018 in view of the need to assess how Council can meet its regulatory obligations in respect to handling and processing mulch. Council has difficulty securing green waste contractors to process mulch for the Bundarra landfill.

Scope

Council would like the consultant to undertake the following:

1. Review the existing green waste mulching operations to ensure compliance with NSW EPA regulations and provide options, for example:
 - a. Should Council consider composting green waste or outsource to a contractor or nearby council?
 - b. If considering composting should Council consider a full food and garden organics collection (FOGO) service?
2. Options developed should also consider the operations of Council's landfills, CRC, transfer stations, and kerb side waste collection services.
3. Investigate whether Council should consider compulsory green waste collection and identify a suitable charge.
4. Provide a final options report outlining the requirements in relation to:
 - a. Operational and capital infrastructure and plant recommendations.

- b. Identification of the impact on Councils LTFP, asset management plan, and human resourcing strategy.
- c. Licencing, regulations and approvals.
- d. Key gaps, barriers and risks associated with the options presented.
- e. Each option having costings, cost-benefit analysis and business case where applicable.



REPORT TO COUNCIL

Department:	Organisational Services - Finance
Submitted by:	<i>Chief Financial Officer</i>
Reference/Subject:	Report 3 - Cash at Bank and Investments as at 31 December 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	4.2 A effective and efficient organisation
Strategy:	4.2.2 Operate in a financially responsible and sustainable manner.
Activity:	4.2.2.1 Maintain and control financial system and improve long-term sustainability
Action:	Maintain cash flow and maximise return on investment within risk parameters provided by the Office of Local Government

SUMMARY:

Attached is a summary of bank accounts, term deposits, cash management account and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 31 December, 2018 consisting of cash and overnight funds of \$2,203,340, term deposits of \$13,550,000 totalling \$15,753,340 of readily convertible funds.

BACKGROUND:

In accordance with Regulation 212 of the Local Government (General) Regulations 2005, the following report is prepared about monies not currently required for use by Council and invested in forms of investment approved by Order of the Minister.

REPORT:

Current term deposits of \$13,550,000 spread over the next twelve months will receive a range of interest from 2.45% to 2.75% with an average rate of 2.68%. 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 December, 2018.

KEY ISSUES:

The RBA left interest rates on hold for the 29th time at their December meeting. There is still less than a 50% chance that official interest rates will rise before June 2019 suggesting our current budgeted interest rate is reflective of future earnings. The current low interest rates will continue to result in reduced investment returns over the coming year.

COUNCIL

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

TRIM Reference Number: U18/167

Approved/Reviewed by
Manager: Chief Financial Officer

Department: Organisational Services - Finance

Attachments: Council's Investments as 31 December, 2018

Diary of Investment Maturity Dates and Amounts

Uralla Shire Council
Council Business Paper – 26 February 2019

**Uralla Shire Council
Investments at 31 December, 2018**

Cash at Bank – Operating Accounts:

Institution	Account	Bank Statement
National Australia Bank	Main Account	\$483,090.28
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$25,120.31
Total		\$539,506.92

Business Investment (Cash Management) Account

Institution	Interest rate	Balance
Professional Funds	0.15% above RBA cash rate	\$1,663,833.32
Total		\$1,663,833.32

Term Deposits:

Institution	Interest rate	Maturity	Balance
Commonwealth Bank	2.74%	28/02/2019	\$1,200,000.00
National Australia Bank	2.50%	28/02/2019	\$600,000.00
Bank of Queensland	2.70%	8/04/2019	\$800,000.00
Bank of Queensland	2.70%	8/04/2019	\$500,000.00
National Australia Bank	2.57%	9/04/2019	\$500,000.00
Westpac Banking Corporation	2.55%	24/01/2019	\$500,000.00
Commonwealth Bank	2.69%	6/05/2019	\$600,000.00
Bank of Queensland	2.75%	4/06/2019	\$500,000.00
Bank of Queensland	2.75%	12/06/2019	\$800,000.00
Commonwealth Bank	2.74%	5/07/2019	\$500,000.00
Commonwealth Bank	2.63%	15/01/2019	\$700,000.00
Westpac Banking Corporation	2.74%	25/07/2019	\$1,000,000.00
Commonwealth Bank	2.65%	15/08/2019	\$250,000.00
National Australia Bank	2.70%	26/08/2019	\$1,000,000.00
Commonwealth Bank	2.71%	29/08/2019	\$800,000.00
ANZ	2.70%	10/10/2019	\$400,000.00
National Australia Bank	2.75%	15/10/2019	\$500,000.00
Westpac Banking Corporation	2.71%	18/10/2019	\$1,300,000.00
National Australia Bank	2.75%	21/11/2019	\$300,000.00
ANZ	2.45%	26/11/2019	\$800,000.00
Total			\$13,550,000.00

Uralla Shire Council
Council Business Paper – 26 February 2019

Loans:		
Loan no.	Purpose	Balance
165	MGH Property	\$51,658.31
167	Rear Service Lane Land	\$0.00
168	Community Centre	\$38,218.08
176	Library Extensions	\$185,577.51
177	Grace Munro Centre	\$148,486.71
181	Creative Village Works	\$6,528.52
185	Public Toilets Alma Park	\$3,940.55
186	Public Toilets Pioneer Park	\$11,113.54
187	Undergrounding Power and Mainstreet Upgrade	\$148,261.86
188	Paving and Power Undergrounding	\$36,556.16
189	Bridge Construction	\$216,666.95
190	Bridge construction & industrial land development	\$1,678,822.89
Total		\$2,525,831.08



REPORT TO COUNCIL

Department:	Organisational Services - Finance
Submitted by:	<i>Chief Financial Officer</i>
Reference/Subject:	Report 4 - Cash at Bank and Investments as at 31 January 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	4.2 A effective and efficient organisation
Strategy:	4.2.2 Operate in a financially responsible and sustainable manner.
Activity:	4.2.2.1 Maintain and control financial system and improve long-term sustainability
Action:	Maintain cash flow and maximise return on investment within risk parameters provided by the Office of Local Government

SUMMARY:

Attached is a summary of bank accounts, term deposits, cash management account and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 31 January, 2019 consisting of cash and overnight funds of \$1,398,818, term deposits of \$13,550,000 totalling \$14,948,818 of readily convertible funds.

BACKGROUND:

In accordance with Regulation 212 of the Local Government (General) Regulations 2005, the following report is prepared about monies not currently required for use by Council and invested in forms of investment approved by Order of the Minister.

REPORT:

Current term deposits of \$13,550,000 spread over the next twelve months will receive a range of interest from 2.45% to 2.75% with an average rate of 2.69%. 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 January, 2019.

KEY ISSUES:

The RBA left interest rates on hold for the 27th time at their February meeting (total 30 months unchanged). There is still less than a 50% chance that official interest rates will rise before June 2019 with some commentators suggesting the next move in interest rates will be down. This should mean that our current budgeted interest rate is reflective of future earnings. The current low interest rates will continue to result in reduced investment returns over the coming year.

COUNCIL

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
TRIM Reference Number:	U18/167
Approved/Reviewed by Manager:	Chief Financial Officer
Department:	Organisational Services - Finance
Attachments:	Council's Investments as 31 January, 2019 Diary of Investment Maturity Dates and Amounts

Uralla Shire Council
Council Business Paper – 26 February 2019

Uralla Shire Council		
Investments at 31 January, 2019		
Cash at Bank – Operating Accounts:		
Institution	Account	Bank Statement
National Australia Bank	Main Account	\$63,407.00
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$25,120.31
Total		\$119,823.64
Business Investment (Cash Management) Account		
Institution	Interest rate	Balance
Professional Funds	0.15% above RBA cash rate	\$1,278,993.95
Total		\$1,278,993.95

Term Deposits:			
Institution	Interest rate	Maturity	Balance
Bank of Queensland	2.70%	8/04/2019	\$800,000.00
Bank of Queensland	2.70%	8/04/2019	\$500,000.00
National Australia Bank	2.57%	9/04/2019	\$500,000.00
Commonwealth Bank	2.69%	6/05/2019	\$600,000.00
Bank of Queensland	2.75%	4/06/2019	\$500,000.00
National Australia Bank	2.50%	28/02/2019	\$600,000.00
Bank of Queensland	2.75%	12/06/2019	\$800,000.00
Commonwealth Bank	2.74%	5/07/2019	\$500,000.00
Westpac Banking Corporation	2.74%	25/07/2019	\$1,000,000.00
Commonwealth Bank	2.65%	15/08/2019	\$250,000.00
Commonwealth Bank	2.74%	28/02/2019	\$1,200,000.00
National Australia Bank	2.70%	26/08/2019	\$1,000,000.00
Commonwealth Bank	2.71%	29/08/2019	\$800,000.00
ANZ	2.70%	10/10/2019	\$400,000.00
National Australia Bank	2.75%	15/10/2019	\$500,000.00
Westpac Banking Corporation	2.71%	18/10/2019	\$1,300,000.00
National Australia Bank	2.75%	21/11/2019	\$300,000.00
ANZ	2.45%	26/11/2019	\$800,000.00
National Australia Bank	2.75%	16/01/2020	\$700,000.00
ANZ	2.70%	30/01/2020	\$500,000.00
Total			\$13,550,000.00

Uralla Shire Council
Council Business Paper – 26 February 2019

Loans:		
Loan no.	Purpose	Balance
165	MGH Property	\$51,238.34
167	Rear Service Lane Land	\$0.00
168	Community Centre	\$37,636.50
176	Library Extensions	\$182,854.47
177	Grace Munro Centre	\$146,308.55
181	Creative Village Works	\$6,173.69
185	Public Toilets Alma Park	\$3,293.70
186	Public Toilets Pioneer Park	\$10,519.07
187	Undergrounding Power and Mainstreet Upgrade	\$146,801.65
188	Paving and Power Undergrounding	\$36,266.22
189	Bridge Construction	\$215,590.66
190	Bridge construction & industrial land development	\$1,678,822.89
Total		\$2,515,505.74



REPORT TO COUNCIL

Department:	Finance
Submitted by:	Chief Financial Officer
Reference/Subject:	Report 5 - 2018/19 – 2nd Quarter Budget Review Statements

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2 An effective and efficient organisation
Strategy:	4.2.2 Operate in a financially responsible and sustainable manner
Activity:	4.2.2.1 Maintain and control financial system and improve long term financial sustainability
Action:	4.2.2.1.3 Complete and report quarterly budget review statements

SUMMARY:

The purpose of this report is to present to Council a review of the budget for the second quarter of the 2018/19 financial year.

Attached to this report are the quarterly budget review statements for the second quarter ending 30 September 2018.

OFFICER'S RECOMMENDATION:

- 1. That the second quarter budget review summary for the 2018/19 financial year be received and noted; and**
- 2. That the adjustments to budget allocations, including 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 (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. As such the second quarterly review for the 2018/19 financial year has been prepared and attached for Council's review.

REPORT:

The attached quarterly budget review report shows income and expenditure adjustments of over \$240,000 and capital adjustments of over \$31,000. Nearly \$150,000 of these adjustments will be met from both internal and external restrictions with the remaining \$121,000 coming from unrestricted cash. The overall position is approximately in line with the adopted budget with the projected cash position at 30 June 2019 still likely to be satisfactory.

Issues

The second quarter budget review statement reflects some of the variations that arise from normal operating changes in any given year. The variations are detailed in the *Recommended changes to revised budget for income and expenses budget and capital budget* pages of the attached report. The major net changes can be summarised as follows:

1. A decrease in resident income at McMaugh Gardens of \$67,000 due to changes in the mix of resident care levels;
2. Increased actual and estimated costs for both Uralla and Bundarra water supplies related to water treatment and totalling \$109,200;
3. Income (\$41,100) and costs (\$28,525) related to the level 3 bridge assessment that was reported at the December 2018 Council meeting;
4. Reduction in capital income of \$43,000 resulting from an unsuccessful RMS bike track application. This was offset by a reduction in capital expenditure of \$86,000 for the same project, together with a reallocation of FAGS income from bike tracks to unsealed rural roads;
5. Additional costs of \$30,000 for road safety;
6. Additional capital grants of \$129,600 for Munsies bridge which was offset by additional capital costs of \$111,042.

Conclusion

Although the major adjustments noted above and in the first quarterly budget review statement will result in a reduced profit of nearly \$1,800,000 for the year ended 30 June 2019 (compared to an estimated profit of nearly \$1,900,000), most of the deterioration in the budget result can be assigned to the timing of FAG income of nearly \$1,250,000, a non-cash depreciation increase of nearly \$270,000 and reductions in restrictions of \$150,000. Accordingly, the Councils projected financial position at 30 June 2019 is likely to be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

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 of the second quarter. Changes to the budget are as outlined in the attached statements.

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

Simon Paul
Chief Financial Officer

Prepared by staff member: Simon Paul
Approved/Reviewed by Manager: Andrew Hopkins, General Manager
Department: Finance
Attachments: 2nd Quarter Budget Review Statements

**Uralla Shire Council
Quarterly Budget Review Statement
For the Quarter ended 31 December, 2018**

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Uralla Shire Council
Quarterly Budget Review Statement
For the Quarter ended 31 December, 2018

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 that the Quarterly Budget Review Statement for Uralla Shire Council for the quarter ended 31 December, 2018 indicates that Council's projected financial position at 30 June, 2019 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Simon Paul
Responsible Accounting Officer

Uralla Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Income & Expenses Budget Review Statement
Consolidated by Fund
Budget review for the quarter ended 31 December, 2018

(\$000's)	Original Budget 2018/2019	Variations		Revised Budget Sep-18	Variations from this QBRs	Notes	Projected		Actual YTD Dec-18
		Sep QBRs					Year End Result		
Income									
General Fund	15,596	(1,245)		14,351	127		14,478	9,392	65%
McMaugh Gardens	3,140	-		3,140	(67)		3,073	1,538	50%
Water Supplies	1,051	-		1,051	-		1,051	720	68%
Sewer Services	2,652	-		2,652	-		2,652	916	35%
Total Income from Continuing Operations	22,439	(1,245)		21,194	60		21,254	12,566	59%
Expenses									
General Fund	15,287	310		15,597	158		15,755	7,363	47%
McMaugh Gardens	3,013	26		3,039	22		3,061	1,536	50%
Water Supplies	1,473	(20)		1,453	109		1,562	695	44%
Sewer Services	782	(9)		773	11		784	328	42%
Total Expenses from Continuing Operations	20,555	307		20,862	300		21,162	9,922	47%
Net Operating Result from Continuing Operations	1,885	(1,552)		333	(240)		93	2,645	
Discontinued Operations				-			-		
Net Operating Result from Continuing Operations	1,885	(1,552)		333	(240)		93	2,645	
Capital grants and contributions	3,473	-		3,473			3,473	273	
Net Operating Result before Capital Grants	(1,588)	(1,552)		(3,140)	(240)		(3,380)	2,372	

Uralla Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Income & Expenses Budget Review Statement
Consolidated by Activity
Budget review for the quarter ended 31 December, 2018

(\$000's)	Original Budget 2018/2019	Variations	Revised Budget Sep-18	Variations	Notes	Projected Year End Result	Actual YTD Dec-18	
		Sep QBRs		from this QBRs				
Income								
Organisational Services	5,626	(1,245)	4,381	-		4,381	4,203	96%
Community & Culture	6,199	-	6,199	(67)		6,132	3,409	56%
Infrastructure & Development	6,911	-	6,911	127		7,037	3,318	47%
Water Supplies	1,051	-	1,051	-		1,051	720	68%
Sewer Services	2,652	-	2,652	-		2,652	916	35%
Total Income from Continuing Operations	22,439	(1,245)	21,194	60		21,254	12,566	59%
Expenses								
Organisational Services	1,567	34	1,601	19		1,620	936	58%
Community & Culture	7,210	22	7,232	34		7,266	3,410	47%
Infrastructure & Development	9,523	280	9,803	127		9,930	4,553	
Water Supplies	1,473	(20)	1,453	109		1,562	695	44%
Sewer Services	782	(9)	773	11		784	328	42%
Total Expenses from Continuing Operations	20,555	307	20,862	300		21,162	9,922	47%
Net Operating Result from Continuing Operations	1,885	(1,552)	333	(240)		93	2,645	
Discontinued Operations			-			-		
Net Operating Result from Continuing Operations	1,885	(1,552)	333	(240)		93	2,645	
Capital grants and contributions	3,473		3,473			3,473	273	
Net Operating Result before Capital Grants	(1,588)	(1,552)	(3,140)	(240)	3	(3,380)	2,372	

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Income & Expenses Budget Review Statement
Recommended changes to revised budget
Budget review for the quarter ended 31 December, 2018

Budget Variations include the following material items:

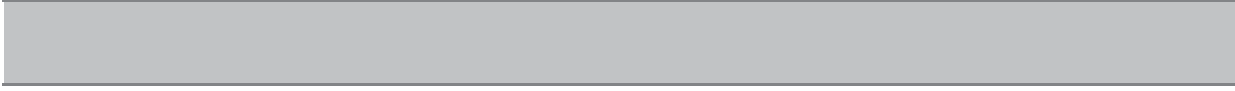
Notes	Amount	Details
1	\$ 6,085	Overarching asset management plan not budgeted.
2	\$ 32,000	Reallocation from various accounts for election costs per resolution X4.11/18
3	-\$ 32,000	Reallocation for election costs per resolution X4.11/18
4	\$ 7,200	Scout Talent software maintenance costs not budgeted
5	-\$ 7,200	Savings from training delivered for free to offset above costs
6	\$ 4,965	Acquired 40 new TRIM licences instead of 25
7	\$ 14,000	TRIM remediation costs (\$7.5 K funded from restrictions)
8	\$ 7,000	Reprint heritage walk brochure & tourist drive brochure (not yet incurred)
9	\$ 5,000	Library - return of small business grant received 2017/18 but unspent
10	\$ 22,266	Sixhills & 50% Stewart Brown reports for McMaugh Gardens payable (funded from restrictions)
11	\$ 23,000	GLE Business Case for Bingara Road project - funds received in 2017/18
12	\$ 14,809	Tyre recycling not managed for many years, costs incurred this year
13	-\$ 129,600	Capital grant for Munsies bridge initially expected to be completed pre 30 June 2018
14	-\$ 41,100	Fixing Country Roads - level 3 bridge assessment grant
15	\$ 28,525	Level 3 bridge assessment costs Note: part costs in LY
16	\$ 43,000	Unsuccessful RMS grant application for bike tracks
17	\$ 43,000	FAGS grant for bike track works reallocated to unsealed rural roads
	-\$ 43,000	
18	\$ 5,000	Electricity costs at Uralla caravan park - increase and timing issue
19	\$ 5,850	Estimated reduction in income at Uralla Caravan Park due to less permanent residents
20	-\$ 12,888	Insurance claim for damaged Community Centre
21	\$ 14,177	One-off costs for repair of Community Centre
22	\$ 2,000	Additional repairs to administration building
23	\$ 30,000	Additional costs for road safety (not yet incurred)
24	\$ 3,334	Contribution to New England Weeds Authority above budget
25	\$ 7,800	Rent for Hill St units overstated in budget
26	\$ 67,000	Estimated shortfall in McMaugh Gardens income as a result of changed care levels for residents
27	\$ 47,000	Increased cost of materials at Uralla water treatment facility
28	\$ 52,000	Estimated increased cost of materials, labour and consultants at Bundarra water treatment facility. Not all costs have been incurred.

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Income & Expenses Budget Review Statement
Recommended changes to revised budget
Budget review for the quarter ended 31 December, 2018

Budget Variations include the following material items:

Notes	Amount	Details
29	\$ 10,200	Hired a pump to pump water from Warabinda Dam into Taylors Pond during water restrictions last year to maintain water restriction levels at Level 2
30	\$ 10,700	Sewer asset management plan not budgeted



Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Capital Budget Review Statement
Budget review for the quarter ended 31 December, 2018
Capital Budget - Consolidated by Fund

	Original Budget 2018/2019	Variations	Revised Budget Sep-18	Variations	Notes	Projected Year End Result	Actual YTD figures
		Sep QBRs		from this QBRs			
(\$000's)							
Capital Expenditure							
- General	7,254	13	7,267	31		7,298	1,906
- McMaugh Gardens	140	-	140	-		140	3
- Water	401	250	651	-		651	8
- Sewer	2,887	-	2,887	-		2,887	218
Total Capital Expenditure	10,681	263	10,944	31		10,975	2,135
Capital Funding							
Consolidated Fund Income	3,781	13	3,794	(43)		3,751	1,314
Unrestricted Cash Reserves		-	-	6		6	
Capital Grants & Contributions	3,473	-	3,473	68		3,541	273
Loan Funds	-	-	-	-		-	-
Receipts from Sale of Assets	-	-	-	-		-	322
Reserves:							
- Developer Contributions		-	-	-		-	-
- General Restricted Assets		-	-	-		-	-
- Water & Sewer Restricted Assets	3,288	250	3,538	-		3,538	226
- McMaugh Gardens Restricted Assets	140	-	140	-		140	
Total Capital Funding	10,681	263	10,944	31		10,975	2,135
Net Capital Funding	-	-	-	0		0	-

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Capital Budget Review Statement
Budget review for the quarter ended 31 December, 2018
Capital Budget - Consolidated by Activity

	Original Budget 2018/2019	Variations	Revised Budget Sep-18	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
		Sep QBRS		QBRS			
(\$000's)							
Capital Expenditure							
Organisational Services	111	-	111	-		111	53
Community & Culture	195	-	195	6		201	36
Infrastructure & Development	7,088	13	7,101	25		7,126	1,820
Water Supplies	401	250	651	-		651	8
Sewer Services	2,887	-	2,887	-		2,887	218
Total Capital Expenditure	10,681	263	10,944	31		10,975	2,135
Capital Funding							
Consolidated Fund Income	3,781	13	3,794	(43)		3,751	1,587
Unrestricted Cash Reserves	3,473	-	3,473	6		6	
Capital Grants & Contributions	-	-	-	68		3,541	
Loan Funds	-	-	-	-		-	
Receipts from Sale of Assets	-	-	-	-		-	322
Reserves:							
- Developer Contributions	-	-	-	-		-	-
- General Restricted Assets	-	-	-	-		-	-
- Water & Sewer Restricted Assets	3,288	250	3,538	-		3,538	226
- McMaugh Gardens Restricted Assets	140	-	140	-		140	-
Total Capital Funding	10,681	263	10,944	31		10,975	2,135
Net Capital Funding	-	-	-	0		0	-

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Capital Budget Review Statement
Recommended changes to revised budget
Budget review for the quarter ended 31 December, 2018

Budget Variations being recommended include the following material items:

Notes	Amount	Details
1	\$ 5,798	Additional VIC & Library security upgrades
2	\$ 111,042	Final costs for Munsie bridge initially expected to be completed pre 30 June 2018
3	-\$ 86,000	Bike track work will not proceed following unsuccessful RMS grant application
4		
5	\$ 135,000	Unsealed rural road re-sheeting costs not budgeted for
	-\$ 135,000	Sealed rural road resealing reduced to cover costs for unsealed re-sheeting
6		
7		

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Cash & Investments Budget Review Statement
Budget review for the quarter ended 31 December, 2018
Consolidated

	Original Budget 2018/2019	Variations		Revised Budget 2018/2019	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
		Other than by a QBRS	Sep QBRS					
Externally Restricted								
Developer Contributions - General	651	(35)		616	-		616	636
Developer Contributions - Water Fund	-			-	-		-	-
Developer Contributions - Sewer Fund	-			-	-		-	-
Specific Purpose Unexpended Grants	755	889	(250)	1,644	-		1,644	1,644
Water Supplies	1,987	288		2,025	(109)		1,916	2,292
Sewerage Services	1,244	799		2,043	(11)		2,032	2,413
McMaugh Gardens	1,919	(49)		1,870	-		1,870	1,869
Unexpended Loans	-	603		603	-		603	537
	-			-	-		-	-
Total Externally Restricted	6,556	2,495	(250)	8,801	(120)		8,681	9,391
Internally Restricted								
Plant & Vehicle Replacement	(22)	1,539		1,517	-		1,517	1,502
Employees Leave Entitlement	1,014	(44)		970	-		970	970
Accommodation Bond Guarantees	-	-		-	-		-	-
Community Care	-	-		-	-		-	-
Tip Remediation	-	97		97	-		97	97
Stormwater Drainage	224	(224)		-	-		-	29
Strategic Development	70	370		440	-		440	440
FAGS Received in advance	-	1,251	(1,251)	-	-		-	-
Carry Forward Works	305	314		619	(30)		589	589
Total Internally Restricted	1,591	3,303	(1,251)	3,643	(30)		3,613	3,627
Unrestricted (ie. available after the above Restrictions)	(818)	1,866	(47)	1,001	(121)		880	2,735
Total Cash & Investments	7,329	7,664	(1,548)	13,445	(271)		13,174	15,753

Note: Variations other than by QBRS represent alignment of opening balances to final 2018 financial statement balances.
270,963

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Key Performance Indicators Statement
Budget review for the quarter ended 31 December, 2018

	Target	30/06/2019	30/06/2018	30/06/2017	29/06/2016
L TFP KPI's					
Operating ratio	>0	-19.01%	2.16%	11.57%	-1.45%
Debt service ratio	>2.0x	3.47	13.18	16.74	10.28
Own source operating revenue ratio	>60%	68%	69.45%	71.30%	68.24%
Rates & charges outstanding %	<8%	7.74%	5.38%	4.33%	4.20%
Asset renewals ratio	>100%	217%	63%	84%	96%

Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019

Contracts Budget Review Statement
Budget review for the quarter ended 31 December, 2018
Part A - Contracts Listing

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
------------	---------------------------	----------------	------------	----------------------	----------------	-------

- Notes:
1. Only contracts that were entered into during the quarter and remain incomplete are included.
 2. Minimum reporting level is \$50,000.
 3. Contracts listed exclude contractors on Council's Preferred Supplier list.
 4. Contracts for employment are not required to be included.

Part B - Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	\$ 691,995	Y
Legal Fees	\$ 6,486	Y

- Note:**
1. All consultancy amounts were included in the 2019/20 budget except for items adjusted in this QBRS.
 2. Over 55% of consultancy expenditure was grant funded.

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:
Details

**Quarterly Budget Review Statement
For the period 01 July, 2018 to 30 June, 2019**

**Cash & Investments Budget Review Statement
Budget review for the quarter ended 31 December, 2018**

Comment on Cash & Investments Position

No material variations to Council's Cash and Investments have occurred in the second quarter.

Investments

Investments have been made in accordance with Council's Investment Policy.

Cash

The value of cash at bank which was included in the Cash & Investment Statement totals \$483,090.

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this reconciliation was 02 October, 2018.

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

Cash at Bank (as per bank statements)		483,090
Investments on Hand		15,270,250
less: Unpresented Cheques	(Timing Difference)	-
add: Undeposited Funds	(Timing Difference)	-
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	-
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	-
Reconciled Cash at Bank & Investments		15,753,340
Balance as per Review Statement:		15,753,340
Difference:		-



REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	<i>Coordinator Community Development & Engagement</i>
Reference/Subject:	Report 6 - Monthly Report - Library

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.3 A diverse and creative culture
Strategy:	1.3.1 Provide enhanced and innovative library services that support and encourage lifelong learning.
Activity:	1.3.1.1 Provide library services and programs
Action:	1.3.1.1 Operate the library services to meet the agreed service levels

SUMMARY:

This report provides an outline of activities at the Library for the months of December 2018 and January 2019.

OFFICER'S RECOMMENDATION:

That the report be received and noted.

BACKGROUND:

Not applicable.

REPORT:

Uralla Library December

Loans for December totalled 1,206 items (for all loanable resources). Uralla Library is the fourth highest of fifteen branches for items loaned in the Central Northern Library Group (CNRL) for the month, ranking just behind the larger libraries and communities of Tamworth, Tamworth South, and Narrabri. This month we welcomed 3 new members.

Activities held at the Library during December included:

- History Hub volunteers continue to provide One to One training opportunities for Ancestry.com and Family Research.
- Adult colouring group meet every Wednesday afternoon and numbers are steadily increasing.
- Christmas Decorations, Cards and Gift Tag making workshops held throughout December.
- Librarian attended CNRL Early Language and Emergent Literacy Training, delivered by CNRL Children's Services Officer - Kelly Makepeace.
- Librarian attended the Spydus 10.1.6 upgrade, a Regional Training Day presented by CNRL staff.
- CNRL Spydus Library Operating System upgrade was successfully executed by CNRL staff in December.

Uralla Library January

Uralla Shire Council
Council Business Paper – 26 February 2019

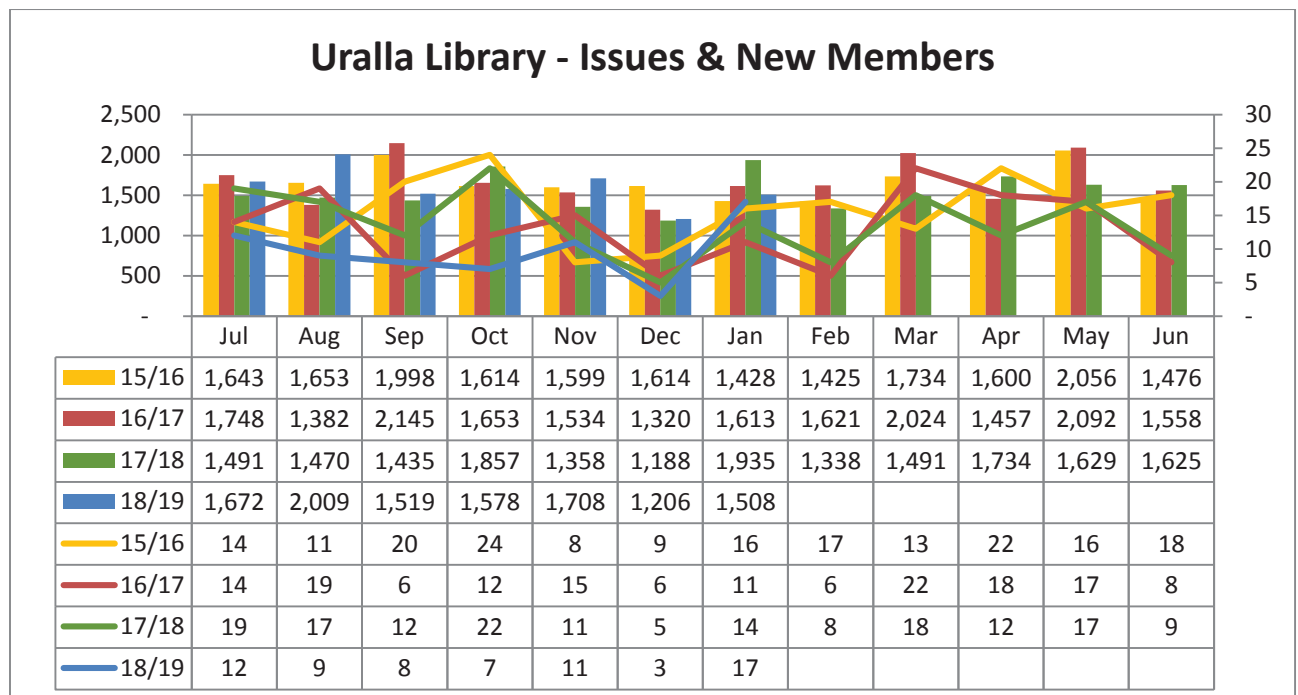
Loans for January totalled 1,508 items (for all loanable resources). Uralla Library continues to be the fourth highest of fifteen branches for items loaned in the Central Northern Library Group (CNRL) for the month, ranking just behind the larger libraries and communities of Tamworth, Tamworth South, and Narrabri. This month we welcomed 17 new members.

Activities held at the Library during January included:

- A water safety themed Storytime was delivered at Uralla Pool. Royal Life Saving water safety factsheets were offered to parents and the pool attendant provided important safety advice to the 8 parents and 14 children in attendance.
- School holiday workshops offered throughout January included: Paper Flower Folding, Scratch Art, Collage Craft, and Lego Skyscrapers.
- A Building & Gaming workshop for 5-10 year olds was delivered by CNRL staff.
- The Australia Day morning tea, organised by the Uralla Australia Day Committee took place within the Library foyer.

Figures to-date for 2018-19 Financial Year

Month	Loans	New Members
July	1,672	12
August	2,009	9
September	1,519	8
October	1,578	7
November	1,708	11
December	1,206	3
January	1,508	17
Total	11,200	67



KEY ISSUES:

Nil

Jane Ogden

Coordinator Community Development & Engagement

Prepared by staff member:	Jane Ogden
TRIM Reference Number:	U12/313
Approved/Reviewed by Manager:	Andrew Hopkins
Department:	General Manager
Attachments:	Nil



REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	Tourism Promotions and Operations Officer
Reference/Subject:	Report 7 - Monthly Report – Visitor Information Centre

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1 An attractive environment for business, tourism and industry.
Strategy:	2.1.1 Promote Uralla Shire and the region as a place to live, visit and invest
Activity:	2.1.1.1 Promote Uralla Shire through the Visitor Information Centre
Action:	2.1.1.1 Operate the Visitor Information Centre to meet agreed service levels

SUMMARY:

This report provides an outline of activities at the Visitor Information Centre for the months of December 2018 and January 2019.

OFFICER'S RECOMMENDATION:

That the report be received and noted.

BACKGROUND:

Not applicable.

REPORT:

During December the Visitor Information Centre welcomed 772 visitors: an increase of 17.15 per cent on the November figure of 659 but a slight decrease of 3 per cent on the December 2017 figure of 797 visitors. The eight-year average for December is 834 visitors. In January, the hottest month ever recorded in Australia and perhaps one of the contributing factors for welcoming 907 visitors; an increase of 17.5 per cent on the December figure, but a decrease of 8.6 per cent on the January 2018 figure of 993 visitors. The eight year average for January is 1,141 visitors.

In December the majority of travellers who came through the Visitor Information Centre came from New South Wales (56.61 per cent), then Queensland (26.42 per cent) and Victoria (5.44 per cent). We welcomed an increase in international visitors, recording 65 visitors, principally from UK (25 per cent), Denmark (11 per cent) South Africa and Germany (9 per cent each), followed by Canada, The Netherlands, Poland (6 per cent each) then US, New Zealand and Korea (5 per cent each).

In January the majority of travellers again came from New South Wales (57.44 per cent), then Queensland (24.48 per cent) and Victoria (6.06 per cent). We welcomed 38 international visitors, principally from UK (32 per cent), Canada (16 per cent), The Netherlands (13 per cent) followed by Morocco (11 per cent each), South Africa (8 per cent) then France, Germany and Switzerland (5 per cent each).

Uralla Shire Council
Council Business Paper – 26 February 2019

Sales for December 2018 totalled \$2,324 (ex GST) which represents a 43.37 per cent notable increase on the November figure and a remarkable 180 per cent increase on the December 2017 figure, an increase at least partially due to the addition of EFTPOS facilities and the popularity of local wines and spirits.

Sales for January 2019 totalled \$2,417 (ex GST) - a 4 per cent increase on the December figure above but an 11.3 per cent decrease on the January 2017 figure. We remain ahead of budget for revenue but anticipate a correction with the traditionally slow months of February, March and June.

Sales to-date for 2018-19

Month	Total (ex. GST)
July	\$2,182
August	\$1,477
September	\$1,738
October	\$2,619
November	\$1,621
December	\$2,324
January	\$2,417
Total (\$)	\$14,378

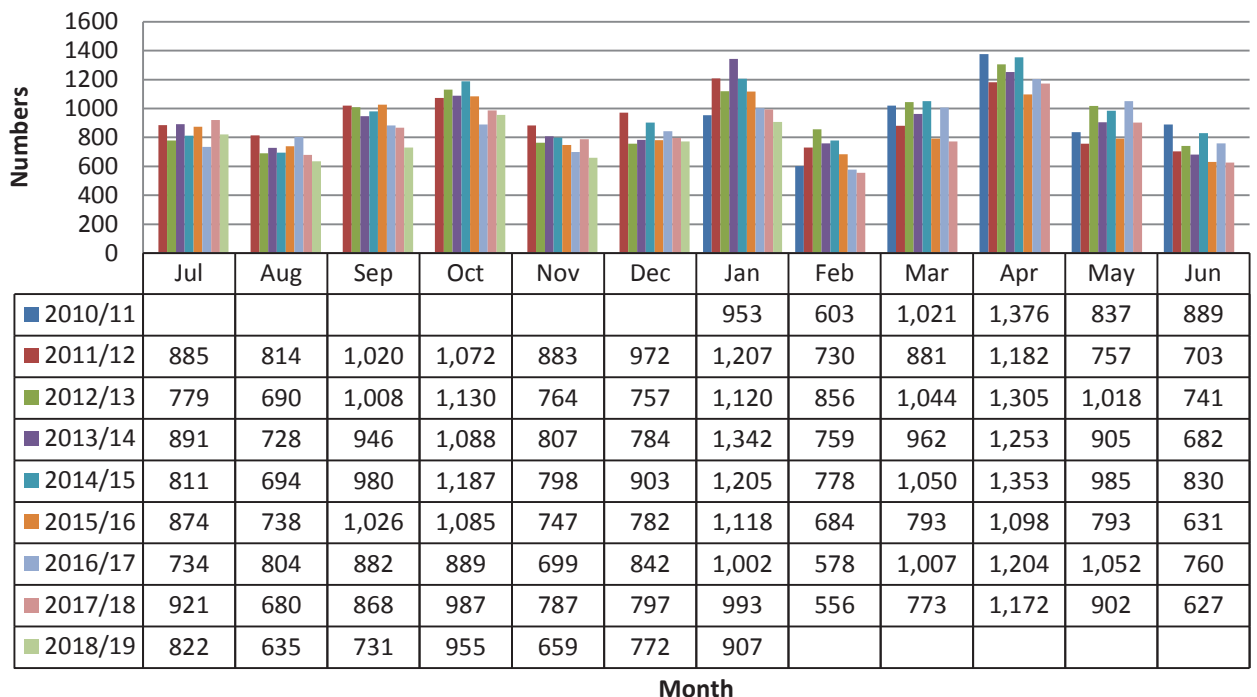
Annual December Sales

Year	Total (ex GST)
2014/15	\$1,841
2015/16	\$778
2016/17	\$917
2017/18	\$830
2018/19	\$2,324

Annual January Sales

Year	Total (ex GST)
2014/15	\$2,652
2015/16	\$1,727
2016/17	\$1,959
2017/18	\$2,725
2018/19	\$2,417

Uralla Visitor Information Centre Visitor Numbers



COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Nil.
- 2. Policy and Regulation**
Nil.
- 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:	Clare Campbell
TRIM Reference Number:	UINT/19/926
Approved/Reviewed by Manager:	Terry Seymour
Department:	Infrastructure and Development
Attachments:	Nil



REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	<i>Acting Coordinator Governance and Risk</i>
Reference/Subject:	Report 8 - Quarterly Review – Progress of Actions on the Combined Delivery Program 2017-21 and Operational Plan 2018-19 as at 31 December 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.1 A strong, accountable and representative Council
Strategy:	4.1.1 Provide clear direction for the community through the development of the Community Strategic Plan, Delivery Program and Operational Plan
Activity:	4.1.1.2 Deliver integrated strategic planning and reporting requirements
Action:	4.1.1.2.2 Develop and monitor the annual Operational Plan

SUMMARY:

This report provides a quarterly review on the progress of actions on the combined Delivery Program 2014-21 and Operational Plan 2018-19, for the period to 31 December 2018.

OFFICER'S RECOMMENDATION:

That Council receive and note this report.

BACKGROUND:

This report is prepared in accordance with Section 404 (5) of the Local Government Act which states: "The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months".

REPORT:

This report and the attached spreadsheet provides details of council's adopted priorities of the combined 2017-21 Delivery Program and 2018-19 Operational Plan, the respective progress in each area and comments provided by the relevant responsible officers.

In summary the majority of actions are on target or achieved. As indicated in the attached spreadsheet, the total 213 actions show progress as follows:

- 159 actions are on target
- 22 actions completed and achieved
- 6 actions not on target
- 19 actions monitoring
- 2 actions cancelled for this period and deferred to 2019-20
- 5 actions identified as not achievable

Uralla Shire Council
Council Business Paper – 26 February 2019

Details in relation to the specific actions, status and progress are clarified by officer comments in Attachment A: “Quarterly Review – Progress of Actions on the Combined Delivery Program 2017-21 and Operational Plan 2018-19 as at 31 December 2018”.

KEY ISSUES:

- Review of council’s progress on the 2018-19 Operational Plan for the period to 31 December 2018

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

This quarterly review provides an update to the community on council’s progress.

2. Policy and Regulation

This report is prepared in accordance with Section 404 (5) of the Local Government Act

3. Financial (LTFP)

Financial progress associated with this quarterly review to 31 December 2018 is detailed in a separate report to this meeting.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil.

7. Performance Measures

The attached spreadsheet reflects actions and progress compared to target of the combined Delivery Program 2017-21 and Operational Plan 2018-19, as at 31 December 2018

8. Project Management

Nil

Prepared by staff member: Elisabeth Brown, Acting Coordinator Governance and Risk

TRIM Reference Number:

Approved/Reviewed by Manager: Andrew Hopkins

Department: General Manager

Attachments: A. Quarterly Review – Progress of Actions on the Combined Delivery Program 2017-21 and Operational Plan 2018-19 as at 31 December 2018



Delivery Program 2017-2021

Operational Plan 2018/2019

Progress Report as at 31 December 2018

About this report

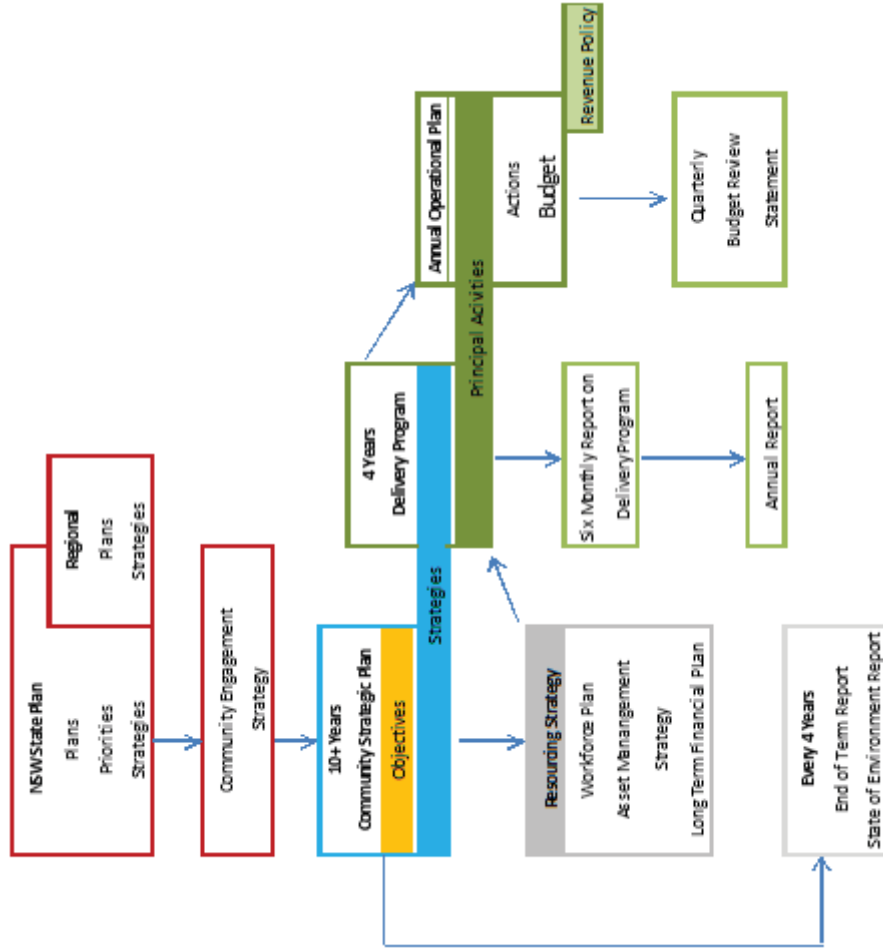
In 2009, the NSW Government introduced a new framework guiding local government in a new approach to planning for and reporting on their activities. This new framework is known as Integrated Planning and Reporting.

Uralla Shire Council adopted its first ever suite of documents within the Integrated Planning framework 2012. Overarching this suite of interrelated plans is the Community Strategic Plan which identifies the aspirations of the community. This Plan was reviewed and updated in 2015 and 2017.

The Delivery Program is informed by the Community Strategic Plan and prioritises the programs and activities Council will commit to providing during the four year term of the Council. At the beginning of each year, Council prepares an Operational Plan which outlines the actions Council will undertake to work towards achieving the outcomes in the four year Delivery Program.

Council is required to report progress on the Delivery Plan to the community at least every six months. Council intends to report on progress throughout the year on a quarterly basis.

The attached report is a summary of our achievements during the Q2 of the combined Delivery Program 2017-2021 and Operational Plan 2018-2019 and covers the financial year ending June 2019.



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Detailed Performance Report	8
1: Our Society.....	8
2: Our Economy.....	18
3: Our Environment	27
4: Our Leadership.....	35

Measuring our progress

Uralla Council's 2017-2027 Community Strategic Plan centres around four major themes:

- Our Society
- Our Economy
- Our Environment
- Our Leadership

In 2018-19 Council committed to 213 actions focused on achieving the community's vision within these four themes. Those actions are detailed in the combined Delivery Program 2017-2021 and Operational Plan 2018-2019. In this report, our progress in meeting the community's vision within Council's Delivery Program 2017-2021 and Operational Plan 2018-2019 is illustrated by the following coloured symbols:

- Achieved or on target
- Not on target, being closely managed
- Action cancelled or not able to be achieved

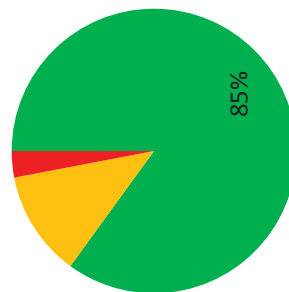
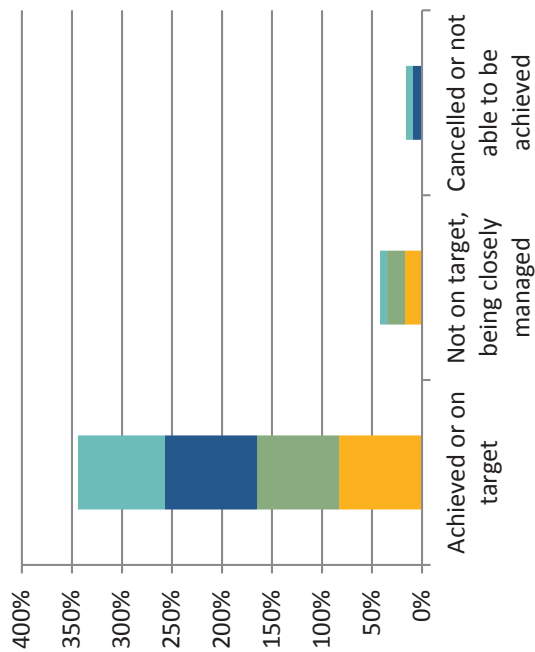
Each of the 213 actions are assigned to a responsible local government officer, who provides quarterly progress report on each action using the coloured symbols above. The responsibility legend is set out below.

• GM	General Manager	General Manager's Office
• CFO	Chief Financial Officer	General Manager's Office
• MHR	Manager Human Resources	General Manager's Office
• DID	Director Infrastructure and Development	Infrastructure and Development
• EMC	Environmental Management Coordinator	Infrastructure and Development
• MWWSS	Manager Water, Waste and Sewerage Services	Infrastructure and Development
• MDP	Manager Development and Planning	Infrastructure and Development
• MIW	Manager Infrastructure and Works	Infrastructure and Development
• DCG	Director Community and Governance	Community and Governance
• CCDE	Coordinator Community Development and Engagement	Community and Governance
• CGR	Coordinator Governance and Risk	Community and Governance
• RMSO	Risk Management and Safety Officer	Community and Governance
• MMG	Manager McMaugh Gardens Aged Care	Community and Governance
• MCC	Manager Community Care	Community and Governance
• CTI	Coordinator Technology and Information	Community and Governance
• TPOO	Tourism Promotion and Operations Officer	Community and Governance

Organisational Performance

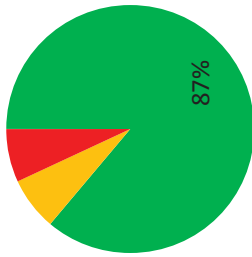
Delivery Program – 2018/19 Annual Action

Strategic Themes	Achieved or on target		Not on target, being closely managed		Cancelled or not able to be achieved	
	No.	%	No.	%	No.	%
Our Society	39	87%	3	7%	3	7%
Our Economy	36	92%	0	0%	3	8%
Our Environment	28	82%	6	18%	0	0%
Our Leadership	78	82%	16	17%	1	1%
Total	181	85%	25	12%	7	3%



- Achieved or on target
- Not on target, being closely managed
- Cancelled or not able to be achieved

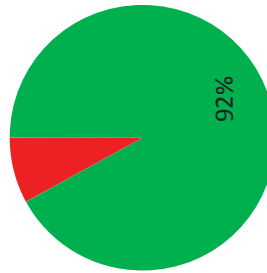
Our Society



- Achieved or on target
- Not on target, being closely managed
- Cancelled or not able to be achieved

The Operational Plan 2018-19 contains 45 actions geared towards reaching the Community Strategy Plan goals for **Our Society**. In the six months to December 2018, 87 per cent of these actions are achieved or on target.

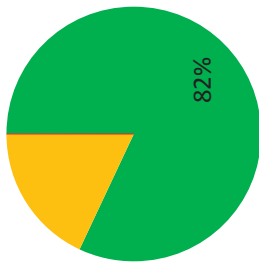
Our Economy



- Achieved or on target
- Not on target, being closely managed
- Cancelled or not able to be achieved

The Operational Plan 2018-19 contains 39 actions geared towards reaching the Community Strategy Plan goals for **Our Economy**. In the six months to December 2018, 92 per cent of these actions are achieved or on target.

Our Environment



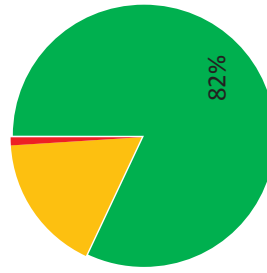
■ Achieved or on target

■ Not on target, being closely managed

■ Cancelled or not able to be achieved

The Operational Plan 2018-19 contains 34 actions geared towards reaching the Community Strategy Plan goals for **Our Environment**. In the six months to December 2018, 82 per cent of these actions are achieved or on target.

Our Leadership



■ Achieved or on target

■ Not on target, being closely managed

■ Cancelled or not able to be achieved

The Operational Plan 2018-19 contains 95 actions geared towards reaching the Community Strategy Plan goals for **Our Leadership**. In the six months to December 2018, 82 per cent of these actions are achieved or on target.

1: Our Society

1.1: A proud, unique and inviting community




1.1.1: Provide vibrant and welcoming town centre, streets and meeting places

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.1.1	Maintain parks, gardens and open spaces	Liaise with volunteers and other community groups to assist in the maintenance of parks, gardens, and open spaces	EMC	Volunteer maintenance activities	Increased		Bushcare volunteer group is continuing. EMC to liaise with other community groups in Q3 and Q4.
		Undertake annual maintenance program of parks	MIW	Annual Program	Completed		On target

1.1.2: Embellish our community with parks, paths, cycleways, facilities and meeting places

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.2.1	Prepare open space strategy	Engage with the community and key stakeholders in developing the Open Spaces Strategy	DID	Engagement program	Implemented		Deferred to 2019-2020.
		Develop an overarching Open Spaces Strategy with an Action Plan guided by community consultation, and including disability inclusion and access provisions (DIAP 2.5) (2.6) (2.7)	DID	Strategy and Action Plan	Adopted		Deferred to 2019-2020.

1.1.3: Respect the heritage of the region and highlight and enhance our unique characteristics






Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.3.1	Provide cemetery services	Seek heritage funding to carry out restoration work at Uralla's Old Cemetery	MDP	Heritage funding application	Lodged		Ineligible for current funding round
		Provide family history information and interment services	MIW	Services	Provided		Information provided when requested
		Undertake annual maintenance program of all cemeteries	MIW	Program	Completed		Cemetery maintenance on target

1.1.4: Support, encourage and celebrate community participation and volunteerism

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.4.1	Encourage volunteer participation	Develop a volunteer strategy including an induction and support program to promote participation that encourages involvement by people with a disability (DIAP 3.2)	DCG	Strategy	Adopted		Yet to commence.

1.2: A safe, active and healthy shire

1.2.1: Provide accessible quality sport and recreation facilities that encourage participation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.1.1	Maintain community swimming complex, sports and recreation facilities	Maintain and test pool water quality in compliance with Department of Health guidelines	MIW	Water quality	Compliant		Water quality compliant
		Undertake the necessary maintenance to be able to operate the pool	MIW	Pool Open	20 October 2018 to 8 March 2019		Pool opened on 20 October 2018
		Undertake the annual maintenance program at sporting fields (DIAP 2.7)	MIW	Program	Undertaken		Maintenance works on target and all sporting fields operational
1.2.1.2	Provide shared footpaths and cycleways	Seek annual funding to extend and integrate a cycleway network	DID	Funding Application	Completed		Application lodged
		Develop a shared footpath and cycleway plan including disability access provisions in conjunction with the Pedestrian Access and Mobility Plan, subject to RMS funding approval (DIAP 2.6)	DID	Plan	Completed		PAMP being progressed. RMS funding not received for the shared footpath and cycleway strategy.


1.2.2: Work with key partners and the community to lobby for adequate health services in our region

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.2.1	Improve access to regional health services	Liaise with medical practitioners to prepare for participation of the 2019 Bush Bursary/CWA Scholarship program	CCDE	Liaison with medical practices	Completed		The medical student Council sponsored came to Uralla and worked for two weeks in January 2019.



1.2.3: Provide, maintain and develop children's play and recreational facilities that encourage active participation



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.3.1	Enhance recreational facilities for children	Deliver upgrades to recreation facilities throughout the shire	DID	Grant funding	Sourced		Ongoing. Stronger Country Communities projects being progressed.
				Infrastructure upgrades	Delivered		

1.2.4: Partner with police, community organisations and the community to address crime, anti-social behaviour and maintain community safety

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.4.1	Preserve community safety	Provide support within Council's area of functional responsibility to the police, emergency services, and community groups to preserve community safety	DID	Support	Provided		Ongoing




1.2.5: Provide effective, regulatory, compliance and enforcement services for the community

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.5.1	Provide effective regulatory, compliance and enforcement services	Carry out food premises inspections to ensure compliance with the Food Act	MDP	Food premises inspected	Annually		Completion scheduled for February 2019
				Food premises returns submitted	Annually		
		Issue and serve Orders where necessary under relevant legislation	MDP	Issued orders compliant with legislation	100%		Complete
		Register, licence and inspect onsite sewerage treatment systems	MDP	Number of inspections	Increased		On track to resolve outstanding historical backlog

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Administer companion animal registrations, respond to companion animal noise complaints, and impound animals and stray stock as required	MDP	Responses to companion animal complaints	100%		Maintaining targets
		Finalise and implement a trade waste policy	MDP	Policy	Implemented		Council approval and public exhibition required to complete

1.3: A diverse and creative culture


1.3.1: Provide enhanced and innovative library services that support and encourage lifelong learning

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.1.1	Provide library services and programs	Manage the service level agreement with Central Northern Regional Library	CCDE	Service level agreement	Reviewed		On target
		Attend Central Northern Regional Library committee meetings	CCDE	Meetings	Attended		Attended 14 November 2018 committee meeting with Cr Strutt.
		Operate the library services and programs to meet agreed service levels	CCDE	Uralla library open	7 days a week		Continued supervision of Uralla Library
				Bundarra library operating and resources renewed	Quarterly		

1.3.2: Work with the community and other partners to develop major cultural and community events and festivals

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.2.1	Facilitate the development of a range of community and cultural activities	Coordinate the development of a Uralla Shire event toolkit	TPOO	Toolkit	Commenced		Council supports and / or sponsors major annual events. Toolkit to be developed.
		Attend Arts North West regional meetings	CCDE	Meetings	Attended		Mayor welcomed group to meeting at McCrossins Mill

1.3.3: Lobby government, companies and other individuals to secure funding for cultural and creative expression fields




Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.3.1	Enhance opportunities for community cultural and creative expression	Coordinate and deliver Council's annual community grants and financial assistance programs	CCDE	Grants program round delivered	=2		On target



1.4: Access to and equity of services

1.4.1: Operate and maintain the McMaugh Gardens Aged Care Facility

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.1.1	Operate a residential aged care facility	Manage McMaugh Gardens Aged Care facility in a financially sustainable manner	MMG	Net operating surplus	Achieved		Operating surplus maintained
				Annual average occupancy at benchmark	=>95.2%		
		Maintain aged care facility accreditation and satisfactory aged care quality audit outcomes	MMG	Accreditation	Maintained		Full Accreditation maintained
				Quality audit outcomes	Satisfactory		

1.4.2: Provide quality Community Care, Ageing and Disability services



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.2.1	Provide aged and disability services	Manage consumer directed aged, disability, and community services in a financially sustainable manner	MCC	Net Profit	Achieved		Tracking on target
				Funding agreements reporting and acquittals	Compliant		On Target. New changes for NDIS registrations. Registration complete.
				Accreditation	Maintained		New accreditation process for NDIS that will roll out this year.
		Maintain accreditation and satisfactory quality audit outcomes	MCC	Quality audit outcomes	Satisfactory		

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.2.2	Provide community transport services	Manage community transport services in a financially sustainable manner	MCC	Net profit	Achieved		On target would be beneficial for more volunteer drivers to make sure we stay sustainable.
		Manage NSW State Government funding agreements and grant acquittals for compliance	MCC	Funding agreements reporting and acquittals	Compliant		Managing and monitoring funding agreements
		Maintain satisfactory service reviews and audit outcomes	MCC	Audit outcomes	Satisfactory		Require more advertising transport services being offered to make sure that all outputs are achieved.

1.4.3: Create a better understanding within the community of the services and facilities council provides

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.3.1	Promote Council's services and facilities	Prepare and distribute a regular newsletter to residents	GM	Newsletter published	Monthly		Newsletter completed each month.
		Coordinate a local government week program to engage the community and showcase services provided by Council	CCDE	Program	Delivered		Complete and successful
		Implement a new Council website to improve access and engagement, with content compliant with Website Content Accessibility Guidelines (DIAP 4.2)	CCDE	New website implementation	Commenced		USC IT department have implemented a new Council website.

1.4.4: Provide opportunities for residents to enjoy access to arts, festivals, sporting activities, recreation, community and cultural activities

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.4.1	Increase community participation in community and cultural events	Seek Youth Week funding and facilitate the coordinate the Youth Week program of activities.	CCDE	Funding application	Lodged		Applying for Youth Week funding by 14 February 2019 in consultation with Uralla Neighbourhood Centre.
				Youth Week activities	Delivered		
		Seek National Aboriginal and Islander Day Observance Committee (NAIDOC) funding and coordinate Council's NAIDOC activities in consultation with the Elders.	CCDE	NAIDOC activities	Delivered		Not applicable in Q2
		Advocate, when necessary, for continuing access to Mascot airport at peak times	GM	Advocate	As necessary		Action is being considered as a strategic action by the NEJO

1.4.5: Lobby government to maintain and improve community and public transport services and infrastructure

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.5.1	Enhance transport services	Lobby government for new or improved public transport infrastructure and services (DIAP)	CCDE	Number of lobbying activities	Maintained		Monitoring
		Assess and audit disability parking locations, including ramps and kerb access, as part of the Pedestrian Access and Mobility Plan development, subject to RMS funding (DIAP)	DID	Review	Progressing		To be incorporated into the PAMP.



1.4.6: Work towards achieving the status of a Disability Friendly community through the provision of accessible and inclusive facilities and services

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.6.1	Develop and implement a range of strategies to improve access and inclusion to council facilities and services	Incorporate principles of inclusion into Council's asset inspection, planning and renewal programs (DIAP)	DID	Principles	Implemented		On-going
		Assess and audit disability parking locations, including ramps and kerb access, as part of the Pedestrian Access and Mobility Plan development, subject to RMS funding (DIAP)	DID	Review	Completed		Funding approved. PAMP consultancy to be awarded.


2: Our Economy

2.1: An attractive environment for business, tourism and industry

2.1.1: Promote Uralla Shire and the region as a place to live, work, visit and invest

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.1.1	Promote Uralla Shire through the Visitor Information Centre	Operate the Visitor Information Centre to meet agreed service levels	TPOO	Visitor Information Centre open	7 days a week		The Uralla Visitor Information Centre meets or exceeds the service standards and guidelines of a Level 2 Accredited Visitor Information Centre (AVIC) and is open to the public on 365 days in each year.
		Finalise costs and timeframes for the Visitor Information Centre improvement project and commence implementation, in consultation with the community, subject to funding allocation by Council resolution	TPOO	Estimated project costs and timeframe Project implementation	Established Commenced		Reported to Council on 28 October (resolution 35.10/18). Associated actions being progressed.



2.1.2: Promote the Uralla Shire to business and industry and increase recognition of the areas strategic advantages

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.2.1	Improve recognition of Uralla Shire and the region's strategic economic advantages	Partner with neighbouring councils to coordinate the delivery of the Regional Economic Development Strategy, subject to grant funding opportunities.	DCG	Sub-regional working group meetings	Attended		Opportunities discussed with Armidale and Walcha. Thunderbolt's Way joint submission considered but separate applications made as focus of funding was different. Successful outcome.

2.1.3: Lobby for government funded infrastructure and services to match business and industry development in the region (education, transport, health)

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.3.1	Enhance infrastructure to support regional education, transport and health development	Lobby government for funding to undertake assessment and necessary upgrades to provide HML capacity Develop a list of priority transport infrastructure projects to capitalise on grant funding opportunities	DID DID	Number of lobbying activities Priority list	Maintained Completed	 	Ongoing. Bridge assessments funded by RMS have been completed. Under development. Bingara Road upgrade, Tolleys Gully Bridge replacement and Thunderbolts Way section north of Bundarra rehabilitation.

2.1.4: Implement tools to simplify development processes and encourage quality commercial, industrial and residential development



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.4.1	Process building and development applications	Assess and determine development, construction, and other regulatory applications Construction certificates provided in accordance with legislation	MDP MDP	Applications determined Certificates provided	=Statutory =Statutory timeframes	 	On track Consultant EHBS is completing CCs within acceptable timeframes.

2.2: Growing and diversified employment, education and tourism opportunities

2.2.1: Provide land use planning that facilitates employment creation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.1.1	Optimise land use planning instruments to support employment creating business and industries	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents	MDP	LEP and DCP	Maintained		DCP requires resolution and public exhibition.

2.2.2: Support and encourage existing business and industry to develop and grow

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.2.1	Encourage business and industry development	Assess and maintain a sufficient supply of residential, lifestyle, agricultural commercial and industrial zoned land	MDP	LEP and DCP	Maintained		Industrial subdivision to be completed.
		Progress the development of the light industrial project in Rowan Street	DID	Detailed design Construction	Completed Stage 1 commenced		DA under assessed by Moree Plains Shire Council.

2.2.3: Support the attraction of new businesses, including sustainable employment generating projects

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.3.1	Provide information to support new and existing business operators	Provide consultation with potential new business operators and pre-development application assistance	MDP	Number of consultation and assistance activities	Maintained		Meetings and notes up to date.




2.2.4: Partner with neighbouring Councils to effectively market the unique natural characteristics and diverse tourism opportunities available within Uralla Shire and New England region

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.4.1	Promote Uralla Shire and the region as a tourism destination	Collaborate with other councils and tourism bodies to promote the region with a Uralla Shire focus	TPOO	Promotional activity	=2		USC collaborates and contributes to regional campaigns and collateral via the New England High Country branding group, including LG areas of Armidale Regional, Walcha, Inverell, Tenterfield and Glen Innes

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


2.3.1: Provide an effective road network that balances asset conditions with available resources and asset utilisation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.1.1	Deliver road and drainage maintenance services and capital works programs	Deliver sealed roads bitumen maintenance program in line with established service levels and intervention points	MIW	Service levels	Met		Bitumen road maintenance works on target
		Deliver sealed roads capital renewal program	MIW	Works	Completed		Works progressing.
		Deliver sealed road network supporting infrastructure replacement program	MIW	Works	Completed		Replacement of traffic facility infrastructure carry out as needed.



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Seek funding for transport infrastructure expansion projects	DID	Number of funding applications	Maintained		Funding applications completed when programs available
		Deliver unsealed roads grading program in line with established service levels and intervention points	MIW	Service levels	Met		Drought conditions have resulted in water not being available for maintenance grading in many areas and this will result in potholed and corrugated roads that are below the service level.
		Deliver unsealed roads re-sheeting program in line with established service levels	MIW	Service levels	Met		No budget allocation for gravel re-sheeting.

2.3.2: Maintain, review and replace Council bridges and culverts as required


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.2.1	Deliver bridge and culvert maintenance services and capital works programs	Inspect all bridges and carry out the required maintenance programs	MIW	Replacement program	Completed		12 bridges inspected by consultant. Council staff inspecting other bridges and carrying out maintenance works
		Deliver bridge and culvert capital works program	MIW	Service levels	Met		Construction of Munsie Bridge completed.
		Inspect all bridges and carry out the required maintenance programs	MIW	Percentage of program completed	10%		Council staff inspecting bridges and carrying out maintenance works as required

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Deliver bridge and culvert capital works program	MIW	Percentage of program completed	10%		No unsealed roads bridge and culvert capital works

2.3.3: Ensure road network supporting assets (signs, posts, lighting, guardrails, etc.) are maintained adequately and renewed as scheduled

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.3.1	Deliver unsealed roads, lighting, signs, guard rail, and posts maintenance and renewal program	Deliver unsealed road network supporting infrastructure replacement program	MIW	Percentage of program completed	25%		Replacement of traffic facilities infrastructure carried out as required
		Renew and maintain lighting, signs, posts, and guard rail assets in line with acceptable service levels.	MIW	Percentage of program completed	25%		Works carried out as required

2.3.4: Provide a network of town and village streets that balances asset conditions with available resources and asset utilisation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.4.1	Deliver town and village streets maintenance services and capital works programs	Deliver town streets maintenance and resealing programs	MIW	Percentage of program completed	10%		Street maintenance works carried out. Resealing program later in year


2.3.5: Maintain existing and cycling networks across the region

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.5.1	Deliver walkways and cycle ways maintenance services and capital works programs	Inspect footpaths and deliver maintenance and repair program	MIW	Inspections	Completed		Footpath maintenance works carried out as required
		Upgrade the next stage Bundarra CBD footpath		Service levels	Met		
			MIW	Works	Completed		No budget allocation


2.3.6: Facilitate the enhancement and expansions of accessible walking and cycle networks where strategically identified and interconnect them with other transport and recreation facilities

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.6.1	Expand the Shire's integrated and accessible cycle ways and walkways network	Seek funding from Roads & Maritime Services to extend cycleway network	MIW	Number of funding applications	Maintained		Grant application submitted

2.3.7: Implement and maintain developer contribution plans

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.7.1	Develop section 94 and section 64 contribution framework	Develop section 94 and section 64 development control and contribution plans	MDP	Plan	Completed		In principle approval given by councillors to fund consultant in the 2019/2020 budget

2.3.8: Provide the required public infrastructure and work with key partners to expand the provision of cost effective public transport

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.8.1	Enhance Council's public transport infrastructure	Develop a renewal and maintenance program for Council bus stops	DID	Service levels	Met		Under review

2.4: Communities that are well serviced with essential infrastructure

2.4.1: Develop a strategically located network of quality, accessible and safe public amenities that are adequately maintained and renewed


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.1.1	Provide public amenities for residents and visitors	Deliver maintenance and renewal programs for public amenities	DID	Service levels	Met		Maintenance ongoing. Buildings AMP completed.

2.4.2: Implement Council's strategic asset management plan and continue to develop asset systems, plans and practices for infrastructure assets to minimise whole of life costs

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.2.1	Develop and implement asset management plans	Review and update the plant asset management plan	DID	Plan update	Completed		Review scheduled for fourth quarter 18/19.
		Review and update the sewer asset management plan	MWWSS	Plan update	Completed		Draft plan delivered.
		Review and update the water supply asset management plan	MWWSS	Plan update	Completed		Draft plan developed.

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Review and finalise buildings asset management plan, including service levels	DID	Plan	Finalised		Under review.
		Review and update the transport asset management plan	DID	Review	Completed		Under review.
		Incorporate Council cemeteries plan into the Parks and Open Spaces asset management	DID	Plan	Completed		Noted.
		Implement the stormwater drainage asset management plan	DID	Plan update	Completed		AMP to be finalised.

2.4.3: Provide the infrastructure to embellish public spaces, recreation areas and parkland areas

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.3.1	Provide connectivity to public spaces	Connect footpaths and cycle ways	MIW	Connectivity	Improved		Grant funding application for this financial was not successful resulting in no works this year.

3: Our Environment

3.1: To preserve, protect and renew our beautiful natural environment

3.1.1: Record and promote the region's heritage in partnership with the community

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.1.1.1	Preserve Uralla Shire's heritage	Continue to implement the recommended actions from the Heritage Strategy within budget allocations	MDP	Implemented	Funded strategy actions		On track

3.1.2: Protect the Shire's historic buildings and sites, recognising their value to the community




Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.1.2.1	Provide heritage services and support	Facilitate a Heritage Advisory Service and Local Heritage Assistance Fund	MDP	Maintained	Number of service activities		New funding for Local Fund and existing Heritage Advisory now available again.
				Maintained	Value of funded assistance		

3.1.3: Protect and maintain a healthy catchment and waterways

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.1.3.1	Maintain compliant catchment and waterways management	Review Kentucky Creek Dam safety plan	MWWSS	Reviewed	Plan		No progress made during Q2.
		Test treated effluent	MWWSS	Compliant	Testing regime		On target.
		Undertake annual maintenance program for Council's Gross Pollutant Traps	MIW	Completed	Program		Gross pollutant traps emptied several times

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
		Implement actions for the Woodridge fossicking area management plan	EMC	Commenced	Implementation		Actions from the Woodridge Fossicking Reserve Management Plan are being undertaken
		Maintain compliance with Environmental Protection Licence requirements for the Uralla landfill, sewer and water treatment plants	MWWSS	Compliant	Testing regime		On target

3.1.4: Raise community awareness of environmental and biodiversity issues

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.1.4.1	Provide bush regeneration activities and information	Review the bush regeneration strategy and action plan	EMC	Completed	Plan		Draft review is complete
		Implement the environmental sustainability action plan	EMC	Commenced	Implementation of priorities		Individual actions are being progressively initiated
		Implement the bush regeneration strategy and action plan	EMC	Commenced	Implementation		Actions are scheduled to be undertaken and are monitored through the 2018-19 Annual Works Plan

3.2: Maintain a healthy balance between development and the environment

3.2.1: Retain open space and greenbelts that are accessible to everyone

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.2.1.1	Preserve sensitive greenbelt lands	Review and monitor vegetation and environmental protection measures for sensitive land	MDP	Maintained	LEP and DCP		Some environmental monitoring to be done: consultant engaged.

3.2.2: Educate the community about sustainable practices in the home, at work and in public places





Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.2.2.1	Raise community awareness of sustainability practices	Collaborate and partner with the Uralla ZNET	EMC	Maintained	Number of awareness programs		The Uralla Z Net sustainable firewood program is in stage 2 of the 3 year, 3 stage program.

3.2.3: Ensure that Uralla Shire is sufficiently prepared to deal with natural disasters including bushfires, major storms and flood events

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.2.3.1	Collaborate with service providers to be emergency response ready	Participate in natural disaster mitigation and provide local emergency management officer	DID	Maintained	Number of mitigation activities		Ongoing


3.3: Reuse, recycle and reduce wastage

3.3.1: Promoting recycling, reusing and providing regular and efficient waste and recycling services



Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.3.1.1	Provide waste removal and recycling services within the Shire	Provide waste collection services to the current established service areas	MWWSS	Met	Kerbside general waste pickup weekly		On target.
					Kerbside recycling pickup weekly		
		Develop and implement Waste Services Asset Management Plan	MWWSS	Developed	Plan		Draft Asset Management Plan developed
		Continue operations evaluation and begin community consultation regarding future operation of the Bundarra Landfill site	MWWSS	Progressing	Evaluation		Now to be considered as part of the Long Term Strategic Review of Waste Management Services
		Implement an appropriate cash management system at Council's waste facilities	MWWSS	Implemented	System		Complete

3.3.2: Providing education to the community on ways to minimise the waste produced by households


Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.3.2.1	Improve community awareness of recycling and waste minimisation	Operate the Uralla Community Recycling Centre	MWWSS	Met	Service levels		On target
		Support the Northern Inland Regional Waste Community Recycling Centre Regional Communication and Education Plan	MWWSS	Delivered	Program		On target

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
		Offer schools access to Council-supported participation in waste education programs	MWWSS	3	School participant		Complete: access provided via Northern Inland Regional Waste EnviroMentors sponsorship program



3.3.3: Implementing initiatives to reduce illegal dumping and providing community education to prevent litter

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.3.3.1	Promote litter reduction	Participate in Stage 3 of the Northern Inland Regional Waste Litter Implementation Plan	MWWSS	Delivered	Program		Complete
		Review the NSW Illegal Dumping Strategy for participation and implementation opportunities	MWWSS	Reviewed	Strategy		Monitoring opportunities to adopt strategy actions, participation and funding opportunities via Northern Inland Regional Waste Group

3.3.4: Identifying and implementing water conservation and sustainable water usage practices in Council operations

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.3.4.1	Minimise water wastage	Undertake a water usage review on major Council usage facilities and water leakage assessment program for Council facilities	DID	Completed	Inspections		Not yet commenced

3.3.5: Identifying technologies in Council facilities, infrastructure and service delivery to reduce our ecological footprint

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.3.5.1	Reduce Council's environmental footprint	Update and implement criteria to assess environmental management in infrastructure projects Partner with ZNET to deliver the Elephants in the Woodlands project	EMC	Implemented	Criteria		Completed
			EMC	=4	Participation at meetings		The program is in stage 2 of the 3 year, 3 stage program




3.4: Secure sustainable and environmentally sound water-cycle infrastructure and services

3.4.1: Maintain and renew water network infrastructure to ensure the provision of secure, quality and reliable drinking water supplies

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.4.1.1	Provide water supply	Deliver Uralla and Bundarra water supply in compliance with the Drinking Water Quality Management Plan	MWWSS		Compliance		On target
		Deliver annual water main replacement program	MWWSS	Completed	Program		Investment made on an as-needed basis. Require development of well structured replacement/renewal program
		Work with landholders to improve protection of Kentucky Creek and Taylors Pond drinking water storages	MWWSS	Implemented	Improvement		No progress made during Q2


Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
		Progress the investigations for the augmentations of the Bundarra and Uralla water supplies to increase yield, as identified in the Yield Study	MWWSS	Completed	Review		Delayed

3.4.2: Maintain and renew the sewerage network infrastructure to ensure the provision of efficient and environmentally-sound sewerage services

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.4.2.1	Provide sewerage services	Operate the Uralla sewer treatment plant in an efficient and effective manner	MWWSS	Met	Licence compliant		On target
		Maintain and renew the sewer infrastructure network in-line with established programs	MWWSS	Met	Service levels		Investment made on an as-needed basis. Require development of well-structured renewals program.
		Progress Bundarra Sewerage Scheme	MWWSS	Milestones met	Scheme implementation progressing to project plan		Detailed design being finalised

3.4.3: Ensure adequate stormwater and drainage infrastructure is provided, maintained and renewed





Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
3.4.3.1	Provide stormwater and drainage infrastructure	Maintain and renew stormwater and drainage infrastructure	MIW	Met	Service levels		Rowan Avenue project currently being designed by consultants

Code	Principal Activities	Annual Action	Responsible Officer	Target	Performance Measure	Status	Comments
		Develop and implement Stormwater Asset Management Plan for the Urban stormwater network	DID	Finalised	Asset management plan		Pending


4: Our Leadership



4.1: A strong, accountable and representative Council

4.1.1: Provide clear direction for the community through the development of the Community Strategic Plan, Delivery Program and Operational Plan


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.1.1	Improve organisational capacity to deliver integrated strategic planning and reporting requirements	Increase staff awareness of the Integrated Planning and Reporting Framework	CGR	IPRF included in staff induction program Coordination group information sessions	Implemented Completed		Sessions arranged for responsible officers for Integrated Planning and Reporting updates in new system 'Pulse'
4.1.1.2	Deliver integrated strategic planning and reporting requirements	Develop the Resourcing Strategy in support of the four-year Delivery Program, integrating the: * Asset Management Plan * Workforce Management Plan * Long Term Financial Plan	DID	Resourcing strategy	Commenced		Ongoing
		Develop and monitor the annual Operational Plan	CGR	Plan	Adopted		Quarterly review updates reported to council
		Coordinate and produce the Annual Report	CGR	Return	Adopted and provided to the Office of Local Government		Annual report completed for 2018




4.1.2: Engage with the community effectively and use community input to inform decision making

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.2.1	Incorporate inclusive community consultation and	Facilitate the delivery of community presentations to Council	GM	Number of community presentations to Council	Maintained		All presentations have been facilitated

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
	stakeholder engagement in Council decision making	Conduct Councillors community engagement events	DCG	Number of councillor community engagement activities	=3		Compliance with resolution (senior's week, youth week and volunteers week). Potential for another in the first half of 2019.
		Facilitate the delivery of International Association of Public Participation (IAP2) training to build staff capacity for community engagement	CCDE	Training program	Commenced		Monitoring

4.1.3: Provide open, accountable and transparent decision making for the community






Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.3.1	Implement and maintain a transparent and accountable decision making framework	Review and update the agency information guide	CGR	Guide review	Commenced		2018 Agency Information guide prepared and reported to council for exhibition and adoption
		Coordinate the publication of identified open access information to the website	CTI	Identified open access information published	=>30%		On target
		Publish the formal access to information disclosure log to the website	CTI	Information disclosure log updated and published	every 45 days		Awaiting new web site to go live
		Publish the register of government contracts over \$20,000 to the website	CGR	Register of government contracts published to the website	Every 20 days		Register to be prepared

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Priority statutory and corporate policies and codes reviewed and updated as required	CGR	Priority policy and codes updated	=>50%		Council policy register and review priorities reported to council December 2018
		Business papers and minutes are distributed to Councillors and published to the community within agreed service levels	GM	Service levels	Met		Service levels and statutory requirements met
		Council ordinary and extraordinary meetings are conducted and open to the public	GM	Adopted schedule of meeting	Conducted		All ordinary and extraordinary meetings have been conducted and are open to the public
		Maintain the register of government contracts over \$20,000	CGR	Register of government contracts	Maintained		Register to be prepared
		Progressively implement the Policy Register Review Program	CGR	Implementation milestones	Progressing		Policy review underway

4.1.4: Provide strong representation for the community at the region, state and federal levels



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.4.1	Maintain effective partnerships and advocacy activities	Advocate the needs of the shire to State and Federal Governments through regional joint organisations of council	GM	Regular advocacy activities	Maintained		Advocacy is central to the strategic plan of the NEJO. USC have played a central role in the development of the NEJO strategic plan.

4.1.5: Undertake the civic duties of Council with the highest degree of professionalism and ethics

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.5.1	Implement and manage Council's integrity system	<p>Publish a register of pecuniary and non-pecuniary interests disclosures to council's website in accordance with Government Information (Public Access) Act guidelines</p> <p>Maintain Public Interest Disclosure, Conflict of Interest, Related Party Disclosures and Code of Conduct Complaint Registers in accordance with legislative requirements</p> <p>Coordinate Public Interest Disclosures and Code of Conduct complaints in accordance with legislation, policy, and procedures</p> <p>Implement the Office of Local Government's Local Government Act reform program</p> <p>Implement the Fraud and Corruption Control Strategy, within the constraints of the budget allocation</p>	CGR	Interests disclosure log updated and published	every 45 days		On target
			CGR	Registers	Maintained		On target
			DCG	Reporting	Compliant		Compliance met
			CGR	New legislation implementation	Progressing		On target
			CGR	Implementation milestones	Progressing		On target






4.2: An effective and efficient organisation








4.2.1: Provide a range of services that meet benchmarks determined with the community, having regard to quality and cost



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.1.1	Improve the cost effectiveness and efficiency of community service provision	Identify priority infrastructure and regulation areas for service level review	DID	Priority areas	Identified		To be commenced
		Undertake service level reviews of identified infrastructure and regulation priorities	DID	Number of service levels reviews completed	=3		Pending
		Identify priority community and governance areas for service level review	DCG	Priority areas	Identified		Ongoing
		Undertake service level reviews of identified community and governance priorities	DCG	Number of service levels reviews completed	=3		Sought and achieved \$500,000 grant fund for upgrading ensuite at McMaugh Gardens to improve the effectiveness of that facility.







4.2.2: Operate in a financially responsible and sustainable manner

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.2.1	Maintain and control financial system and improve long term financial sustainability	Review and revise the 10-year Long Term Financial Plan	CFO	Reviewed and adopted	Annually		LTFP noted at November 2018 Council meeting
		Complete and report quarterly budget review statements	CFO	Budget review reported	Quarterly		First quarter report presented to November 2018 Council meeting. It is expected that the second quarterly report will be presented to the February 2019 meeting

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Ensure adequate and effective internal controls are in place for all financial management and purchasing functions	CFO	Internal audit actions for financial controls	Implemented		This action would be strengthened by the adoption of the draft procurement plan.
		Maintain cash flow and maximise return on investment within the risk parameters provided by the Office Local Government	CFO	Investment returns	Met		Investment decision reviewed daily upon completion of bank reconciliation. Alternative investment rates sought through different institutions.
		Model and adopt rate structures to maximize equity across the Council area and between categories	CFO	Bank Bill Swap Rate	Met		
		Model and adopt rate structures to maximize equity across the Council area and between categories	CFO	Rate structure review	Completed		Modelling of rate structures completed annually as part of budget setting process.
		Collect all rates and charges in-line with payment requirements and undertake debt recovery action for outstanding accounts	CFO	Outstanding debts	=<6.5%		Outstanding rates are monitored closely and Council typically achieves better than the performance measure target and the OLG target for metropolitan councils.
		Develop and implement a Procurement Policy	CFO	Policy	Adopted		Procurement policy drafted & approved by ARIC subject to the inclusion of a tendering policy. This task has been returned to the Finance department from the Governance department. An attempt to finalise this will be made when resources are available.

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Develop and implement a procurement guide and toolkit	CFO	Guidelines and toolkit	Implemented		Refer to comments on procurement policy.
		Provide staff workshop session on the procurement guide and toolkit	CFO	Staff workshops	=>2		See comments on procurement policy.
		Implement strategies to achieve annual expenditure reduction dividend (FFTF)	CFO	Expenditure reduction =>\$62,500 per annum	Achieved		Proposed expenditure reduction options were presented as part of the horizontal service review and the LTFP but Council has not adopted any of the options.
		Review all fees and charges for full cost recovery where appropriate (FFTF)	CFO	Review	Completed		A new system for calculating and reporting fees and charges is being implemented for the year ended 30 June 2020 (part of the development of the 2019-2020 operational plan).
		Review asset valuations and depreciation methodology for all asset classes (FFTF)	CFO	Reviews	Completed 50%		Monitored annually as part of the completion of annual financial reports and throughout the year as part of normal capitalisation processes.
		Review Council's borrowing policy and capital expenditure guidelines (FFTF)	CFO	Review	Completed		Undertaken as part of annual budget setting process.
		Determine asset maintenance backlog based on asset management plans (FFTF)	DID	Asset maintenance backlog	Determined		As per AMPs



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.2.2	Develop and implement business plans for all business areas	Review building and land assets to identify surplus assets for disposal (FFTF)	CFO	Disposal program	Established		Review undertaken annually
		Make an application for a special rate variation in accordance with the Independent Pricing and Regulatory Tribunal criteria (FFTF), subject to the approval and resolution of Council	CFO	Special rate variation application	Lodged and successful		Council has determined that no special rate variation will be applied for this year. This action should be removed from the 2019 Operational Plan
		Develop and implement a water supply business plan (PBPR)	DID	Plan	Completed		Under development
		Develop and implement a business plan for caravan parks	DID	Plan	Completed		Pending. Management contract arrangements in place for the Queens Street Uralla Caravan Park.
		Develop a business plan for McMaugh Gardens (PBPR)	DCG	Plan	Developed		Assessment of operations and market assessment undertaken as a precursor to Business Plan being completed.
		Develop a business plan for Tablelands Community Support	DCG	Plan	Developed		Assessment of operations and market environment undertaken as a precursor to Business Plan being undertaken.
		Implementation	Commenced				

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Develop a business plan for Tablelands Community Transport	DCG	Plan	Developed		Assessment of operations and market environment undertaken prior to development of Business Plan
		Finalise and implement a waste management services business plan (FFTF)	MWWSS	Plan	Developed		Postponed pending outcome of strategic long term review of waste management services. Draft Waste Asset Management Plan prepared.
		Finalise and implement a sewer business plan	DID	Plan	Developed		Under development.
		Develop and implement a business plan for caravan parks after selection of preferred option for the Queens Street Uralla Caravan Park	DID	Plan	Developed		Pending. Management contract arrangements in place for the Queens Street Uralla Caravan Park.
		Identify and seek grant funding opportunities as resources provide for infrastructure and regulation projects or services	DID	Implementation	Commenced		
4.2.2.3	Maximise grant and funding partnership opportunities			Number of grant funding opportunities pursued	Maintained		Ongoing. Grant funding applications prepared for Bingara Road, McMaugh Gardens, SCC projects, Drought Communities projects etc
4.2.2.4	Achieve efficiency gains for internal services with a program of continuous improvement	Identify priority community and governance processes for review	DCG	Priority areas	Identified		Priority area is Council policies and governance frameworks.

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Undertake process reviews of identified community and governance priorities	DCG	Number of process reviews completed	=3		Process reviews for risk assessment have been the focus. Process reviews for policy updates are another focus.
		Identify priority infrastructure and regulation processes for review	DID	Priority areas	Identified		DA process under review
		Undertake process reviews of identified infrastructure and regulation priorities	DID	Number of process reviews completed	=3		DA process under review
		Implement the Virtuous Circle Project to improve organisational capacity and effectiveness	DCG	Project milestones	Progressing		Progress tracking consistent with deed from government. Substantial human resource requirement for implementation.
		Identify priority finance processes for review	CFO	Priority areas	Identified		Priority finance processes for review have been identified as debt collection and debtor invoice processing.
		Undertake process reviews of identified finance priorities	CFO	Number of process reviews completed	=1		Finance staff are currently undertaking updates of numerous processes as well as writing new procedures and policies for common processes e.g. debt collection procedures.







Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Identify priority human resource processes for review	MHR	Priority areas	Identified		Review annual performance review process
		Undertake process reviews of identified human resource priorities	MHR	Number of process reviews completed	=1		Undertake review of Scout Talent recruitment processes

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




Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.3.1	Provide asset revaluation and long term funding scenarios for asset maintenance and renewal	Develop long term funding scenarios that explore options to fund asset maintenance and renewal	CFO	Long term financial plan scenarios	Developed		This action is undertaken as part of the annual budget/LTFP setting process as well as through the review of new/updated asset management plans
		Deliver the asset revaluation program	DID	Scheduled revaluations	Completed		Plant and Fleet being managed internally

4.2.4: Establish Uralla Shire Council as an employer of choice that trains, recruits and retains talented staff and facilitates a diverse workforce

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.4.1	Enhance Council's reputation as an innovative and inclusive workplace	Develop and implement a corporate staff induction program, including orientation information about what inclusion means (DIAP 1.1)	MHR	Program	Implemented		Corporate staff induction program in place and operating. Updated information addressing inclusion in the workplace to be added.







Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Develop a succession planning program for key positions (WMP 2.1 & 5.2)	MHR	Program development	Commenced		Staff Policy dealing with succession planning implemented. Directors and Managers are to identify key positions as part of the program.
		Review annual staff performance processes to improve effectiveness and efficiencies	MHR	Review	Completed		Process review of annual staff performance reviews forms part of the Pulse Employee Performance system implementation.
		Review and implement staff reward and recognition systems (WMP 3.1)	MHR	Number of systems	=>2		Staff reward and recognition system reviewed and implemented.
		Proactively manage the return to work and workers compensation processes (WMP 1.2)	MHR	Number of absentee days	Maintained for reducing		Council's workers compensation and recover at work processes are proactively managed.
		Develop and implement clear communication strategies for organisation leaders (WMP 5.3)	GM	Staff communication strategy	Developed		Communication strategies are developing
		Audit selected operational facilities and plan improvements to enhance disability access to support employment of people with a disability (DIAP)	DID	Site audits	=3		Pending
				Plan	Commenced		

4.2.5: Provide customer service excellence



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.5.1	Enhance customer service excellence	Review and update Council's Customer Service Charter	CCDE	Charter review	Commenced		Monitoring
		Implement Council's customer satisfaction and community wellbeing surveys	CCDE	Survey development	Commenced		Monitoring
		Improve customer service skills and knowledge, including responding to people with a disability - including those with a language or literacy difficulty (DIAP)	CCDE	Staff training	Commenced		Monitoring

4.2.6: Identify and manage risk associated with all Council activities and ensures a safe and healthy work environment

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.6.1	Develop and incorporate a risk management framework which is effective and accessible	Develop a workplace safety system	RMSO	Workplace Health and Safety System	Commenced		Review of WHS Policy undertaken.
		Develop an enterprise wide risk management framework	RMSO	Risk management framework	Commenced		Risk Management Policy approved. Three Risk Management workshops undertaken in 2018. Enterprise Risk Management Register being populated with risks identified from workshops.

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Facilitate regular meetings of the Audit, Risk and Improvement Committee	DCG	Committee meetings held	=>6		All required meetings held
		Coordinate and report on the status of internal audit action recommendations to the executive	RMSO	Report action status	Monthly		First internal audit 'Cash handling and petty cash' has been undertaken and the report distributed to the GM, CFO and Members of the Audit, Risk and Improvement Committee.
		Improve staff risk awareness, and risk management and reporting practices	RMSO	Risk training workshops	=>2		Three Risk Management Workshops undertaken with risks identified. Risks have been placed in risk register
		Facilitate regular meetings of the Work Health and Safety Committee	RMSO	Workplace Health and Safety Committee Meetings held	=>6		WHS Committee meetings have been held at required intervals
		Coordinate and report the status of the Work Health and Safety system to the executive	RMSO	Status report provided	Monthly		Executive regularly updated via 'Reports to Council Executive'
		Facilitate an annual internal audit program, within constraints of the budget allocation	CGR	Audit program completed	=1		On target


4.2.7: Ensure compliance with regulatory and statutory requirements and that operations are supported by effective corporate governance

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments	
4.2.7.1	Improve the corporate governance framework	Undertake a corporate governance gap analysis and develop an improvement action plan	DCG	Gap analysis	Completed		Setbacks due to key staff resigning. Hope to maintain 'on target' status if suitable human resources are available	
				Improvement action plan	Completed			
		Coordinate compliance and reporting requirements to meet statutory obligations, and provide regular status reporting to the executive	CGR	Compliance status reports	Monthly		On target	
				Report customer complaints status to the executive	CCDE	Status reports	Monthly	
		Complete and lodge annual Financial Statements in accordance with statutory requirements	CFO	Statutory requirements	Statutory requirements	Met		Annual financial statements were lodged with OLG on 29 October 2018 in accordance with statutory requirements.
					Complete all taxation returns and grant acquittals as required by external bodies	CFO	Returns and acquittals	Provided
		Organise and manage the external audit of Council and address any management letter recommendations	CFO	External audit	External audit	Completed		The final audit was organised and managed as required. Management letter issues are actioned as required. The interim audit is currently being planned.
					Management letter actions	Addressed		

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Establish and implement the Corporate Governance Improvement Action Plan	CGR	Action implementation milestones	Progressing		On target
		Maintain the Gifts and Benefits Register	CGR	Register	Maintained		On target
		Maintain the secondary employment register	CGR	Register	Maintained		Monitoring
		Develop and maintain customer complaints management protocols and procedures	CCDE	Protocols and procedures	Commenced		Monitoring
		Report outstanding inwards correspondence to the executive	CTI	Status reports	Quarterly		On target

4.3: Deliver the goals and strategies of the Community Strategic Plan

4.3.1: Resource the organisation of Council adequately to provide the services and support functions required to deliver the goals and strategies detailed in this plan

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.3.1.1	Enhance the effectiveness of Council resourcing strategies	Review organisation structure to enable delivery of agreed services levels and projects	GM	Structure	Developed		Organisation structure has been independently reviewed. There appears to be a disconnect between the AMPs, the LTFP and the org structure. This needs to be resolved.
				Private works	Increasing		Ongoing
				Service desk system rollout	Progressing		ServiceDeskPlus has been installed on Civica Cloud; Asset database built; Awaiting new hire to assist with final configuration and rollout
				Asset Register	Maintained		
	Research corporate telecommunication/communications improvement options	Research corporate telecommunication/communications improvement options	CTI	Options	Established		NBN rollout progressing - Admin online; Library in progress



REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	<i>Acting Coordinator Governance and Risk</i>
Reference/Subject:	Report 9 - Policy – Draft Code of Meeting Practice 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.1 A strong, accountable and representative Council
Strategy:	4.1.3 Provide open, accountable and transparent decision making for the community
Activity:	4.1.3.1 Implement and maintain a transparent and accountable decision making framework
Action:	Council ordinary and extraordinary meetings are conducted and open to the public

SUMMARY:

Council is required to adopt a Code of Meeting Practice that complies with the provisions of the prescribed Model Code. This report provides a Draft Code of Meeting Practice 2019 for exhibition and adoption and proposes to arrange for audio streaming services as required.

OFFICER'S RECOMMENDATION:

That Council:

- 1. Exhibit the Draft Code of Meeting Practice 2019 for 42 days;**
- 2. Adopt the Draft Code of Meeting Practice 2019 subject to there being no submissions received during the exhibition period; and**
- 3. Allocate funding of \$15,000, from Council's reserves, to provide for recording and webcasting of council meetings in accordance with new regulatory requirements.**

BACKGROUND:

Council's Code of Meeting Practice is required to be reviewed in accordance with the Model Code as prescribed by the office of Local Government in December 2018. Council must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code within six months of the prescribed date.

The attached Draft Uralla Code of Meeting Practice 2019 has been prepared to comply with the prescribed provisions of the Model Code.

REPORT:

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

Uralla Shire Council
Council Business Paper – 26 February 2019

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code as prescribed on 14 December 2018.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions.

- The attached Draft Code of Meeting Practice 2019 shows provisions that are not mandatory in red font. Council may amend or omit wording shown in red font. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code.

In its media release issued 16 November 2018 the Office of Local Government noted that:

- The new Model Code of Meeting Practice is the first uniform set of meeting rules for NSW councils.
- The code includes optional time limits on meetings, a five-minute limit on councillor speeches, uniform rules of debate, and limits on mayoral minutes.
- Councils are also encouraged to hold public forums before ordinary meetings so residents can address the council as well as pre-meeting briefings for councillors where general managers outline business agenda items so they can make informed decisions.

The OLG advised by circular dated 18 December 2018 the following key points:

- Under the transitional provisions of the LGA, councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the next ordinary elections.
- Until a council adopts a new code of meeting practice, its existing code of meeting practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed (14 December 2018 – 14 June 2019). If a council fails to adopt a new code of meeting practice within this period, under transitional provisions contained in the Regulation and the LGA, any provision of the council's adopted meeting code that is inconsistent with a mandatory provision of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Meeting Code.
- Irrespective of whether councils have adopted a code of meeting practice based on the Model Meeting Code, all councils (but not joint organisations) will be required to webcast meetings of the council and committees of which all members are councillors from 14 December 2019. The webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council's website.
- Before adopting a new code of meeting practice, under section 361 of the LGA, councils are still required to exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Details to be determined by council in the Draft Uralla Shire Council Code of Meeting Practice 2019

The Draft Code has been prepared in accordance with provisions of the prescribed Model Code, however council may consider and determine the following details:

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- Council meetings – time, place, frequency (minimum 10 meetings per year held in different months).
 - The Draft Uralla Code of Meeting Practice 2019 provides for continuation of current practice. (part 3: clauses 3.1, 3.2)
- Speakers / public forums – number and times to be specified by council (Part 4: clauses 4.3, 4.4, 4.7, 4.10, 4.12, 4.15,4.17)
- Webcasting option – meetings may be webcast by video or audio, either live streamed or posted subsequent to a meeting. Council is to determine its preferred option.
 - The Draft Uralla Code of Meeting Practice 2019 proposes the minimum requirement of posting an audio recording of the meeting on the council’s website subsequent to a meeting. (part 5: clause 5.19)
- Council general order of business – council may fix the order of business, adopt a proposed order of business, amend the order by resolution, or deal with items by exception (Part 8: clauses 8.1-8.3)
 - The Draft Uralla Code of Meeting Practice 2019 provides for the continuation of the current order of business
- Voting at council meetings – if council adopts Clause 11.11 then clauses 11.6-11.9 and 11.13 may be omitted
- Representations by members of the public – date/time/number to be specified by council (Part 14: clauses 14.11, 14.13, 14.16-17)
- Expulsion from meetings – council to determine if councillors and other attendees may be expelled – chairperson may expel any person/councillor from meetings (Part 16: council may use either clause 15.14 or 15.15)
- Rescinding or altering council decisions – council to specify time requirements (including DA resolutions (Part 17: clause 17.10))
- Time limits on council meetings – council to specify time (Part 18: clauses 18.1-18.3)
- Non-mandatory provisions – these are included in the Draft Uralla Code of Meeting Practice 2019 and currently shown in red font : the non-mandatory provisions may be amended or omitted by council (subject to maintaining consistency with the mandatory provisions of the Model Code)

Summary of Key Changes: Council’s Current Code of Meeting Practice 2014 compared to Draft Code 2019

Key changes from council’s current Code of Meeting Practice to the proposed Draft Code of Meeting Practice 2019 include the following:

- **Webcasting** (Part 5 of the Draft Code) – Meetings are to be live-streamed or recordings of meetings uploaded on the council’s website at a later time. The webcast is to comprise of an audio visual recording of the meeting or an audio recording of the meeting.
 - Webcasting must commence by 12 months of the prescribed date (ie by December 2019). The webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council’s website and this minimum compliance has been proposed in the Draft Code. Note that individuals are not permitted to live stream or record a council meeting (part 15 of the Draft code).
 - Preferred option to be determined by council.
 - The Draft code provides for the minimum requirement as follows:

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Uralla Shire Council meetings webcast will comprise a recording of meetings uploaded on the council website at a later time as an audio recording of the meeting.

This is a key change to Council's current code which prohibits recording/streaming meetings unless approved by council.

- **Council may opt to deal with items by exception** (part 13 of the Draft Code)
 - Council's current code does not provide for this option
- **Public Forum provisions** – the Draft Code 2019 (part 4) provides that council may have a public forum at each meeting of council and clarifies terms and timing (council to determine details in draft code)
 - Council's current code provides for "Have Your Say" sessions limited to 4 time slots of 5 minutes duration.
- **Improved Meeting management** – the code includes optional time limits on meetings, a five-minute limit on councillor speeches, uniform rules of debate, and limits on mayoral minutes.

KEY ISSUES:

- A standardised Model Code of Meeting Practice has been prescribed on 14 December 2018.
- All councils in NSW are required to adopt a new Code of Meeting Practice in accordance with the prescribed Model Code within six months of the prescribed date.
- Webcasting of council meetings is required within 12 months of the prescribed date (ie by December 2019). Minimum requirements for webcasting are proposed in the Draft Code, namely via an audio recording on council's website within a reasonable time following a meeting.
- Council may consider or amend some details of the Draft Code as indicated in this report.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil.

2. Policy and Regulation

Council is required to update its Code of Meeting Practice within six months in accordance with the prescribed Model Code of December 2018 and amended Regulations.

3. Financial (LTFP)

The Model Code requires that NSW local council meetings be webcast. It is recommended that budget allocation be made in the next quarterly review to provide for streaming services in accordance with requirements. Previous quotations have indicated that funding requirements may be estimated at \$15,000 for a full streaming and recording service.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

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Nil

6. Legal and Risk Management

Nil.

7. Performance Measures

Nil.

8. Project Management

Nil

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TRIM Reference Number:	UINT/19/1065
Approved/Reviewed by Manager:	Andrew Hopkins
Department:	General Manager
Attachments:	Draft Code of Meeting Practice 2019

URALLA SHIRE COUNCIL

DRAFT

CODE OF MEETING PRACTICE 2019

Prepared In accordance with the prescribed provisions of the NSW Model Code of Conduct 2018, under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council).

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1. INTRODUCTION

This Code of Meeting Practice 2019 is prepared in accordance with the prescribed NSW Model Code of Conduct 2018, under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council).

Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:
- February to November: on the fourth (4th) Tuesday of the month
 - December – on the third (3rd) Tuesday of the month.
 - January – No meeting held in January.
 - Meetings to commence at 12:30pm and held at Uralla Shire Council Chambers.

~~3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.~~

3.2 N/A

Note: Councils must use either clause 3.1 or 3.2

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including Extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **eight (8)** business days before the meeting is to be held.

3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.

3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.

3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A) (a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A) (b) of the Act.

3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.25 reflects section 9(3) of the Act.

3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.

3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.

3.33 Pre-meeting briefing sessions are to be held in the absence of the public.

3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.

3.35 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.

3.36 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-

meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4. PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received **four (4)** days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than **one (1)** items of business on the agenda of the council meeting; additional items permitted if agreed by council.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 No more than **three (3)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **four (4)** business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The general manager or their delegate is to determine the order of speakers at the public forum.

- 4.12 Each speaker will be allowed **five (5)** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to **three (3)** minutes at the discretion of the Chairperson.
- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **five (5)** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in

accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5. COMING TOGETHER

Attendance by councillors at meetings

5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

~~5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.~~

5.3 N/A

5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1) (d) of the Act.

5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

5.11 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.12 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the general manager.

5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend council meetings

5.16 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.16 reflects section 10(1) of the Act.

5.17 Clause 5.16 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.18 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or

- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.18 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.19 All meetings of the council and committees of the council are to be webcast on the council's website.

Uralla Shire Council meetings webcast will comprise of an audio recording of the meeting uploaded to the council website at a later time.

- 5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.22 A recording of each meeting of the council and committee of the council is to be retained on the council's website for [council to specify the period of time the recording is to be retained on the website]. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.23 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.23 reflects section 376(1) of the Act.

- 5.24 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.24 reflects section 376(2) of the Act.

- 5.25 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.25 reflects section 376(3) of the Act.

- 5.26 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

6. THE CHAIRPERSON

The chairperson at meetings

6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

6.4 The election of a chairperson must be conducted: (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7. MODES OF ADDRESS

7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson', as applicable.

7.3 A councillor is to be addressed as 'Councillor [surname]'.

7.4.1 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the Council, the general order of business is as fixed by resolution of the council.

8.2 The general order of business for an ordinary meeting of the council shall be:

01 Opening and welcome

02 Prayer

03 Acknowledgement of country

04 Apologies and applications for a leave of absence by councillors

05 Disclosures and declaration of interests

06 Confirmation of minutes

07 Urgent, supplementary and late items of business

08 Written reports from delegates

09 Mayoral minute

10 Reports of committees

11 Reports to council

12 Motions on notice/Questions with notice

13 Confidential matters

14 Conclusion of the meeting

8.3 The order of business as fixed under 8.1-2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (a) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10. RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/ or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.

- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11. VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
Note: Clause 11.1 reflects section 370(1) of the Act.
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
Note: Clause 11.2 reflects section 370(2) of the Act.
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

~~11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

11.11 N/A

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted

Voting on planning decisions

11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless
- (c) the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: *Clause 14.9 reflects section 10A(4) of the Act.*

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **four (4)** business days before the meeting at which the matter is to be considered.

14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

14.13 No more than **two (2)** speakers are to be permitted to make representations under clause 14.9.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

14.15 The general manager (or their delegate) is to determine the order of speakers.

14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **two (2)** speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed **five (5)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of order

15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or 15.11(b)
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and 15.11(e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

~~15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.~~

15.14 N/A

15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.14 or clause 15.15.

15.16 Clause ~~15.14/15.15 [delete whichever is not applicable]~~, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2) (a) of the Act.

15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

15.18 A member of the public may, as provided by section 10(2) (a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as

is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17. DECISIONS OF COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act

17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than **three (3)** days after the meeting at which the resolution was adopted. (Note: subject to applicable legislative requirements relating to no commencement action on the resolution)

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 7.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution. 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than **5:00pm**.
- 18.2 If the business of the meeting is unfinished at **5:00pm**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **5:00pm**, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.
Note: Clause 19.1 reflects section 375(1) of the Act.
- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
- (a) details of each motion moved at a council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.
Note: Clause 19.3 reflects section 375(2) of the Act.
- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

~~20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.~~

20.17 N/A

20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,

- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

~~20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

20.24 N/A

20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

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

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21. IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22. DEFINITIONS

the Act means the *Local Government Act 1993*

act of disorder means an act of disorder as defined in clause 15.11 of this code

amendment in relation to an original motion, means a motion moving an amendment to that motion

audio recorder any device capable of recording speech

business day means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales

chairperson in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code

this code means the council's adopted code of meeting practice

committee of the council means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1

council official has the same meaning it has in the *Model Code of Conduct for Local Councils in NSW*

day means calendar day

division means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion

foreshadowed amendment means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment

foreshadowed motion means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion

open voting means voting on the voices or by a show of hands or by a visible electronic voting system or similar means

planning decision means a decision made in the exercise of a function of a council under the *Environmental Planning and Assessment Act 1979* including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

performance improvement order means an order issued under section 438A of the Act

quorum means the minimum number of councillors or committee members necessary to conduct a meeting

The Regulation means the *Local Government (General) Regulation 2005*

webcast a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time

year means the period beginning 1 July and ending the following 30 June.



REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	<i>Acting Coordinator Governance and Risk</i>
Reference/Subject:	Report 10 - Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.1 A strong, accountable and representative Council.
Strategy:	4.1.3 Provide open, accountable and transparent decision making for the community 4.1.5 Undertake the civic duties of Council with the highest degree of professionalism and ethics
Activity:	4.1.3.1 Implement and maintain a transparent and accountable decision making framework 4.1.5.1 Implement and manage Council's integrity system.
Action:	Implement the Office of Local Government's Local Government Act reform program. Council ordinary and extraordinary meetings are conducted and open to the public

SUMMARY:

This report provides a "Draft Code of Conduct 2019" (Attachment 1) prepared in accordance with the prescribed Model Code of Conduct under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

This report also provides associated "Draft Procedures for the Administration of the Draft Code of Conduct 2019" (Attachment 2), prepared in accordance with prescribed procedures.

OFFICER'S RECOMMENDATION:

That Council

1. Exhibit the "Draft Code of Conduct 2019" (Attachment 1) for 28 days and
2. Exhibit "Draft Procedures for the Administration of the Draft Code of Conduct 2019" (Attachment 2) for 28 days
3. Subject to no submissions being received within 42 days, Council adopt the Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019
4. Review council's panel of conduct reviewers as required by the Draft Code

BACKGROUND:

In December 2018 a new Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct) and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Procedures) have now been prescribed under the *Local Government (General) Regulation 2005*.

Council must adopt a new Code and Procedures by June 2019 based on the prescribed Model Code of Conduct and Procedures.

REPORT:

Uralla Shire Council
Council Business Paper – 26 February 2019

On 14 December 2018 the Office of Local Government prescribed a new Model Code of Conduct and associated procedures for administration of the Code for all councils in NSW.

Draft Uralla Shire council documents have been prepared in accordance with the Model Code and Procedures (i.e. – they recommend adoption of the Model Code and Procedures in their entirety and without modification, as was the case for the current Code of Conduct) and are attached as follows:

- “Draft Code of Conduct 2019” (Attachment 1) prepared in accordance with the prescribed Model Code of Conduct.
- Draft Procedures for the Administration of the Draft Code of Conduct 2019” (Attachment 2), prepared in accordance with prescribed procedures.

The Office of Local Government advise (circular 18-44) requirements as follows:

- Councils have six months from the date of prescription, (14 December 2018 – 14 June 2019) to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures. Transitional arrangements for the new Model Code of Conduct and Procedures apply.
- Councils should review their existing panels of conduct reviewers and determine to appoint a new panel using the expression of interest process prescribed under the Procedures if they have not done so in the past four years. Councils may appoint shared panels with other councils including through a joint organisation or another regional body associated with the councils.

Key Points

- Councils’ existing adopted codes of conduct and procedures will remain in force until such time as councils adopt a new code of conduct and procedures based on the Model Code of Conduct and Procedures prescribed under the Regulation.
- If a council fails to adopt a new code of conduct and procedures based on the new Model Code of Conduct and Procedures within six months of their prescription, the provisions of the new Model Code of Conduct and Procedures will automatically override any provisions of a council’s adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the Local Government Act 1993 (unless the inconsistent provisions of a council’s adopted code of conduct are more onerous than those contained in the Model Code of Conduct).
- In adopting a new code of conduct and procedures, councils may include provisions that are supplementary to those contained in the Model Code of Conduct and Procedures. Councils may also impose more onerous requirements under their adopted codes of conduct than those prescribed under the Model Code of Conduct. However, councils must not dilute the standards prescribed under the Model Code of Conduct in their adopted codes of conduct.
- If preferred council may use separate specific versions of the Model Code of Conduct for councillors, staff and delegates and committee members for adoption, instead of a single code of conduct
- Code of conduct complaints must be assessed against the standards prescribed under the version of the council’s code of conduct that was in force at the time the conduct the subject of the complaint is alleged to have occurred.

Uralla Shire Council
Council Business Paper – 26 February 2019

- Code of conduct complaints must be dealt with in accordance with the version of the council's procedures that were in force at the time the complaint was made.

Summary of key changes to the Draft Code of Conduct in accordance with the Model Code

Key changes to the existing Code as identified by the Office of Local Government include the following:

- pecuniary interest provisions previously contained in the Local Government Act 1993 and Regulation are now included in the Code
- new standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records
- new rules governing the acceptance of gifts including mandatory reporting
- a new ongoing disclosure requirement for councillors and designated persons requiring disclosure of new interests in returns of interests within three months of becoming aware of them
- councillors will be required to disclose in their returns of interests whether they are a property developer or a close associate of a property developer.

Summary of Key changes to Procedures for Administration of the Code of Conduct:

The new Procedures have also been designed to allow councils to centralise the management of code of conduct complaints through a joint organisation, a regional organisation of councils or another shared arrangement should they choose to do so. This could be done, for example, through the establishment of a broader internal ombudsman function in a joint organisation or regional organisation of councils or through another shared arrangement to service member councils. In particular:

- councils are able to establish and maintain regional panels of conduct reviewers through a joint or regional organisation of councils or another shared arrangement
- a staff member of a joint or regional organisation of councils or another member council can (in consultation with and through the executive officer of the joint organisation or general manager of the employer council) be appointed by general managers of member councils as the complaints coordinator for all member councils
- general managers and mayors of member councils can (in consultation with and through the executive officer of the joint organisation or general manager of the employer council) delegate their complaints management functions under the Procedures to a joint organisation or regional organisation of councils or to a staff member of another member council

The definition of a "code of conduct complaint" under the new Procedures has been tightened up to address the potential for misuse of councils' codes of conduct to re-litigate council decisions a person may disagree with or to re-prosecute complaints that have previously been addressed under councils' routine complaints management processes.

Transitional Arrangements

Councils must adopt a new Code and Procedures by June 2019 and the Office of Local Government advises that the following transitional arrangements apply:

- Councils' existing adopted codes of conduct and procedures will remain in force until such time as councils adopt a new code of conduct and procedures based on the Model Code of Conduct and Procedures prescribed under the Regulation.

- If a council fails to adopt a new code of conduct and procedures based on the new Model Code of Conduct and Procedures within six months of their prescription, the provisions of the new Model Code of Conduct and Procedures will automatically override any provisions of a council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the LGA (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code of Conduct).
- In adopting a new code of conduct and procedures, councils may include provisions that are supplementary to those contained in the Model Code of Conduct and Procedures.
- Code of conduct complaints must be assessed against the standards prescribed under the version of the council's code of conduct that was in force at the time the conduct the subject of the complaint is alleged to have occurred.
- Code of conduct complaints must be dealt with in accordance with the version of the council's procedures that was in force at the time the complaint was made.

KEY ISSUES:

- Council is required to adopt a Code of Conduct and Procedures for Administration of the Code, based on the provisions of the 2018 Model Code and associated Procedures, within six months of the prescribed date (by 14 June 2019)
- Transitional arrangements apply as detailed in the report

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Public Exhibition of the draft documents for 28 days and consideration of submissions received within 42 days

2. Policy and Regulation

The "Draft Uralla Shire Council Code of Conduct 2019" is prepared in accordance with the prescribed Model Code of Conduct 2018 under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

The "Draft Procedures for the Administration of the Draft Code of Conduct 2019" are prescribed under section 440AA of the LGA and the Regulation. Under section 440AA, each council is required to adopt procedures for the administration of their adopted code of conduct based on the Model Procedures prescribed under the LGA and Regulation.

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

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TRIM Reference Number:

Approved/Reviewed by Manager: Andrew Hopkins

Department: General Manager

Attachments:

1. Draft Uralla Shire Council Code of Conduct 2019
2. Draft Procedures for the Administration of the Draft Uralla Shire Council Code of Conduct 2019
3. Office of Local Government circular 18-44 attachment – Frequently Asked Questions

URALLA SHIRE COUNCIL

Draft **Code of Conduct 2019**

Prepared in accordance with the prescribed Model Code of Conduct 2018 under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

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PART 1 INTRODUCTION

The Uralla Shire Council Code of Conduct is prepared in accordance with the prescribed *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) as made under section 440 of the *Local Government Act 1993* (“LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”).

The Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council’s adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not “council officials” for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council’s adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council’s adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council’s adopted code of conduct applies to, must comply with the applicable provisions of their council’s code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council’s code of conduct may give rise to disciplinary action.

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

LGA	the <i>Local Government Act 1993</i>
administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
conduct	includes acts and omissions
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation

joint organisation	a joint organisation established under section 400O of the LGA
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
the Regulation	the Local Government (General) Regulation 2005
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
 - b) is contrary to statutory requirements or the council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of sex, pregnancy, breastfeeding, race, age, marital or domestic status, homosexuality, disability, transgender status, infectious disease, carer's responsibilities or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and

b) the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments
- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly.

You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or

- b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
- c) deliberately seek to impede the consideration of business at a meeting.

PART 4 PECUNIARY INTERESTS

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
 - (b) your interest as a ratepayer or person liable to pay a charge
 - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is

- offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
 - (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
 - (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
 - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
 - (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
 - (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
 - (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
 - (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
 - (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
 - (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person

- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, “relative” has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council’s functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person’s salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.

4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

4.20 A councillor:

- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a councillor or designated person, and
- (b) 30 June of each year, and
- (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
 - (b) they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council

committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly

close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household

- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken

to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary

conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

- 5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties
 - b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
 - c) require them to work while on council duty
 - d) discredit or disadvantage the council
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) a political donation for the purposes of the *Electoral Funding Act 2018*
 - b) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - c) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - d) free or subsidised meals, beverages or refreshments of token value provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
 - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9

- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
- b) gifts of alcohol that do not exceed a value of \$50
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$50 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person

associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
 - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
 - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
 - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.
- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- a) give their attention to the business of the council while on duty
 - b) ensure that their work is carried out ethically, efficiently, economically and effectively
 - c) carry out reasonable and lawful directions given by any person having authority to give such directions
 - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them

- e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
- a) subject to clause 8.14, only access council information needed for council business
 - b) not use that council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
 - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.11 In addition to your general obligations relating to the use of council information, you must:

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the council's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of council resources

8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

- 8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.
- 8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of

whether the original intention was to create the information for personal purposes.

- 8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another council official
 - b) to damage another council official's reputation
 - c) to obtain a political advantage
 - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the Procedures
 - g) to take reprisal action against a person for making a complaint alleging a breach of this code
 - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
 - i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral

submission invited under the Procedures will not constitute a breach of this clause.

- 9.8 You must comply with a practice ruling made by the Office under the Procedures.
- 9.9 Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

Disclosure of information about the consideration of a matter under the Procedures

- 9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.13 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.15 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.16 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or

- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods

or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.

6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.

7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.

8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

Gifts

9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.

10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.

11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and

- c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

- (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.21

'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of this Code of Conduct
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of this Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of this Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
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D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
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E. Interests and positions in corporations

Name and address of each corporation in which I had an interest (if interest or held a position at the return date/at any time since 30 June	Nature of any	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
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F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.37

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of this Code of Conduct.

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of this Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of this Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of this Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	

¹ Clause 4.1 of this Code of Conduct provides that a pecuniary interest is 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. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of this Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of this Code of Conduct has a proprietary interest.

Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

URALLA SHIRE COUNCIL

DRAFT

**Procedures for the
Administration of the Code of
Conduct
2019**

Prepared in accordance with the prescribed
2018 Model Code Procedures

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PART 1 INTRODUCTION

These procedures are prepared in accordance with the provisions of the prescribed 2018 Model Code Procedures, for the administration of the Uralla Shire Council Code of Conduct 2019 prepared in accordance with the provisions of the prescribed Model Code.

The “Model Code Procedures” are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”). The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to councils are also to be taken as references to county councils and joint organisations.

Note: Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

PART 2 DEFINITIONS

In these procedures the following terms have the following meanings:

LGA	the <i>Local Government Act 1993</i>
administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the LGA

code of conduct complaint	a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee
councillor	any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
council official	any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated

external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
general manager	includes the executive officer of a joint organisation
ICAC	the Independent Commission Against Corruption
joint organisation	a joint organisation established under section 400O of the LGA
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	the Office of Local Government
investigator	a conduct reviewer
the Regulation	the <i>Local Government (General) Regulation 2005</i>
respondent	a person whose conduct is the subject of investigation by a conduct reviewer under these procedures
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 ADMINISTRATIVE FRAMEWORK

The establishment of a panel of conduct reviewers

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.

- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
- a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations
 - ii) law
 - iii) public administration
 - iv) public sector ethics
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
- a) a councillor, or
 - b) a nominee for election as a councillor, or
 - c) an administrator, or
 - d) an employee of a council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.10 The council may terminate the panel of conduct reviewers at any time by resolution. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.

- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.19 The general manager must not undertake the role of complaints coordinator.

3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.

3.21 The role of the complaints coordinator is to:

- a) coordinate the management of complaints made under the council's code of conduct
- b) liaise with and provide administrative support to a conduct reviewer
- c) liaise with the Office and
- d) arrange the annual reporting of code of conduct complaints statistics.

PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?

What is a code of conduct complaint?

4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.

4.2 The following are not "code of conduct complaints" for the purposes of these procedures:

- a) complaints about the standard or level of service provided by the council or a council official
- b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
- c) complaints about the policies or procedures of the council
- d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.

4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the council's routine complaints management processes.

When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the general manager be made?

- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the general manager be made?

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.
- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.

- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?

Delegation by general managers and mayors of their functions under this Part

- 5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

Consideration of complaints by general managers and mayors

- 5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

What complaints may be declined at the outset?

- 5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
- a) is not a code of conduct complaint, or
 - b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
 - c) is trivial, frivolous, vexatious or not made in good faith, or
 - d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or
 - e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.4 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.5 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.6 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.8 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee

member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
 - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
 - c) prosecution for any breach of the law
 - d) removing or restricting the person's delegation
 - e) removing the person from membership of the relevant council committee.
- 5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

- 5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.
- 5.19 The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

- 5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.
- 5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.
- 5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 5.25 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

- 5.27 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 5.29 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.31 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in

writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

- 5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the general manager and the mayor to be dealt with?

- 5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
 - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

- 5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.

Disclosure of the identity of complainants

- 5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or

- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.

5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.

5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.

5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such

a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

Special complaints management arrangements

- 5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the council.
- 5.50 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.
- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.
- 5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

PART 6 PRELIMINARY ASSESSMENT OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER BY CONDUCT REVIEWERS

Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).

- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
- a) comply with these procedures in their consideration of the matter, or
 - b) comply with a lawful and reasonable request by the complaints coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour

- c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - d) to refer the matter to an external agency
 - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:

- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
- b) that the alleged conduct is sufficiently serious to warrant investigation, and
- c) that the matter is one that could not or should not be resolved by alternative means.

6.23 In determining whether a matter is sufficiently serious to warrant investigation, the conduct reviewer is to consider the following:

- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
- b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
- c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
- d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.

6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.

6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the general manager or mayor for resolution

6.26 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.

6.27 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).

6.28 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.

6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.

6.30 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:

- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
- b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
- c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
- d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
- e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
- f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
- g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
- h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
- i) any previous proven breaches of the council's code of conduct
- j) whether the conduct complained of forms part of an ongoing pattern of behaviour
- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

PART 7 INVESTIGATIONS OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER

What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
 - a) disclose the substance of the allegations against the respondent, and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) advise the respondent of the requirement to maintain confidentiality, and
 - e) invite the respondent to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice, and
 - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.

- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within at least 14 days or such other period specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
 - b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
 - c) invite the complainant to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice.

Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.
- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - c) refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about

the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.

- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final investigation reports

- 7.33 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i. constitutes a breach of the code of conduct, or
 - ii. does not constitute a breach of the code of conduct, and
 - c) provide reasons for the determination.
- 7.36 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies, practices or procedures
 - b) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach
 - c) that the respondent be counselled for their conduct
 - d) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative
 - e) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the recommendation
 - f) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation
 - g) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the council meeting at which the matter is considered
 - h) in the case of a breach by the general manager, that action be taken under the general manager's contract
 - i) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
 - j) in the case of a breach by a councillor, that the council resolves as follows:
 - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
 - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.37 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:

- a) that the council revise any of its policies, practices or procedures
- b) that a person or persons undertake any training or other education.

7.38 In making a recommendation under clause 7.36, the investigator may have regard to the following:

- a) the seriousness of the breach
- b) whether the breach can be easily remedied or rectified
- c) whether the respondent has remedied or rectified their conduct
- d) whether the respondent has expressed contrition
- e) whether there were any mitigating circumstances
- f) the age, physical or mental health or special infirmity of the respondent
- g) whether the breach is technical or trivial only
- h) any previous proven breaches
- i) whether the breach forms part of an ongoing pattern of behaviour
- j) the degree of reckless intention or negligence of the respondent
- k) the extent to which the breach has affected other parties or the council as a whole
- l) the harm or potential harm to the reputation of the council or local government in general arising from the conduct
- m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
- n) whether an educative approach would be more appropriate than a punitive one
- o) the relative costs and benefits of taking formal disciplinary action as opposed to taking no action or taking informal action
- p) what action or remedy would be in the public interest.

7.39 Where the investigator proposes to make a recommendation under clause 7.36(j), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.

7.40 At a minimum, the investigator's final report must contain the following information:

- a) a description of the allegations against the respondent
- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
- c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
- d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
- e) a description of any attempts made to resolve the matter by use of alternative means
- f) the steps taken to investigate the matter
- g) the facts of the matter

- h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
- i) the investigator's determination and the reasons for that determination
- j) any recommendations.

7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.

7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:

- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
- b) the investigator's determination and the reasons for that determination
- c) any recommendations, and
- d) such other additional information that the investigator considers may be relevant.

7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.

7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraph (a) only, the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.

7.45 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (b) or (c) only, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.

7.46 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)), the complaints coordinator must, where practicable, arrange for the

investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

Consideration of the final investigation report by council

- 7.47 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)).
- 7.48 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.49 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.50 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation/s.
- 7.51 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 7.52 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.53 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the Office in relation to the report.
- 7.54 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.55 The investigator may make additional enquiries for the purpose of preparing a supplementary report.

- 7.56 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.
- 7.57 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.58 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.59 A council may by resolution impose one or more of the following sanctions on a respondent:
- a) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach
 - b) that the respondent be counselled for their conduct
 - c) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative
 - d) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the resolution
 - e) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the resolution
 - f) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the meeting
 - g) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach
 - h) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
 - i) in the case of a breach by a councillor:
 - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
 - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.60 The council is not obliged to adopt the investigator's recommendation/s. Where the council proposes not to adopt one or more of the investigator's recommendation/s, the council must resolve not to adopt the recommendation/s and state in its resolution the reasons for its decision.
- 7.61 Where the council proposes to impose a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator in their final report, the council must state in its resolution the reasons for its decision.

7.62 Where the council resolves not to adopt the investigator's recommendation/s or imposes a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator, the complaints coordinator must notify the Office of the council's decision and the reasons for it.

PART 8 OVERSIGHT AND RIGHTS OF REVIEW

The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

Complaints about conduct reviewers

- 8.4 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

Practice rulings

- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.

- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.59, paragraph (i), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
 - c) that in imposing its sanction, the council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed.

- 8.20 In the case of a sanction implemented by the general manager or mayor under clause 7.45, where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must provide a copy of the Office's determination in relation to the matter to the general manager or the mayor, and
 - b) the general manager or mayor must review any action taken by them to implement the sanction, and
 - c) the general manager or mayor must consider the Office's recommendation in doing so.
- 8.21 In the case of a sanction imposed by the council by resolution under clause 7.59, where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
 - b) the council must:
 - i. review its decision to impose the sanction, and
 - ii. consider the Office's recommendation in doing so, and
 - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.22 Where, having reviewed its previous decision in relation to a matter under clause 8.21, the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

PART 9 PROCEDURAL IRREGULARITIES

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

PART 10 PRACTICE DIRECTIONS

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.

10.2 The Office will issue practice directions in writing, by circular to all councils.

10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

PART 11 REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE GENERAL MANAGER

11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

PART 12 CONFIDENTIALITY

12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.

12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the

consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.

- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within at least 14 days or such other period specified by the general manager or their delegate, and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
 - a) the complainant
 - b) the complaints coordinator
 - c) the Office, and
 - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.

FREQUENTLY ASKED QUESTIONS

What is the purpose of the Model Code of Conduct?

The *Model Code of Conduct for Local Councils in NSW* prescribes the minimum ethical and behavioural standards all council officials in NSW are required to comply with. In doing so it seeks to:

- prescribe uniform minimum ethical and behavioural standards for all councils in NSW
- provide clear guidance to council officials on the minimum ethical and behavioural standards expected of them as council officials
- provide clear guidance to local communities on the minimum ethical and behavioural standards they can expect of the council officials who serve them
- promote transparency and accountability
- promote community confidence in the integrity of the decisions councils make and the functions they exercise on behalf of their local communities, and
- promote community confidence in the institution of local government.

How is the Model Code of Conduct prescribed?

The Model Code of Conduct is prescribed under section 440 of the *Local Government Act 1993* (LGA) and the *Local Government (General) Regulation 2005* (the Regulation).

Under section 440 of the LGA, each council is required to adopt a code of conduct based on the Model Code of Conduct prescribed under the Regulation. Councils may enhance or strengthen the standards prescribed under the Model Code of Conduct in their adopted codes of conduct to make them more onerous. Councils may also supplement the provisions contained in the Model Code of Conduct with additional provisions in their adopted codes of conduct.

However, councils cannot dilute or weaken the standards prescribed in the Model Code of Conduct in their adopted codes of conduct. Provisions contained in a council's adopted code of conduct that are less onerous than those prescribed under the Model Code of Conduct will be invalid and the equivalent provisions of the Model Code of Conduct will override them through the operation of section 440 of the LGA.

How are the Procedures prescribed?

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* are prescribed under section 440AA of the LGA and the Regulation. Under section 440AA, each council is required to adopt procedures for the administration of their adopted code of conduct based on the Model Procedures prescribed under the LGA and Regulation. Councils' adopted procedures may contain provisions that supplement the Model Procedures, but a council's adopted procedure has no effect to the extent that it is inconsistent with the Model Procedures prescribed under the Regulation.

Are joint organisations and county councils required to adopt the Model Code of Conduct and Procedures?

Yes.

Who does the Model Code of Conduct apply to?

Section 440 of the LGA specifies the classes of council officials that a Model Code of Conduct prescribed under the Regulation may apply to. Under section 440, a Model Code of Conduct may be prescribed that applies to councillors, members of staff of

councils and delegates of councils. For this reason, the Model Code of Conduct prescribed under the Regulation only applies to councillors, council staff and delegates of councils (including members of committees that are delegates of councils). These are all defined as “council officials” for the purposes of the Model Code of Conduct and the Procedures.

Section 440 also allows regulations to be made to apply the provisions of the Model Code of Conduct relating to the disclosure of pecuniary interests to members of a committee of a council (including the Audit, Risk and Improvement Committee) and advisers to councils. A regulation has been made to give effect to this and the new Model Code of Conduct contains provisions prescribing the obligations of committee members and advisers to councils in relation to the disclosure of pecuniary interests.

What is the regulatory scope of the Model Code of Conduct?

The Model Code of Conduct applies to any conduct by a “council official” that is connected with their role as a council official or the exercise of their functions as a council official.

It is the personal responsibility of all council officials to ensure that their conduct complies with the ethical and behavioural standards prescribed under the Model Code of Conduct. This applies to both the exercise by council officials of their functions as a council official and any conduct (including in a private capacity) that is connected with their role as a council official.

Can councils adopt separate codes of conduct for councillors, staff and delegates and committee members?

Yes. Some councils indicated in their feedback on the consultation draft of the Model Code of Conduct, a preference for adopting separate codes of conduct for councillors, staff and delegates and committee members instead of a single code of conduct applying to all council officials.

There is nothing to prevent councils from doing so, provided that the adopted codes of conduct, taken together as a package, reflect all the provisions contained in the prescribed Model Code of Conduct and are consistent with it. To assist councils to do this, OLG has prepared bespoke versions of the Model Code of Conduct for councillors, staff and delegates and committee members for adoption instead of a single code of conduct for councils wishing to do this.

Can a council extend the application of its adopted code of conduct to persons other than councillors, council staff and delegates of council?

Yes. There is nothing under the LGA to prevent a council, when adopting a code of conduct based on the Model Code of Conduct, to extend its application to persons other than councillors, council staff and delegates of council.

In adopting a code of conduct based on the Model Code of Conduct, councils may amend the provisions of the Model Code of Conduct and the associated Procedures to extend their application to contractors, community members of wholly advisory committees and/or volunteers. In doing so, to be effective, councils will also need to make it a condition of a contractor’s engagement or volunteer’s or advisory committee member’s appointment that they comply with the council’s adopted code of conduct.

How many iterations of the Model Code of Conduct and Procedures have there been?

The Model Code of Conduct has been reviewed every four years to address new and emerging issues and to reflect shifting community standards and expectations. The 2018 version of the Model Code of Conduct is the fourth iteration. The first iteration of the Model Code of Conduct was prescribed in January 2005 in support of amendments to the LGA that required the adoption of a code of conduct based on a prescribed Model Code of Conduct. Before this, councils were free to adopt their own codes of conduct with the result that ethical standards varied from council to council.

The 2018 version of the Procedures is the second iteration. The first iteration of the Procedures was prescribed in March 2013 in support of amendments to the LGA that required the adoption of procedures for the administration of council's adopted codes of conduct based on a prescribed Model Procedure.

Why was the new Model Code of Conduct developed?

The new 2018 version of the Model Code of Conduct gives effect to a key reform made by amendments passed by the NSW Parliament to consolidate the prescription of all ethical standards for local government into a single statutory instrument. Previously, ethical standards were prescribed from three sources, the pecuniary interest provisions of the LGA and the Regulation and the Model Code of Conduct.

Consolidating all ethical standards into a single instrument will:

- result in a better understanding of, and compliance, with ethical standards - council officials will no longer need to be familiar with their obligations prescribed from three separate statutory sources, the LGA, the Regulation and the Model Code of Conduct
- allow pecuniary interest breaches by councillors to be treated as "misconduct", meaning that minor breaches can be dealt with by the Chief Executive of OLG as an alternative to referral to the NSW Civil and Administrative Tribunal (NCAT) and suspensions for pecuniary interest breaches will be counted towards disqualification for the purposes of the "three strikes" automatic disqualification
- allow greater flexibility and efficiency in updating the standards to address emerging issues – amendments will now be able to be made by way of a Regulation amendment.

How were the new Model Code of Conduct and Procedures developed?

Moving the pecuniary interest provisions to the Model Code of Conduct necessitated a rewrite of the Model Code of Conduct. As part of this process, it was decided to also undertake a comprehensive review of the existing provisions of the Model Code of Conduct (as part of the regular four-year review cycle) and the Procedures.

In undertaking the review, OLG consulted extensively with councils and other stakeholders. In developing the new Model Code of Conduct and Procedures, there have been two rounds of public consultation:

- in late 2016, submissions were invited suggesting changes and improvements to the existing Model Code of Conduct and Procedures
- based on the feedback received from the first round of consultation, consultation drafts of the proposed new Model Code of Conduct and Procedures were developed and issued for comment.

The final versions of the 2018 Model Code of Conduct and Procedures have been informed by the comment received in response to the consultation drafts.

What changes have been made in the 2018 version of the Model Code of Conduct?

The most obvious change is that the pecuniary interest provisions previously contained in the LGA and Regulation have now been included in the Model Code of Conduct.

One of the recurrent themes of the feedback received in the first round of consultation on the new Model Code of Conduct was that the “principles-based” approach to prescribing ethical and behavioural standards in the previous version of the Model Code of Conduct resulted in some of the prescribed standards being too vague, meaning that the ethical and behavioural standards expected of council officials were unclear and that almost anything could potentially constitute a breach of a council’s code of conduct. In response to this, the Model Code of Conduct has been substantially redrafted to be more prescriptive and to more clearly identify the behaviours that it seeks to deter.

Other key changes include:

- new standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records
- new rules governing the acceptance of gifts including mandatory reporting
- a new ongoing disclosure requirement for councillors and designated persons requiring disclosure of new interests in returns of interests within three months of becoming aware of them
- councillors will be required to disclose in their returns of interests whether they are a property developer or a close associate of a property developer.

What changes have been made to the previously approved version of the Model Code of Conduct posted on OLG’s website on 5 September 2018?

Provisions governing the use of social media (clause 8.21) in the previously released version of the Model Code issued on 5 September 2018 have been removed. However, it remains open to councils to adopt this provision as a supplementary provision of their code of conduct, should they choose to do so. Should councils require further assistance in relation to this, they may contact OLG’s Council Governance Team.

What changes have been made in the 2018 version of the Procedures?

In response to feedback, changes have been made to the Procedures to address the following issues:

- the role of the general manager in the receipt and initial management of code of conduct complaints about councillors
- the ability of complainants, who are unhappy with decisions of the council, to misuse councils’ codes of conduct by repackaging routine complaints as “code of conduct complaints”
- the lack of recourse against members of the public who inappropriately disclose information about complaints they have made under a council’s code of conduct.

These changes are outlined below:

How can councils outsource and centralise the management of complaints about councillors through regional arrangements under the new Procedures?

The new Procedures have sought to address concerns about the role of the general manager in the receipt and initial management of code of conduct complaints about councillors by giving general managers (and mayors in the case of complaints about the general manager) the flexibility to delegate their functions under the Procedures to another member of staff or a person external to the council.

The new Procedures have also been designed to allow councils to centralise the management of code of conduct complaints through a joint organisation, a regional organisation of councils or another shared arrangement should they choose to do so. This could be done, for example, through the establishment of a broader internal ombudsman function in a joint organisation or regional organisation of councils or through another shared arrangement to service member councils.

In particular:

- councils are able to establish and maintain regional panels of conduct reviewers through a joint or regional organisation of councils or another shared arrangement
- a staff member of a joint or regional organisation of councils or another member council can (in consultation with and through the executive officer of the joint organisation or general manager of the employer council) be appointed by general managers of member councils as the complaints coordinator for all member councils
- general managers and mayors of member councils can (in consultation with and through the executive officer of the joint organisation or general manager of the employer council) delegate their complaints management functions under the Procedures to a joint organisation or regional organisation of councils or to a staff member of another member council
- councils' internal ombudsman may, with the approval of OLG, be appointed to a panel of conduct reviewers allowing them to exercise the functions of a conduct reviewer, subject to their being able to meet the qualification criteria for conduct reviewers and being able to demonstrate to OLG's satisfaction a requisite degree of independence from member councils.

This offers a number potential benefits:

- centralisation of these functions through a joint organisation, a regional organisation of councils or another shared arrangement has the potential to deliver efficiencies and economies of scale and allows the development of a body of expertise within the region in the management of code of conduct complaints
- it allows general managers and mayors to divest themselves of the sometimes onerous responsibilities associated with code of conduct complaints management, allowing them to focus on their core responsibilities
- it allows all code of conduct complaints about mayors, councillors and general managers to be managed independently of the councils they relate to.

How do the new Procedures address misuse of councils' codes of conduct?

The purpose of a council's code of conduct is to prescribe the ethical and behavioural standards council officials are expected to comply with. The purpose of the Procedures is to support the enforcement of those standards. Consistent with this, councils' codes of conduct should not be used to deal with routine complaints.

The definition of a “code of conduct complaint” under the new Procedures has been tightened up to address the potential for misuse of councils’ codes of conduct to re-litigate council decisions a person may disagree with or to re-prosecute complaints that have previously been addressed under councils’ routine complaints management processes.

To be a code of conduct complaint, a complaint must show or tend to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council’s code of conduct. Complaints that do not meet this definition of a “code of conduct complaint” must not be dealt with under the Procedures and are to be dealt with under councils’ routine complaints management processes.

The new Procedures make it clear that the following are not code of conduct complaints:

- complaints about the standard or level of service provided by a council or a council official
- complaints that relate solely to the merits of a decision made by a council or a council official or the exercise of a discretion by a council or a council official
- complaints about the policies or procedures of a council
- complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council’s code of conduct.

What recourse do the new Procedures provide against persons who inappropriately disclose information about code of complaints they have made?

Allegations of breaches of a council’s code of conduct must not be made publicly and information about code of conduct complaints and the consideration of code of conduct complaints is not to be publicly disclosed. This is to ensure the allegations are dealt with appropriately and fairly in accordance with the prescribed Procedures for the management of code of conduct complaints.

While council officials disclosing this information may face disciplinary action, under the previous Procedures there was no recourse against members of the public who did so. Under the new Procedures, where members of the public publicly disclose information about a code of conduct complaint they have made, general managers can determine, with OLG’s consent, that the complainant is to receive no further information about their complaint and any future code of conduct complaints they make (subject to the requirements of the *Government Information (Public Access) Act 2009*).

When must councils adopt a new code of conduct and procedures based on the new prescribed Model Code of Conduct and Procedures?

Councils have six months from the date of prescription, (**14 December 2018 – 14 June 2019**) to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures.

What are the transitional arrangements for the new Model Code of Conduct and Procedures?

The following transitional arrangements apply to the new Model Code of Conduct and Procedures:

- Councils' existing adopted codes of conduct and procedures will remain in force until such time as councils adopt a new code of conduct and procedures based on the Model Code of Conduct and Procedures prescribed under the Regulation.
- If a council fails to adopt a new code of conduct and procedures based on the new Model Code of Conduct and Procedures within six months of their prescription, the provisions of the new Model Code of Conduct and Procedures will automatically override any provisions of a council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the LGA (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code of Conduct).
- In adopting a new code of conduct and procedures, councils may include provisions that are supplementary to those contained in the Model Code of Conduct and Procedures. Councils may also impose more onerous requirements under their adopted codes of conduct than those prescribed under the Model Code of Conduct. However, councils must not dilute the standards prescribed under the Model Code of Conduct in their adopted codes of conduct.
- Code of conduct complaints must be assessed against the standards prescribed under the version of the council's code of conduct that was in force at the time the conduct the subject of the complaint is alleged to have occurred.
- Code of conduct complaints must be dealt with in accordance with the version of the council's procedures that was in force at the time the complaint was made.

Where can I get Word© versions of the new Model Code of Conduct and Procedures?

If you require a Word© version of the new Model Code of Conduct or Procedures, please contact OLG's Council Governance Team.



REPORT TO COUNCIL

Department:	General Manager's Office
Submitted by:	<i>Senior Executive Officer</i>
Reference/Subject:	Report 11 - Cost Shifting on Local Government

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.1 A strong, accountable and representative Council
Strategy:	4.1.4 Provide strong representation for the community at the regional, state and federal levels
Activity:	4.1.4.1 Maintain effective partnerships and advocacy activities

SUMMARY:

In reply to Council's correspondence outlining concerns of cost shifting from the Federal and State Governments, Council has received letters in reply from The Hon Adam Marshall MP and The Hon Barnaby Joyce MP. This correspondence is attached herein.

OFFICER'S RECOMMENDATION:

That the report be received and noted.

BACKGROUND:

Local Government NSW's 2018 report "Impact of Cost Shifting on Local Government in NSW" indicated cost shifting from state and federal governments continues to undermine the financial sustainability of local governments by forcing councils to assume responsibility for additional infrastructure and services without a corresponding source of revenue.

At its Ordinary Council Meeting on 27 November 2018, Council resolved, in part, to:

*"Write to State Member the Hon. Adam Marshall MP and Federal Member Hon. Barnaby Joyce MHR confirming the detrimental effect of cost-shifting for Local Government and stating Council's strong support for the actions of LGNSW to achieve an end to cost shifting."
(31.11/18)*

Council wrote to The Hon Adam Marshall MP, Member for Northern Tablelands, and The Hon Barnaby Joyce MP, Member for New England, on 14 December 2018.

REPORT:

On 31 December 2018 The Hon Adam Marshall MP wrote to Council advising he had sought guidance from the Minister for Local Government, The Hon Gabrielle Upton MP (correspondence attached at A.)

On 24 January 2019 The Hon Adam Marshall MP sent further correspondence advising of the reply received from The Hon Gabrielle Upton MP (attached at B.)

Uralla Shire Council
Council Business Paper – 26 February 2019

The correspondence from the Minister for Local Government details the NSW Government's commitment to working with local councils to "*ensure that local governments' responsibilities match its role and resources*" and outlines the funding from the NSW State Government provided to local governments in 2018.

On 11 February 2019 Council received correspondence from The Hon Barnaby Joyce MP advising he had written to The Hon Bridget McKenzie, Minister for Regional Services, Sport, Local Government and Decentralisation seeking her advice (attached at C.) The Hon Barnaby Joyce MP advised he would contact Council again when he received a response to his representations.

KEY ISSUES:

Cost shifting from the State and Federal Governments onto local government affects council's financial sustainability and its ability to provide necessary infrastructure and services to the community.

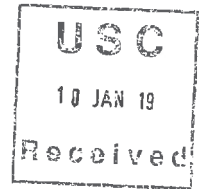
Prepared by staff member:	Gabrielle Stratton, Senior Executive Officer
TRIM Reference Number:	UINT/19/924
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Office
Attachments:	<ul style="list-style-type: none">A. Letter of reply dated 31 December 2018 from The Hon Adam Marshall MPB. Letter of reply dated 24 January 2019 from The Hon Adam Marshall MP enclosing letter from The Hon Gabrielle Upton, Minister for Local Government dated 21 January 2019C. Letter of reply dated 30 January 2019 from The Hon Barnaby Joyce MP



Adam Marshall MP
MEMBER FOR NORTHERN TABLELANDS

Ref: lb:hop

Mr Andrew Hopkins
General Manager
Uralla Shire Council
32 Salisbury Street
URALLA NSW 2358



Dear Mr Hopkins and members of the Uralla Shire Council

I write in response to your letter dated 14 December 2018 regarding your concerns cost shifting. Thank you for taking the time to write to me.

I noted your enquiry and took the liberty of making direct representations to the Minister for Local Government, The Hon Gabrielle Upton MP, seeking her advice and guidance on the matter.

Please be assured that once I receive a response from the minister, I will contact you again.

Should I be able to provide you with assistance in this, or any other matter, please don't hesitate to get in touch.

Yours sincerely

ADAM MARSHALL MP
Member for Northern Tablelands

31 DEC 2018





Adam Marshall MP
MEMBER FOR NORTHERN TABLELANDS

Ref: lb:hop

Mr Andrew Hopkins
General Manager
Uralla Shire Council
32 Salisbury Street
URALLA NSW 2358



Dear Mr Hopkins

Andrew,

I write further to your letter dated 14 December 2018 regarding your concerns surrounding cost shifting.

I noted your enquiry and took the liberty of making direct representations to the Minister for Local Government, The Hon Gabrielle Upton MP, seeking her advice and guidance on the matter.

Following my representations, I have now received the enclosed response from the Minister. I trust that the information will be of assistance to you.

Should I be able to provide you with assistance in this, or any other matter, please don't hesitate to get in touch.

Yours sincerely

Adam Marshall

ADAM MARSHALL MP
Member for Northern Tablelands

24 JAN 2019



The Hon. Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage

Ref: lb:hop
Doc ID: A633674

The Hon. A Marshall MP
Minister for Tourism and Major Events
Assistant Minister for Skills
Member for Northern Tablelands
Suite 1 Ground Floor
175 Rusden Street
ARMIDALE NSW 2350



By email: northerntablelands@parliament.nsw.gov.au

Dear Minister

Thank you for your letter on behalf of Mr Andrew Hopkins, General Manager of Uralla Shire Council regarding cost shifting by the State and Federal Government.

I have noted the concerns raised by Mr Hopkins and can advise that the NSW Government continues to work in the spirit of the expired Intergovernmental Agreement between the NSW Government and local government which was signed in April 2013.

The Intergovernmental Agreement contains robust mechanisms to address cost shifting and ensure that local governments' responsibilities match its role and resources.

The Government is always mindful when considering services and infrastructure to ensure adequate funding and support for these activities.

I am pleased to state that since 2011, more than \$1.1 billion in direct funding has been allocated to NSW councils from the Office of Local Government alone. This includes funding from the Local Infrastructure Renewal Scheme, Stronger Communities Fund, Companion Animal Fund and Innovation Fund.

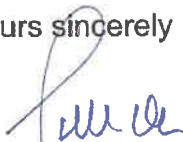
In the last year alone the NSW Government has provided funding for local councils to implement reforms and meet operational challenges including:

- \$7 million to assist councils to develop plans of management for Crown land
- \$30 million under the Low Cost Loans Initiative to support local infrastructure projects and accelerate housing delivery across NSW, and
- \$47 million to help local government and industry respond to China's National Sword policy.

The NSW Government is proud of its record of investment and support for local government and looks forward to working with the local government sector in the future.

At my request, Melissa Gibbs from the Office of Local Government is available on 4428 4100 or olg@olg.nsw.gov.au should you or your constituent have any further enquiries.

Yours sincerely



Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage

21.1.19



Hon **Barnaby Joyce** MP

FEDERAL MEMBER FOR NEW ENGLAND

30 January 2019

Mr Andrew Hopkins
General Manager
Uralla Shire Council
PO Box 106
URALLA NSW 2358

Via e-mail: council@uralla.nsw.gov.au

Dear Mr Hopkins *Andrew,*

Thank you for your letter received on 19 December, 2018 regarding the impact of cost shifting on Local Government, in particular Uralla Shire Council.

I have noted your comments in relation to this matter and please accept my apologies for the delay in replying to you.

I have written to Senator the Hon Bridget McKenzie, Minister for Regional Services, Sport, Local Government and Decentralisation, asking if consideration could be given to the concerns and points raised by the Council and for her advice in due course.

As this issue also relates to the responsibilities of the NSW Government, I have written to the Hon Adam Marshall MP, Minister for Tourism and Major Events, Assistant Minister for Skills and Member for Northern Tablelands, asking if he could make appropriate representations on the Council's behalf and respond directly to you.

I am sure Minister Marshall will be in touch with you shortly and I will contact you again when I have received a reply to my representations.

Yours sincerely

The Hon Barnaby Joyce MP
Federal Member for New England

bj.jk.ten

Principal Office - Tamworth

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Authorised by Barnaby Joyce MP, The Nationals, Tamworth, NSW

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REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director Infrastructure & Development
Reference/Subject:	Report 12 - Works Progress Report as at 31 January 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.3	A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycle ways that are adequate, interconnected and maintained
Strategy:	2.3.1	Provide an effective road network that balances asset conditions with available resources and asset utilisation
Activity:	2.3.1.1	Deliver road and drainage maintenance services and capital works programs

SUMMARY:

The purpose of this report is to inform Council of the works that have been completed or progressed for the previous month, and works being undertaken in the current month.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during December 2018, January 2019 and works programmed for February 2019.

BACKGROUND:

Council is kept informed on the progress of maintenance and construction works within the Shire.

REPORT:

A. Works Undertaken in December 2018 and January 2019

- 1. Main Road Maintenance**

MR73 Thunderbolts Way	General maintenance, roadside mowing
MR124 Bundarra Road	General maintenance, roadside mowing
MR132 Barraba Road	General maintenance, grading.
- 2. Sealed Roads Maintenance**

Uralla Streets	Patching, mowing
Bundarra Town Area	Patching, mowing
Kentucky/Wollun Area	Patching
Sealed Rural Roads	Patching, roadside mowing

3. Unsealed Roads Maintenance Grading

Bingara Road	Graded
Carlowrie Road	Graded
Barraba Road	Graded
Woodlands Road	Completed Grading
Baldersleigh Road	Storm damage maintenance
Old Kingstown Road	Grading commenced but stopped as no water
Retreat Road	Completed Grading
Lindon Road	Graded
Athol Road	Graded
Mihi Road	Graded
Linfield Road	Graded
Dwyers Range Road	Graded

4. Construction

Bingara Road 13.3km to 15.0km	Completed reconstruction and bitumen seal
Eastern Avenue for 2km South of Causeway to Glenroy Road	Commenced reconstruction

5. Bridge / Sign

Hillview Road	Completed installation of drainage pipes
Gap Road	Completed pipe installation
Uralla	Reinstate kerb at intersection Hill and Uralla Streets Clean out storm water pollution traps

6. Town Area

Uralla	Park maintenance and preparations for Australia Day activities, Recreational area maintenance, Cemetery maintenance, Sporting field maintenance, tree pruning, storm clean up.
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B. Works to be continued/undertaken in February 2019

1. Main Road Maintenance

Bitumen patching
Guide posting
Sign maintenance

2. Sealed Roads Maintenance

Bitumen patching
Guide posting

3. Unsealed Roads Maintenance

Bundarra and Gostwyck areas
subject to available water supplies.

- | | |
|---|--|
| 4. Bridge/Sign
Uralla
Kentucky
Rural Roads | Bridge maintenance works
Eastern Ave drainage works
Drainage maintenance |
| 5. Construction
Eastern Avenue for 2km South of
Causeway to Glenroy Road | Continue reconstruction works |
| 6. Town Area
Routine maintenance | |

KEY ISSUES:

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)**
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**
Infrastructure & Development Staff

Prepared by staff member:	Works Manager & Director Infrastructure & Development
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Works Program to 31 January 2019

Capital Works Program 31 January 2019									
ID	Task	Task Name	Text1	Cost	Estimate	Start	Finish	Duration	June 2019
1	Upgrades			\$2,390,450.08	\$2,490,000.00	Wed 28/06/17	Fri 28/06/19	523 days?	June 2019
2		Munsie Bridge	Completed. Officially opened 16/11/18.	\$731,301.43	\$800,000.00	Wed 28/06/17	Fri 28/09/18	328 days	
20		Bundarra Road - Barloo road	Project completed.	\$623,179.47	\$350,000.00	Mon 19/03/18	Wed 18/07/18	88 days?	
33		Bingara Road Upgrade (6.6km to 8.9km) - R2R	Project completed.	\$444,414.56	\$506,000.00	Mon 16/07/18	Wed 19/09/18	48 days?	
46		Bingara Road Upgrade last 1.7km to Shire boundary -	Project Completed	\$432,649.20	\$374,000.00	Thu 20/09/18	Fri 21/12/18	67 days?	
58		Eastern Avenue - rehabilitation R2R commenced.	Construction commenced.	\$126,863.34	\$320,000.00	Mon 5/11/18	Fri 22/03/19	100 days?	
69		Burtons Lane. 0.0 to 1.39km from Noalimba Avenue. Rehab and single lane seal	Detailed costing to be undertaken.	\$0.00	\$250,000.00	Fri 22/03/19	Fri 17/05/19	40 days?	
83		Bundarra Road - Invergowrie Road - REPAIR Project	DesignCommenced. Pricing to be reviewed.	\$28,305.48	\$302,000.00	Mon 1/04/19	Fri 28/06/19	65 days?	
95		Gilmore Place, Uralla. Rehabilitation - AC contractors.	Draft brief prepared. To be undertaken by contractors.	\$0.00	\$40,000.00	Mon 18/03/19	Fri 19/04/19	25 days	
109		Park Street Uralla. Queen Street to Uralla Street. Rehab 100m by AC contractors.	Draft brief prepared. To be undertaken by contractors. Yet to be scheduled.	\$3,736.60	\$50,000.00				
122		Thunderbolts Way. Pavement rehabilitation. 3.2 to 4.7km north of Bundarra	Formal funding offer yet to be received. Works to commence within 30 days of receipt.	\$0.00	\$300,000.00	Mon 11/03/19	Fri 17/05/19	50 days?	
130									
131		Footpaths		\$0.00	\$86,000.00				
132		Shared path Maitland Street 200m	RMS Funding not approved. Deferred to next year.	\$0.00	\$86,000.00				
138									
139		Stormwater		\$29,039.66	\$67,701.00	Thu 19/07/18	Fri 24/05/19	222 days?	
140		Rowan Avenue Stormwater	Design commencement delayed.	\$1,376.35	\$45,000.00	Thu 19/07/18	Fri 24/05/19	222 days?	
150		Wilkens Street, Kerb and Channel Private works.	Project completed .	\$27,663.31	\$22,701.00	Wed 15/08/18	Fri 23/11/18	73 days?	



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Waste, Water and Sewer Services
Reference/Subject:	Report 13 - Bundarra Sewer Scheme Quarterly Report October - December 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.4	Secure, sustainable and environmentally sound water-cycle infrastructure and services
Strategy:	3.4.2	Maintain and renew the sewerage network infrastructure to ensure the provision of efficient and environmentally-sound sewerage services
Activity:	3.4.2.1	Provide sewerage services
Action:	3.4.2.1.2	Maintain and renew the sewer infrastructure network in-line with established programs

SUMMARY:

The purpose of this report is to update Council on progress with the Bundarra Sewer Scheme during October - December 2018, and outline activities underway for the next quarter. The report notes total progress with the scheme to date, any milestone achievements, issues and media coverage.

OFFICER'S RECOMMENDATION:

That the October - December 2018 Bundarra Sewer Scheme progress report be received and noted by Council.

BACKGROUND:

The Bundarra Sewer Scheme will provide reticulated sewerage to 165 - 171 properties within the Bundarra urban area. This will be a change from on-site treatment and disposal of wastewater within the property to a reticulated system with a single remote treatment plant outside the urban area. The new system is proposed to be a low pressure sewage system discharging to a pump well with rising main to an oxidation lagoon treatment system. Disposal, when needed, will be via irrigation at the treatment plant site. Each developed property will have its own pump and tank, and will be connected to a mains line outside the dwelling.

Based on the project value of \$5.477m, approximately 77% of the scheme cost is funded via a grant with Restart NSW, Water Security for Regions. Council is funding approximately 23% of the scheme.

REPORT:

The quarter was characterised by the development of the Detailed Design, consultation with relevant agencies, completion of the property reports and progress with land acquisition.

Discussions with Infrastructure NSW and the Department of Industry | Lands and Water Division regarding the need for additional funding commenced.

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Key achievements of the October to December 2018 quarter:

1. Draft Detailed Design Plan and Draft Final Estimate were submitted.
2. Land acquisition process continued.
3. On-property design plans finalised and issued to landholders.
4. Discussions with Infrastructure NSW and the Department of Industry | Lands and Water Division and the Local State Member of Parliament regarding the potential need for additional funding have commenced.

By 31 December 2018, the Detailed Design Phase was 90% complete.

Key activities for the current quarter:

1. Continue review of the Draft Detailed Design and Draft Final Estimate.
2. Host a community meeting(s) to clarify the local impacts and arrangements for residents with the associated onsite works.
3. Progress the land acquisition process for the sewerage treatment plant.
4. Prepare the Construction Tender documentation.
5. Continue discussions with Department of Industry | Lands and Water Division regarding the need for additional funding for the scheme under Safe and Secure Water Program.

KEY ISSUES:

While the construction costs of the scheme will be determined by a competitive tender process, the current estimate of scheme costs, as per the Draft Final Estimate (dated 19 December 2018) is \$8,329,000. This estimate is based on a valuation of the design by the quantity surveyor Muller Partnership under instruction from GHD.



Council will not be able to call tenders for the project without having voted the necessary budget funds.

PWA and Council are in contact with the Department of Primary Industries | Lands and Water Division to determine the scope, conditions and timeframe for an additional funding support application if required.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
As above
- 2. Policy and Regulation**
Nil
- 3. Financial (LTFP)**
Muller Partnership estimated the cost of the scheme, based on the concept design, as \$8.329 m (\$2.849 m greater than the project value at \$5.48m)
- 4. Asset Management (AMS)**
Future asset management implications as the scheme will see the development of new reticulation network, pump station and sewerage treatment plant
- 5. Workforce (WMS)**
Involves Council staff and contractors
- 6. Legal and Risk Management**
Inadequate funds available to progress the project. Reliant on additional grant funds.
- 7. Performance Measures**
Nil
- 8. Project Management**
PWA, Director Infrastructure and Development, Manager Waste, Water and Sewer Services

Prepared by staff member:	Manager Waste, Water and Sewer Services.
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Bundarra Sewer Scheme Progress Reports October to December 2018 Bundarra Sewer Scheme Revised Program December 2018

	BUNDARRA SEWERAGE CONCEPT, DESIGN AND CONSTRUCTION	Proudly funded by the NSW Government in association with Uralla Shire Council 
Project Report		October 2018
Scope of Work	The project consists of the provision of a reticulated sewerage system to a previously un-sewered village	
Project Program	Project Start Date : 14/2/2017 Target Completion Date : 30/9/2019 Forecast Completion Date : 28/2/2020	

PROGRAM MILESTONES

Project Initiation: 100% complete
Concept and Design:

- Options Development: 100% complete
- Concept Design: 100% complete
- Detailed Design: 60% complete

Tendering: not yet commenced
Construction: not yet commenced
Overall Project Completion: 65% by time

PROGRESS

The following key activities were undertaken during October 2018:

- Land acquisition negotiations continuing
- Detailed design activities continuing (retic, pump station, rising main, on property works)
- Additional geotechnical investigation undertaken. Expanded report prepared.
- Further discussions between GHD and RMS held over bridge crossing details
- Discussions between GHD and Crown Lands held regarding land tenure
- Draft REF prepared. Discussions with EPA held
- PWA/Council discussions with Infrastructure NSW regarding funding shortfall

The following key activities are anticipated during November 2018:

- Commence draft design documentation

BUDGET (excl. GST)

Project Value: \$5,447,000
RestartNSW Grant Value: \$3,675,000
Co-contribution Value: \$1,772,000
Total Project Expenditure to Date: \$330,531
RestartNSW Total Exp: \$221,456
Co-contribution Total Exp: \$109,075
Contingency Spent: \$0
Contingency Remaining: \$710,000



Review of Environmental Factors Report



WHS / ENVIRONMENTAL

- CHAIR Workshop to be held during detailed design
- Draft REF does not raise any significant risks

KEY RISKS & ISSUES

- The Concept Design Report estimate for the project is \$7,463,000 which is approx. \$2M higher than the project funding deed estimate. Council considering its position in conjunction with discussions with Infrastructure NSW
- Obtain community support for project
- Discussions with DoI Water, Essential Energy, EPA, RMS
- Further refinement of project estimate incl. contingencies at Detailed Design Phase.

Program Impacts: detailed design progressing towards projected completion in December 2018
Other impacts relating to potential funding shortfall TBA

	BUNDARRA SEWERAGE CONCEPT, DESIGN AND CONSTRUCTION	Proudly funded by the NSW Government in association with Uralla Shire Council 
Project Report		November 2018
Scope of Work	The project consists of the provision of a reticulated sewerage system to a previously un-sewered village	
Project Program	Project Start Date : 14/2/2017 Target Completion Date : 30/9/2019 Forecast Completion Date : 24/4/2020	

PROGRAM MILESTONES

- Project Initiation: 100% complete**
Concept and Design:
- Options Development: 100% complete
 - Concept Design: 100% complete
 - Detailed Design: 85% complete
- Tendering: not yet commenced**
Construction: not yet commenced
Overall Project Completion: 70% by time

PROGRESS

- The following key activities were undertaken during November 2018:
- Land acquisition negotiations continuing
 - Detailed design activities continuing (retic, pump station, rising main, on property works)
 - Further discussions between GHD and RMS, DoI Water, EPA and Essential Energy held
 - Draft Detail Design Report progressing
 - On-property design plans being finalised
- The following key activities are anticipated during December 2018:
- Issue draft Final Design Report and estimate
 - Issue on-property design plans to owners
 - Continue liaison with agencies and finalise impacts on design

BUDGET (excl. GST)

Project Value: \$5,447,000
RestartNSW Grant Value: \$3,675,000
Co-contribution Value: \$1,772,000
Total Project Expenditure to Date: \$330,531
RestartNSW Total Exp: \$221,456
Co-contribution Total Exp: \$109,075
Contingency Spent: \$0
Contingency Remaining: \$710,000



Pipeline Bridge Crossing Alignment



WHS / ENVIRONMENTAL

- CHAIR Workshop to be held during detailed design

KEY RISKS & ISSUES

- The Concept Design Report estimate for the project is \$7,463,000 which is approx. \$2M higher than the project funding deed estimate. Council considering its position in conjunction with discussions with Infrastructure NSW
- Obtain community support for project
- Further refinement of project estimate incl. contingencies at Detailed Design Phase.

Program Impacts: Comments from DoI Water have required additional time to address. Detailed design progressing towards projected completion of tender documentation in February 2019
Other impacts relating to potential funding shortfall TBA

	BUNDARRA SEWERAGE CONCEPT, DESIGN AND CONSTRUCTION	Proudly funded by the NSW Government in association with Uralla Shire Council 
Project Report		December 2018
Scope of Work	The project consists of the provision of a reticulated sewerage system to a previously un-sewered village	
Project Program	Project Start Date : 14/2/2017 Target Completion Date : 30/9/2019 Forecast Completion Date : 24/4/2020	

PROGRAM MILESTONES

Project Initiation: 100% complete
Concept and Design:

- Options Development: 100% complete
- Concept Design: 100% complete
- Detailed Design: 90% complete

Tendering: not yet commenced
Construction: not yet commenced
Overall Project Completion: 75% by time

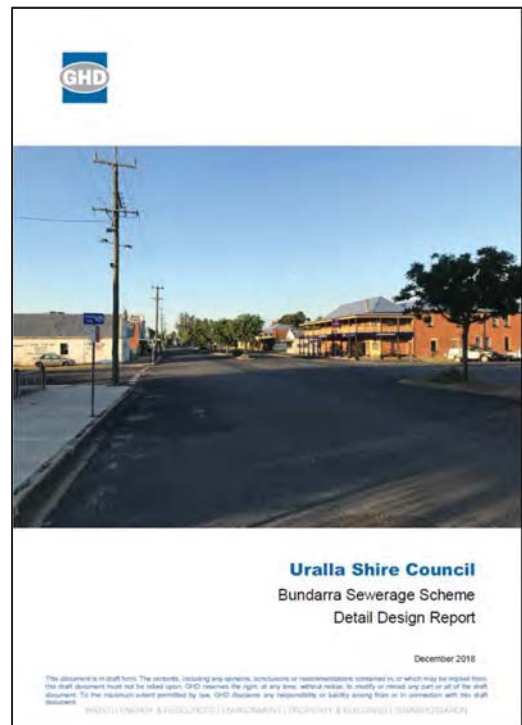
PROGRESS

The following key activities were undertaken during December 2018:

- Land acquisition negotiations continuing
- Draft Detail Design Report and updated estimate submitted
- On-property design plans finalised and issued to land owners

The following key activities are anticipated during January 2019:

- Council and PWA review Detailed Design Report
- Continue with land acquisition negotiations



Draft Detailed Design Report

BUDGET (excl. GST)

Project Value: \$5,447,000
RestartNSW Grant Value: \$3,675,000
Co-contribution Value: \$1,772,000
Total Project Expenditure to Date: \$421,856
RestartNSW Total Exp: \$282,644
Co-contribution Total Exp: \$139,212
Contingency Spent: \$0
Contingency Remaining: \$710,000

WHS / ENVIRONMENTAL

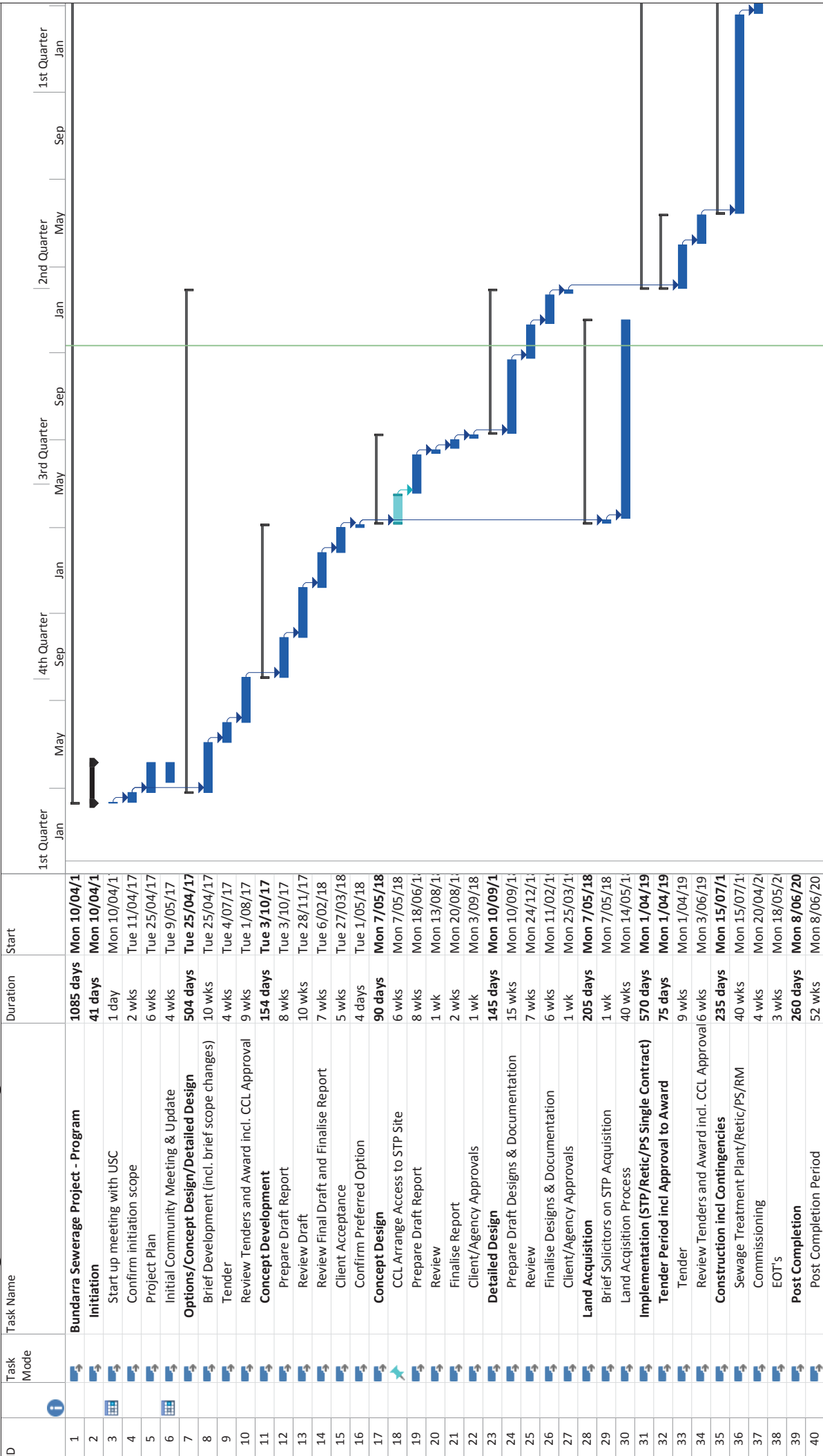
- CHAIR Workshop to be held during detailed design

KEY RISKS & ISSUES

- The draft Detailed Design Report estimate for the project is \$8,329,000 which is approx. \$2.9M higher than the project funding deed estimate. Council considering its position in conjunction with discussions with Infrastructure NSW
- Obtain community support for project.

Program Impacts: Detailed design progressing towards projected completion of tender documentation in March 2019. Design review meeting has been deferred due to Council staff unavailability during January 2019
Other impacts relating to potential funding shortfall TBA

Bundarra Sewerage - Revised Program



Project: Program Bundarra Sewerage

Public Works Advisory

Task: Project Summary

Split: External Tasks

Milestone: External Milestone

Summary: Inactive Task

Manual Summary Rollup

Manual Summary

Start only

Finish only

Deadline

Progress

Manual Progress



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director of Infrastructure & Development
Reference/Subject:	Report 14 - Development Approvals and Refusals for December 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Activity:	2.1.4.1	Process building and development applications
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

SUMMARY:

The following details the development approvals issued by Council and by private certification for December 2018 for the entire local government area. A listing of development applications outstanding with a status as at the end of December 2018 has also been provided.

For information purposes a summary of the development values is provided from January 2008 until the end of December 2018. Similarly, a summary of the number of dwellings approved within the local government area from 1 January 2008 until the end of December 2018 is provided.

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for December 2018.

Uralla Shire Council
Council Business Paper – 26 February 2019

REPORT:

Development Applications

Approved:

Development Application Number	Applicant	Property	Development
DA-47-2018	Croft Surveying & Mapping	49 Marble Hill Road, Saumarez Ponds	Staged 3 Lot Subdivision
Monthly Estimated Value of Approvals: \$0.00			

Cancelled: Nil

Withdrawn: Nil

Refused: Nil

Comparison to December 2017:

December 2017:	\$1,128,458.00	December 2018:	\$0.00
Year to date: (Calendar Year)	\$5,953,666.00	Year to date: (Calendar Year)	\$3,618,198.00

Development Applications Outstanding

Application Number	Applicant	Property	Development	Status
DA-21-2017	Mr V Hudson	19 Karava Place, Uralla	Dual Occupancy & Conversion of Shed to Dwelling	Awaiting Applicant
DA-35-2017	Mr C & Mrs K Cooper	36 Uralla Street, Uralla	Dwelling	Under Assessment
DA-37-2018	Mr G & Mrs S Selby	116 Marble Hill Road, Saumarez Ponds	Dual Occupancy – Conversion of Shed to Dwelling	Awaiting Applicant
DA-40-2018	Mr L & Mrs C Seccombe	22 Baker Road, Invergowrie	2 Lot Subdivision	Awaiting Applicant
DA-44-2018	Mr K Hartley – Starfish Enterprises Network Ltd	192 Dumaresq Road, Saumarez Ponds	Natural Burial Ground – Private Cemetery & Shed	Awaiting Applicant
DA-48-2018	Croft Surveying & Mapping	216 Invergowrie Road, Invergowrie	Subdivision of 3 Rural Lots into 10 Rural Lots	Awaiting Applicant
DA-51-2018	Local Government Engineering Service Pty Ltd	Lot 14 Rowan Avenue, Uralla	Light Industrial Staged 23 Lot Subdivision	Under Assessment with Moree Plains Shire Council
DA-66-2018	Ms S Rich	50 Hill Street, Uralla	Dwelling Additions & Alterations	Under Assessment
DA-67-2018	Mr T & Mrs R Butcher	113 Ferris Lane, Saumarez Ponds	Conversion of Shed to Secondary Dwelling	Under Assessment
DA-68-2018	Mr G Fuller	72 Rowbottoms Road, Rocky River	Dwelling	Under Assessment

Uralla Shire Council
Council Business Paper – 26 February 2019

Development Applications Outstanding (continued)

Application Number	Applicant	Property	Development	Status
DA-69-2018	Bundarra Pre-School	9 Court Street, Bundarra	Disabled Amenities & Access	Under Assessment
DA-70-2018	Mr V Scollen	18 Uralla Street North, Uralla	Shed	Under Assessment
DA-71-2018	Mr D & Mrs J Ayre	17 Warwick Street, Uralla	Garage	Under Assessment
DA-72-2018	Mr M Ayre	36 East Street, Uralla	Carport	Under Assessment

Total: 14

Construction Certificates

Approved: Nil

Refused: Nil

Issued by Private Certifier:

Application Number	Applicant	Property	Construction
CC-50-2018	St John's Parish Council	12 Park Street, Uralla	Landing, Ramp & Path
CC-52-2018	Mr B Eveleigh	110 Gostwyck Road, Uralla	Attached Dual Occupancy

Total Monthly Estimated Value of Construction Certificate Approvals: \$123,500.00

Complying Development Certificate Applications

Approved: Nil

Refused: Nil

Withdrawn: Nil

Issued by Private Certifier:

Application Number	Applicant	Property	Development
CDC-32-2018	Mr P & Mrs K Mitchell	109 Bilga Road, Invergowrie	Dwelling
CDC-33-2018	Mr R Jones	1401 Bundarra Road, Invergowrie	Dwelling Additions & Alterations

Total Monthly Estimated Value of Complying Development Certificate Approvals: \$450,000.00

Comparison to December 2017:

December 2017:	\$282,653.00	December 2018:	\$450,000.00
Year to date:	\$2,178,293.00	Year to date:	\$3,919,264.00
(Calendar Year)		(Calendar Year)	

Uralla Shire Council
Council Business Paper – 26 February 2019

Calendar Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008	9,155,533	56,169	7,393,239	1,762,294
2009	9,290,046	72,578	5,749,162	3,540,884
2010	10,586,972	80,817	5,958,887	4,628,085
2011	6,584,483	51,846	3,449,607	3,134,876
2012	11,390,780	104,503	6,158,718	5,232,062
2013	9,259,318	76,523	4,678,720	4,580,598
2014	8,246,689	69,300	5,657,845	2,588,844
2015	9,137,065	85,393	6,980,198	2,156,867
2016	5,958,716	62,723	3,997,389	1,961,327
2017	8,131,959	82,979	5,953,666	2,178,293
2018	7,537,462	81,929	3,618,198	3,919,264

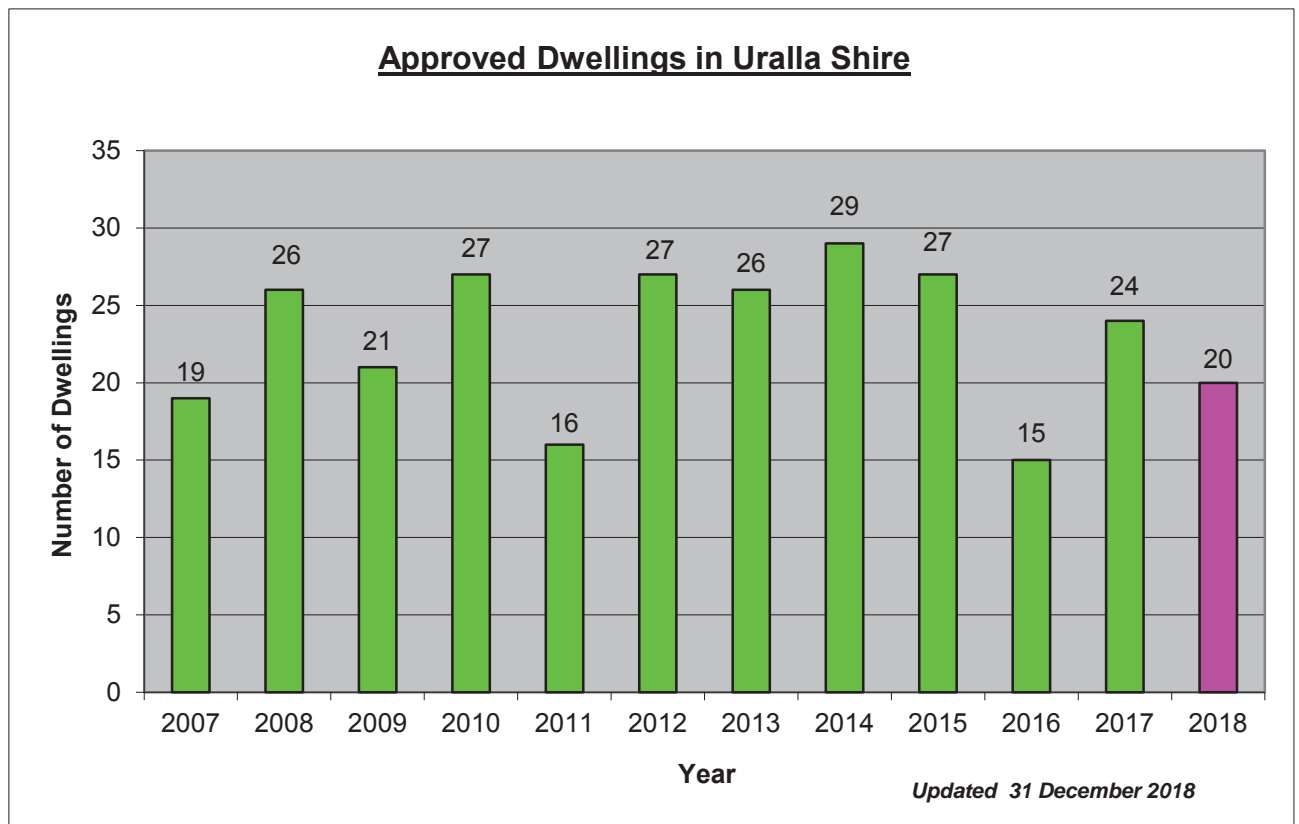
2018 to date

Financial Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008-2009	8,095,812	61,332	4,588,050	3,507,762
2009-2010	12,395,113	77,469	7,121,590	5,273,523
2010-2011	8,212,500	73,986	5,023,347	3,189,153
2011-2012	5,986,330	53,449	3,667,764	2,318,566
2012-2013	12,339,996	101,983	6,100,857	6,239,139
2013-2014	8,296,829	76,118	4,653,404	3,643,425
2014-2015	9,779,535	109,917	6,392,261	3,387,274
2015-2016	7,560,263	76,366	6,393,433	1,166,830
2016-2017	6,544,087	68,168	4,186,513	2,357,574
2017-2018	9,073,505	87,245	6,057,412	3,016,093
2018-2019	3,194,609	79,865	1,061,155	2,133,454

2018-2019 to date

Approved Dwellings 2007-2018



KEY ISSUES:

- *Development Applications approved by Council for December 2018 – 1*
- *Development Applications refused by Council for December 2018 – 0*
- *Development Applications cancelled by Council for December 2018 – 0*
- *Development Applications withdrawn by Applicant for December 2018 – 0*
- *Outstanding Development Applications as at 31 December 2018 – 14*
- *Construction Certificates approved by Council for December 2018 – 0*
- *Construction Certificates refused by Council for December 2018 – 0*
- *Construction Certificates issued by private certification for December 2018 – 2*
- *Complying Development Applications approved by Council for December 2018 – 0*
- *Complying Development Applications refused by Council for December 2018 – 0*
- *Complying Development Applications withdrawn by Applicant for December 2018 – 0*
- *Complying Development Applications issued by private certification – 2*
- *Total Development Value for 2018 as at 31 December 2018 – \$7,537,462*
- *Average Development Value for 2018 as at 31 December 2018 – \$81,929*
- *Development Application Value for 2018 as at 31 December 2018 – \$3,618,198*
- *Complying Development Application Value for 2018 as at 31 December 2018 – \$3,919,264*
- *Approved dwellings as at 31 December 2018 – 20*

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

The Development Approvals and Refusals for December will be placed in the next available newsletter and uploaded to the Uralla Shire Council website.

2. Policy and Regulation

Environmental Planning & Assessment Act, 1979.

Environmental Planning & Assessment Regulations, 2000.

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:

U12/168

Approved/Reviewed by Manager:

Manager Development & Planning

Department:

Infrastructure & Development

Attachments:

Nil



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director of Infrastructure & Development
Reference/Subject:	Report 15 - Development Approvals and Refusals for January 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Activity:	2.1.4.1	Process building and development applications
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

SUMMARY:

The following details the development approvals issued by Council and by private certification for January 2019 for the entire local government area. A listing of development applications outstanding with a status as at the end of January 2019 has also been provided.

For information purposes a summary of the development values is provided from January 2008 until the end of January 2019. Similarly, a summary of the number of dwellings approved within the local government area from 1 January 2008 until the end of January 2019 is provided.

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for January 2019.

Uralla Shire Council
Council Business Paper – 26 February 2019

REPORT:

Development Applications

Approved:

Development Application Number	Applicant	Property	Development
DA-66-2018	Ms S Rich	50 Hill Street, Uralla	Dwelling Additions & Alterations
DA-68-2018	Mr G Fuller	72 Rowbottoms Road, Rocky River	Dwelling
DA-69-2018	Bundarra Pre-School	9 Court Street, Bundarra	Disabled Amenities & Access
DA-71-2018	Mr D & Mrs J Ayre	17 Warwick Street, Uralla	Garage
DA-1-2019	Ms S Egan	75 Goodes Road, Rocky River	Gable Patio Cover
DA-4-2019	Mr D Adams	907 Thunderbolts Way, Yarrowyck	Tourist & Visitor Accommodation

Monthly Estimated Value of Approvals: \$292,500

Cancelled: Nil

Withdrawn: Nil

Refused: Nil

Comparison to January 2018:

January 2018:	\$400.00	January 2019:	\$292,500.00
Year to date: (Calendar Year)	\$400.00	Year to date: (Calendar Year)	\$292,500.00

Development Applications Outstanding

Application Number	Applicant	Property	Development	Status
DA-21-2017	Mr V Hudson	19 Karava Place, Uralla	Dual Occupancy & Conversion of Shed to Dwelling	Awaiting Applicant
DA-35-2017	Mr C & Mrs K Cooper	36 Uralla Street, Uralla	Dwelling	Under Assessment
DA-37-2018	Mr G & Mrs S Selby	116 Marble Hill Road, Saumarez Ponds	Dual Occupancy – Conversion of Shed to Dwelling	Awaiting Applicant
DA-40-2018	Mr L & Mrs C Seccombe	22 Baker Road, Invergowrie	2 Lot Subdivision	Awaiting Applicant
DA-44-2018	Mr K Hartley – Starfish Enterprises Network Ltd	192 Dumaresq Road, Saumarez Ponds	Natural Burial Ground – Private Cemetery & Shed	Awaiting Applicant
DA-48-2018	Croft Surveying & Mapping	216 Invergowrie Road, Invergowrie	Subdivision of 3 Rural Lots into 10 Rural Lots	Awaiting Applicant
DA-51-2018	Local Government Engineering Service Pty Ltd	Lot 14 Rowan Avenue, Uralla	Light Industrial Staged 23 Lot Subdivision	Under Assessment

Uralla Shire Council
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Development Applications Outstanding (continued)

Application Number	Applicant	Property	Development	Status
DA-67-2018	Mr T & Mrs R Butcher	113 Ferris Lane, Saumarez Ponds	Conversion of Shed to Secondary Dwelling	Awaiting Applicant
DA-70-2018	Mr V Scollen	18 Uralla Street North, Uralla	Shed	Under Notification
DA-72-2018	Mr M Ayre	36 East Street, Uralla	Carport	Under Notification
DA-2-2018	Mrs L Yates	53 Park Street, Uralla	Subdivision of 1 Urban Lot into 3 Urban Lots	Under Notification
DA-3-2019	Mr P Byrne	6 Queen Street, Uralla	Remove & Replace Shed	Under Assessment
DA-5-2019	Mr P & Mrs J Hine	16 John Street, Uralla	Dwelling Additions & Alterations - Kitchen, Bathroom & Laundry	Under Assessment
DA-6-2019	Mr N Dagg & Ms R Tubb	34 Macleay Way, Saumarez Ponds	Additions to Existing Guest Suite	Under Notification
DA-7-2019	G J Gardner Homes Armidale	266 Traceys Road, Kentucky	Dwelling	Under Assessment
DA-8-2019	Mr R Scott	31 Queen Street, Uralla	Fire Damage Restoration & Extensions	Under Notification
DA-9-2019	Mr P Simmons	Lot 473 Barleyfields Road, Uralla	Dual Occupancy & Shed	Under Assessment
DA-10-2019	Mr A Finlayson & Ms R Passey	79 Barleyfields Road, Uralla	Workshop, Carport & Verandahs	Under Notification
DA-11-2019	Mr A & Mrs D Vanden Hoogen	24 McDonalds Lane, Rocky River	Wind Turbine & Tank Stand	Under Notification
				Total: 19

Construction Certificates

Approved:

Application Number	Applicant	Property	Construction
CC-1-2019	Ms S Egan	75 Goodes Road, Rocky River	Gable Patio Cover

Refused: Nil

Issued by Private Certifier:

Application Number	Applicant	Property	Construction
CC-69-2018	Bundarra Pre-School	9 Court Street, Bundarra	Disabled Amenities & Access
CC-71-2018	Mr D & Mrs J Ayre	17 Warwick Street, Uralla	Garage

Total Monthly Estimated Value of Construction Certificate Approvals: \$79,500.00

Uralla Shire Council
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Complying Development Certificate Applications

Approved: Nil

Refused: Nil

Withdrawn: Nil

Issued by Private Certifier:

Application Number	Applicant	Property	Development
CDC-1-2019	Visionstream Pty Ltd	Lot 2 Kingstown Road, Kingstown	Telecommunication Facility – 30m high Monopole & Equipment Shelter

Total Monthly Estimated Value of Complying Development Certificate Approvals: \$185,000.00

Comparison to January 2018:

January 2018:	\$67,040.00	January 2019:	\$185,000.00
Year to date: (Calendar Year)	\$67,040.00	Year to date: (Calendar Year)	\$185,000.00

Calendar Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008	9,155,533	56,169	7,393,239	1,762,294
2009	9,290,046	72,578	5,749,162	3,540,884
2010	10,586,972	80,817	5,958,887	4,628,085
2011	6,584,483	51,846	3,449,607	3,134,876
2012	11,390,780	104,503	6,158,718	5,232,062
2013	9,259,318	76,523	4,678,720	4,580,598
2014	8,246,689	69,300	5,657,845	2,588,844
2015	9,137,065	85,393	6,980,198	2,156,867
2016	5,958,716	62,723	3,997,389	1,961,327
2017	8,131,959	82,979	5,953,666	2,178,293
2018	7,537,462	81,929	3,618,198	3,919,264
2019	447,500	68,214	292,500	185,000

2019 to date

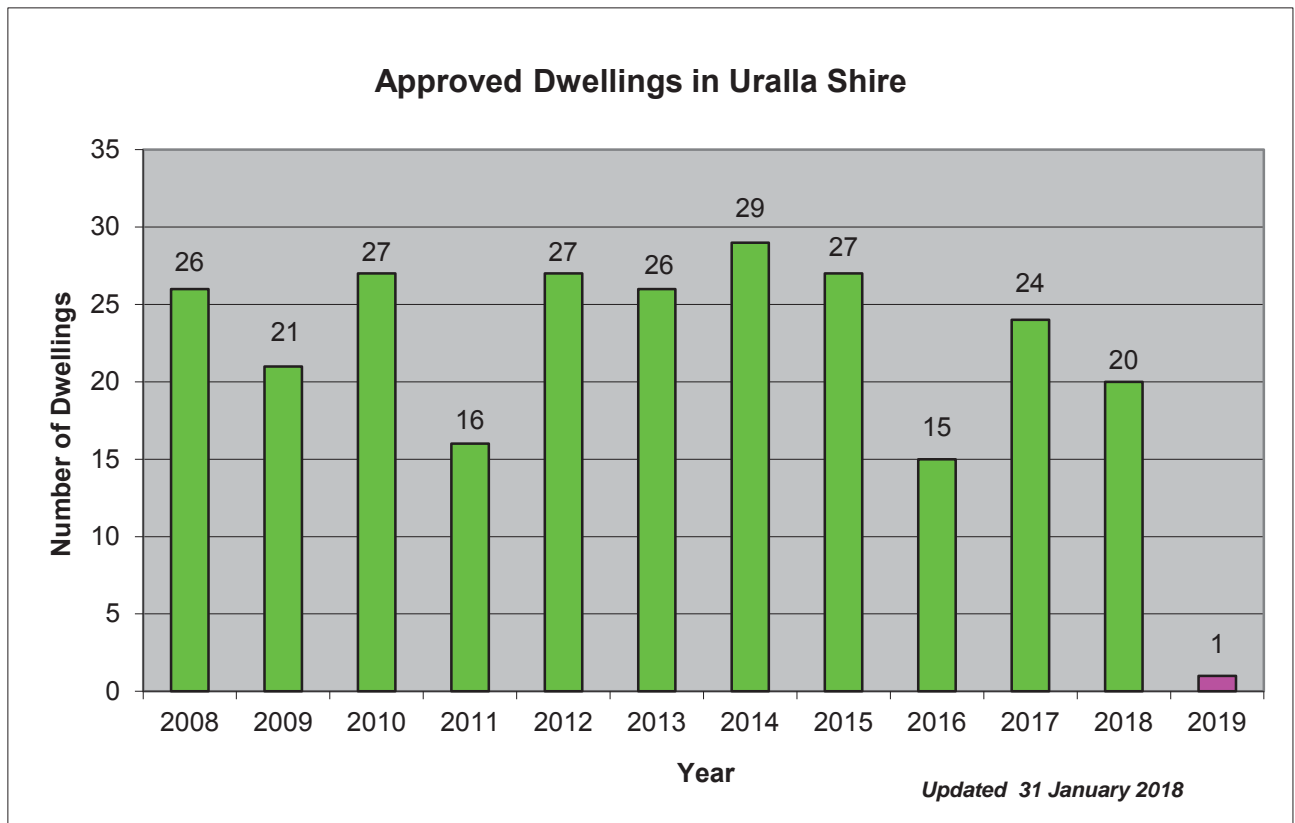
Uralla Shire Council
Council Business Paper – 26 February 2019

Financial Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008-2009	8,095,812	61,332	4,588,050	3,507,762
2009-2010	12,395,113	77,469	7,121,590	5,273,523
2010-2011	8,212,500	73,986	5,023,347	3,189,153
2011-2012	5,986,330	53,449	3,667,764	2,318,566
2012-2013	12,339,996	101,983	6,100,857	6,239,139
2013-2014	8,296,829	76,118	4,653,404	3,643,425
2014-2015	9,779,535	109,917	6,392,261	3,387,274
2015-2016	7,560,263	76,366	6,393,433	1,166,830
2016-2017	6,544,087	68,168	4,186,513	2,357,574
2017-2018	9,073,505	87,245	6,057,412	3,016,093
2018-2019	3,194,609	79,865	1,061,155	2,133,454

2018-2019 to date

Approved Dwellings 2007-2019



KEY ISSUES:

- *Development Applications approved by Council for January 2019 – 6*
- *Development Applications refused by Council for January 2019 – 0*
- *Development Applications cancelled by Council for January 2019 – 0*
- *Development Applications withdrawn by Applicant for January 2019 – 0*
- *Outstanding Development Applications as at 31 January 2019 – 19*
- *Construction Certificates approved by Council for January 2019 – 1*
- *Construction Certificates refused by Council for January 2019 – 0*
- *Construction Certificates issued by private certification for January 2019 – 2*
- *Complying Development Applications approved by Council for January 2019 – 0*
- *Complying Development Applications refused by Council for January 2019 – 0*
- *Complying Development Applications withdrawn by Applicant for January 2019 – 0*
- *Complying Development Applications issued by private certification – 1*
- *Total Development Value for 2019 as at 31 January 2019 – \$447,500*
- *Average Development Value for 2019 as at 31 January 2019 – \$68,214*
- *Development Application Value for 2019 as at 31 January 2019 – \$292,500*
- *Complying Development Application Value for 2019 as at 31 January 2019 – \$185,000*
- *Approved dwellings as at 31 January 2019 – 1*

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

The Development Approvals and Refusals for January will be placed in the next available newsletter and uploaded to the Uralla Shire Council website.

2. Policy and Regulation

Environmental Planning & Assessment Act, 1979.

Environmental Planning & Assessment Regulations, 2000.

3. Financial (LTFFP)

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:	U12/168
Approved/Reviewed by Manager:	Manager Development & Planning
Department:	Infrastructure & Development
Attachments:	Nil



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Development and Planning
Reference/Subject:	Report 16 - Road Naming: "Somerset Close" in Stage A Phase 1 – DA-27-2015-5 – 114 Barleyfields Road, Uralla and "Wards Lane" off Eastern Avenue, Kentucky South

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
Activity:	2.1.4.1	Process building and development application
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

SUMMARY:

Council has recently received a request to name one initial road within Stage A Phase 1 of the Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla. Copies of the request and site location plan are attached. The proposed road name is "Somerset Close".

Last year Council received a request to name a section of unformed Crown Road being access to Lot 211 DP 755829 as "Wards Lane". Although the road name has received concurrence from the Geographical Names Board (GNB), via the Online Road Naming System, Council has not yet advertised for public submissions.

OFFICER'S RECOMMENDATION:

That Council resolve to:

1. Accept the name of "Somerset Close" as a suitable name for a road off Warwick Street within the Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla.
2. Accept the name of "Wards Lane" as a suitable name for the unformed road off Eastern Avenue, Kentucky South, to access Lot Lots 203-207 and Lots 2011-213 DP 755829.
3. Advertise both names for public submissions and, if no submissions are made, the General Manager be given delegated authority to accept the road names on behalf of Council.
4. Follow the process through NSW Online Road Naming System for approval by the Geographical Names Board, which involves notification to relevant parties and gazettal for "Somerset Close" and "Wards Lane".
5. Advertise both road names in the local newspaper and on council's website once gazetted.

BACKGROUND:

The NSW Online Road Naming System commenced in 2013 with enhancements in the later release of Stage 2 including automated notification to prescribed authorities or relevant parties and preparation of the notification to the GNB to Gazette a road name. The relevant Council, as Road Naming Authority, is still required to advertise for submissions from the local community and advertise the approved names in the local newspaper and on Council's website.

REPORT:

Somerset Close:

The proposed road, "Somerset Close" is part of DA-27-2012-5, a Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla. Stage A Phase 1 involves an internal road off Warwick Street to allow access initially to Lots 5, 6 and 7.

Origin and Relevance of Proposed Road Name

The name "Somerset Close" is based on the name of the local farm within which the subdivision is located and has been recommended by Tim and Sybilla Bower, owners of the farm and developers of the subdivision. The name of the farm is "Summerhill". The road name alludes to the farm name and the history of the site without being so close as to be confused with the farm name.

There is evidence of the farm being known as "Summer Hill" dating back to before World War I and possibly earlier. A Parish map from 1895 shows the land owned by Patrick Bourke and in 1915 one James Patrick Bourke is enlisted in the 12th Light Horse regiment with his address and that of his brother Thomas shown as "Summer Hill, Uralla, New South Wales".

Specific Location of Proposed Road Name

The proposed "Somerset Close" is within Lot 9 DP 1231170 and will start 166 metres north of the Warwick Street and Rock Abbey Road intersection, running in a west to east direction for a length of 175 metres with a slight bend, from 357545E, 6609189N to 357712E, 6609185N.

Wards Lane:

The proposed road, "Wards Lane" is an unformed road allowing access initially to Lot 211 DP 755829, and in the future to the lots beyond.

Origin and Relevance of Proposed Road Name

The name "Wards Lane" was suggested by Fay and William Lulham, owners of the adjacent properties, after collaborating with other long standing residents in the area. Charles Ward was one of the first land owners of the adjacent block.

Specific Location of Proposed Road Name

Comprising of CADID nos. 102376403, 102376405 and 102376392. Commencing from Eastern Avenue, Kentucky, between Lots 198 and 190 DP 755929 proceeding east until Lot 210, then proceeding south ending between Lots 207 and 213 DP 755829, a total length of approximately 467 metres.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

It is proposed to advertise the proposed road names and assess any submissions.

2. Policy and Regulation

NSW Address Policy and NSW Addressing User Manual

3. Financial (LTFP)

Council will be responsible for maintenance of Somerset Close.

4. Asset Management (AMS)

Council will be responsible for maintenance of Somerset Close.

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Prepared by staff member:	Matt Clarkson, Manager of Development & Planning
TRIM Reference Number:	U15/766
Approved/Reviewed by Manager:	Terry Seymour, Director of Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	<ol style="list-style-type: none">1. Croft Surveying & Mapping – Road name recommendation Somerset Close – letter dated 26 November 20182. Approved Staged Plan – DA-27-2012-5 – dated 15 March 20183. Fay Lulham – Road Name Suggestion Wards Lane – email 19 December 20174. Measurement and Location of proposed Wards Lane



"Southall" 100 Barney Street
PO Box 1563
ARMIDALE NSW 2350
phone: 02 6772 1077
fax: 02 6772 1166
email: office@croftsurveying.com

Michael Croft - Surveyor & GIS Analyst – mobile: 0414 782 867

26th November 2018

Ref.12640

The General Manager
Uralla Shire Council
32 Salisbury Street
URALLA NSW 2358

Dear Sir,

Re: DA 27-2012/5 - Bower
Stage A Phase 1 – 114 Barleyfields Road, Uralla

Pursuant to DA Condition 31 of the above Development Consent, we wish to recommend that the road at the southern end of the development off Warwick Street and between Lots 5 and 7 be named "Somerset Close". To provide some context to the name, the property has been known as "Summer Hill" for many years.

We look forward to receiving your confirmation of the suggested road name. Please do not hesitate to contact us if you wish to discuss this proposal further.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "M. Croft", is written over a light blue circular stamp.

Michael Croft
B.Surveying (Q.U.T.)
G.Dip Geomatics (GIS) (U.S.Q.)
Member of Institute of Surveyors (Aust.)
Registered Land Surveyor (No.8267)
under Surveying & Spatial Information Act 2002.

URALLA SHIRE COUNCIL

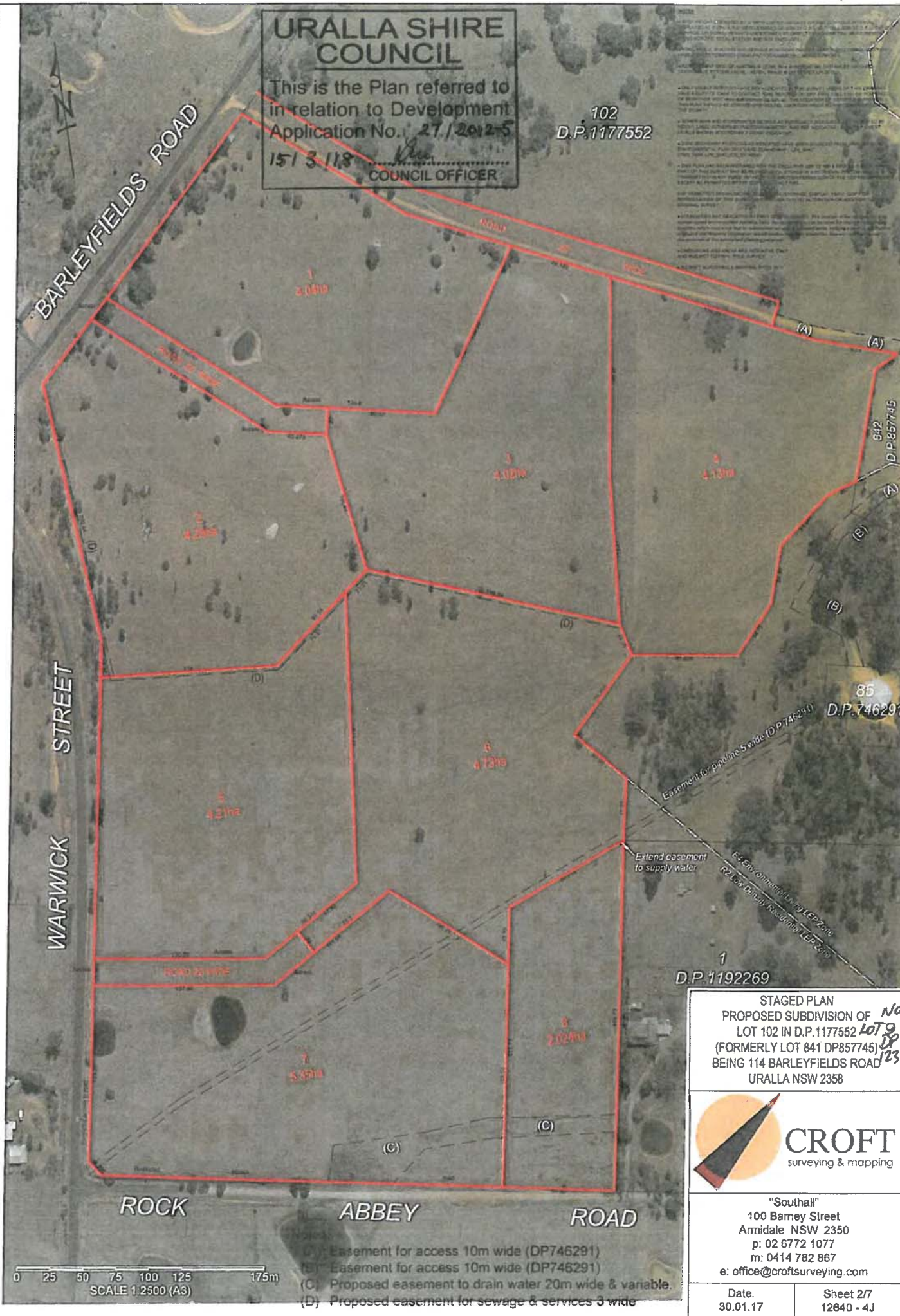
This is the Plan referred to
in relation to Development
Application No. 27/2012-5

15/3/18
COUNCIL OFFICER

102
D.P.1177552

NOTES

1. This plan is prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2007.
2. The proposed subdivision is subject to the approval of the Council and the consent of the relevant authorities.
3. The proposed subdivision is subject to the approval of the Council and the consent of the relevant authorities.
4. The proposed subdivision is subject to the approval of the Council and the consent of the relevant authorities.
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10. The proposed subdivision is subject to the approval of the Council and the consent of the relevant authorities.



STAGED PLAN
PROPOSED SUBDIVISION OF
LOT 102 IN D.P.1177552 **LOT 9**
(FORMERLY LOT 841 DP857745) **DP**
BEING 114 BARLEYFIELDS ROAD **23/170**
URALLA NSW 2358



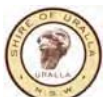
"Southall"
100 Barney Street
Armidale NSW 2350
p: 02 6772 1077
m: 0414 782 867
e: office@croftsurveying.com

Date: 30.01.17	Sheet 2/7 12640 - 4J
-------------------	-------------------------

From: Fay Lulham
Sent: Tuesday, 19 December 2017 2:48 PM
To: Matt Clarkson
Subject: Request for name Suggestions Lot 211 DP 755829

Dear Matt,

In regards to some name ideas for the access road to Lot 211 Kentucky. Our thoughts and also the thoughts of some other long standing residents of this area, who are related to original settlers. First preference is WARDS LANE. Charles Wards was one of the first land owners of the block on which we now own. His Nephew Bob Ward still lives in Eastern Ave, and I'm sure there are others still in this region. EASTERN LANE could also be an option, as for a third option I cant seem to think of anything suitable as I think WARDS LANE is a good choice. Kindest regards Bill Lulham. Merry Christmas to all at Council and all the best for 2018



Uralla Shire Council
 32 Salisbury Street
 PO Box 106
 URALLA NSW 2358
 Ph: (02) 6878 6300
 Fax: (02) 67786349
 Email:
council@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 statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy 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 as a result of the data being inaccurate or incomplete in any way and for any reason.
 © The State of New South Wales (Land and Property Information).
 © Uralla Shire Council.



Important

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD84/84). Heights are referenced to the Australia Height Datum (AHD) heights. For most practical purposes GDA94 coordinates and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84) are the same.

True North, Grid North and Magnetic North are shown diagrammatically for the centre of the Uralla Local Government Area. Magnetic North is correct for 2002 moving easterly by 0.04° in about five years.

Drawn By: Linda Maynard
 Projection: GDA94 / MGA zone 56
 Date: 13/02/2019 2:57 PM

Map Scale: 1:2985 at A4



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Planning and Development
Reference/Subject:	Report 17 - DIVISION DECISION – Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
Activity:	2.1.4.1	Process building and development application
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

NOTE TO COUNCILLORS:

In accordance with the provisions of S375A of the *Local Government Act 1993*, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

SUMMARY:

Proposal:	Dwelling
Property description:	Lots 30 and 31 DP 1000678 Assessment 10110
Applicant:	Charlie Cooper
Owner:	Charlie Cooper
Zoning:	R1 General Residential
Date received:	26 June 2017 (flood study received 26 April 2018). Amended plans received 11 December 2018.
Public notification or exhibition:	No
Exhibition period:	N/A
Submissions:	Nil
Other approvals:	Nil

OFFICER'S RECOMMENDATION:

That Council refuse the Development Application 35/2017 for a dwelling at 36 Uralla Street, Uralla (Lots 30 and 31 DP 1000678) as:

- *Part of the proposed dwelling footprint is located below the Flood Planning Level (1% Annual Exceedance Probability Level), and*
- *Part of the proposed dwelling footprint is located within a High Hazard Floodway as defined by the NSW Floodplain Development Manual, and*
- *Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) "Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure", and*
- *The flood hazard to the proposed dwelling is inconsistent with applicable development standards in the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011.*
- *The proposed eastern side setback is inconsistent with the Uralla Development Control Plan 2011.*
- *The proposed development would increase the flood risk to surrounding properties if constructed.*
- *The proposal is inconsistent with Direction 12, Action 12.1 of the New England North West Regional Plan.*

BACKGROUND:

Development application 35/2017 for a dwelling was received on 26 June 2017. On 15 August 2017 Council wrote to the applicant requesting a Hydraulic Engineering Report to ascertain the flood impact of the proposed development. This report was provided 26 April 2018.

The application was considered at the 24 July 2018 council meeting. Motion 15.07/18 was carried that the report lay on the table awaiting further information from the applicant. Amended plans were received 11 December 2018.

REPORT:

The applicant is proposing to construct a dwelling on a lot which is largely below the Flood Planning Level for Uralla. The level is based on the 1% Annual Exceedance Probability which was determined by the Uralla Rocky and Uralla Creeks Flood Study, adopted by Council 23 June 2017.

Amended plans received 11 December 2018 show that where the lower level of the dwelling had previously been enclosed, the design had been modified to partially enclosed and partially supported by piling.

KEY ISSUES:

Flood hazard:

- The proposal is inconsistent with Direction 12 of the New England North West Regional Plan, Action 12.1 "Minimise the risk from natural hazards and the projected effects of climate change by identifying hazards, managing risks and avoiding vulnerable areas, particularly when considering new urban release areas".
- The Hydraulic Engineering Report prepared by the applicant's consultant identified that:
 - Part of the proposed dwelling footprint is a High Hazard Floodway as per the NSW Floodplain Development Manual, and
 - Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) "Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure".

- The proposed development **would** increase the flood risk to surrounding properties if constructed.
 - The affluxes caused by an enclosed **or** fully piled lower level are larger than most government agencies might accept.
- The flood hazard of the proposed dwelling is inconsistent with applicable floodplain development standards in the Uralla Local Environmental Plan 2012 (LEP) and Uralla Development Control Plan 2011 (DCP).

LEP Clause 6.2 Flood planning

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

DCP

Performance Outcomes:

New development occurs at or above the relevant flood planning level for area.

Flood Planning Controls Uralla

New Development: **No new buildings are to be constructed in the floodway unless the site has been filled to above the 1% AEP flood level (refer separate controls for filling of land in the floodway) or the development is certified by a qualified engineer that it will not alter flood behaviour to the detriment of other property.**

Image 1: Flood Planning Level and approximate building envelope for the proposed dwelling.



Setbacks:

The eastern side setback of the proposed dwelling does not satisfy the applicable development standard in the Uralla Development Control Plan 2011.

CONCLUSION:

Significant adverse impacts are known or expected should the application be approved, and approval would be inconsistent with legislation. In that context it would be inappropriate to approve the Development Application.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Uralla Development Control Plan 2011

Uralla Local Environmental Plan 2012

Environmental Planning and Assessment Regulation 2000

Environmental Planning & Assessment Act 1979

3. Financial (LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Should Council approve the application there may be some exposure to litigation in relation to flood damage at the proposed site and neighbouring properties.

7. Performance Measures

Nil

8. Project Management

Nil

9. Disclosure of Political Donations and Gifts

Has a Political Donations Disclosure Statement been received in relation to this application? No

Political Donation Disclosure Statement register details N/A

Have staff received a gift or benefit from anyone involved in this application that needs to be disclosed? No

Gift and benefits register details N/A

Prepared by staff member: Matt Clarkson, Manager Development & Planning
TRIM Reference Number: DA-35-2017
Approved/Reviewed by Manager: Terry Seymour, Director Infrastructure & Development
Department: Infrastructure & Development
Attachments: 1 Flood Impact Assessment prepared by Paterson Consultants Pty Ltd dated April 2018
2 Development Application Assessment Report 35/2017
3 Amended plans received 11 December 2018

MR C COOPER

**PROPOSED RESIDENCE, LOTS 30 AND 31, DP 100076,
URALLA STREET, URALLA**

FLOOD IMPACT ASSESSMENT

REPORT

April 2018

MR C COOPER

PROPOSED RESIDENCE, LOTS 30 AND 31, DP 100076, URALLA STREET, URALLA

FLOOD IMPACT ASSESSMENT

REPORT

April 2018

Prepared By:

**PATERSON CONSULTANTS PTY LIMITED
4 SWAN HILL DRIVE
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**P O BOX 596
GRAFTON NSW 2460**

Tel: (02) 6644 9455

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**Version 1
Authorised for Release**

W. Paterson

16/4/2018

DOCUMENT CONTROL SHEET

Paterson Consultants Pty Ltd 4 Swan Hill Drive Waterview Heights NSW 2460 Telephone: (02) 6644 9455 Email: patcon@nor.com.au	P O Box 596 Grafton NSW 2460 Job Name: Proposed Residence, Lots 30 and 31, DP100076, Uralla Street, Uralla – Flood Impact Assessment Job No.: 17-018 Original Date of Issue: 16 April 2018
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DOCUMENT DETAILS

Title:	Proposed Residence, Lots 30 and 31, DP100076, Uralla Street, Uralla – Flood Impact Assessment
Principal Author:	K W Paterson
Client:	Mr C Cooper
Client Address:	P O Box 297, Uralla NSW 2358
Client Contact:	Mr C Cooper

REVISION / CHECKING HISTORY

Version Number	Version Name	Date	Issued By
1	Report	16 April 2018	KWP
2			
3			
4			
5			
6			

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3. Analysis Results	

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1. INTRODUCTION AND BACKGROUND

This report has been produced for Mr C Cooper, Uralla.

Mr Cooper proposes to construct a residence on Lots 30 and 31, DP 100076, Uralla Street, Uralla.

Figure 1 illustrates the subject site with:

- cadastral layout (property lots at the site and surrounds);
- the footprint of the proposed dwelling;
- ground level contours at 2 metre intervals, as supplied to Uralla Shire Council by Land and Property Information;
- approximate once in 100 year flood extents as defined by the Uralla and Rocky Creeks Flood Study (adopted by Uralla Shire Council on 23 June 2014); and
- design once in 100 year (1% Annual Exceedence Probability) flood levels at the subject site (derived from the Uralla and Rocky Creeks Flood Study).

Figure 2 shows:

- the lots surrounding the subject site;
- flood extents and design flood levels for the design once in 100 year flood event; and
- the proposed building footprint.

It is noted from Figure 1 and Figure 2 that:

- the proposed residence footprint intrudes into the flood extent along Rocky Creek; and
- the intrusion into the floodplain has the potential to impact on surrounding properties.

With respect to Figure 2, it is noted:

- Lot 31, DP 100076 is not typical in that it protrudes over the normal road reservation;
- the bulk of Lot 30, DP 100076 lies within floodplain extent;
- comparison between the LPI 2 m ground contours and available ground survey points shows differences of up to 0.5 metres. Thus, the LPI contours should be interpreted with some caution.

The proposed dwelling and its intrusion into the Rocky Creek floodplain has the potential to impact:

- Lot 30, DP 100076,
- Lot 1, Lot 2 and Lot 3, DP 596303;
- Lot 2 and Lot 4, DP 368065;
- Lot 2, DP 368065.

The Uralla and Rocky Creeks Flood Study indicates a Flood Planning Level (used to set minimum building floor levels) at the proposed residence as RL 992.5 m AHD.

Mr C Cooper is considering two alternatives for construction below the Flood Planning Levels as either:

- complete enclosure of the building footprint to create garage/workshop or the like; or
- piled foundations below the Flood Planning Level, noting this construction has been used for the Uralla Shire Council offices, adjacent to Uralla Creek.

2. ANALYSIS UNDERTAKEN

The Uralla and Rocky Creeks Flood Study was developed using RORB as the hydrological model and MIKE-11 as the hydrodynamic model.

The MIKE-11 model included:

- Uralla Creek;
- Rocky Creek;
- an un-named tributary from Rocky Creek to Mackenzie Street; and
- 16 bridges, culverts and causeways.

The total MIKE-11 model used 64 riverine cross-sections, measured by ground survey, to represent waterway area.

As noted, Mr Cooper is considering construction either of complete enclosure of the building footprint (termed "Filled Option" for this report) or a piled foundation (termed "Piled Option" for this report).

The "Filled Option" will involve complete blocking of the floodplain beneath the building, while the "Piled Option" will create additional friction loss beneath the proposed building.

Three development scenarios were established for the Uralla and Rocky Creeks MIKE-11 model, namely:

- "existing" conditions;
- "Filled Option" conditions; and
- "Piled Option" conditions.

The MIKE-11 model was run for each option for the design 1% AEP flood and increases in flood levels (termed "afflux") between the subject site and Hill Street ascertained.

The MIKE-11 model for Uralla and Rocky Creeks relied on two waterway cross-sections near the subject site immediately downstream of Hill Street and across Lots 4 and 5, DP 759022.

Additional waterway cross-sections were surveyed for this investigation as:

- from the proposed building footprint across Rocky Creek; and
- across Rocky Creek at the downstream boundary of Lot 2, DP 759022.

The location of the cross-sections and their identifying chainage in the MIKE-11 model is shown on Figure 3.

The affluxes (increases in design flood levels) for the "Filled Option" and the "Piled Option" are given in Table 1 below and plotted on Figure 3.

Table 1**Affluxes Created**

Reference Chainage	Afflux Created (millimetres)	
	"Filled Option"	"Piled Option"
1788	9	9
1803	0	3
1845	64	38
1850	81	49
1875	71	44
1898	44	32
1913	-6	1

With respect to the MIKE-11 model and the results (affluxes) given in Table 1 above and on Figure 3:

- the model has numerical stability issues near Mackenzie Street and upstream of Main Northern Rail Line on Rocky Creek;
- the model needs to be run for a number of varying initial conditions and time steps to obtain a stable solution near the subject site;
- the numerical stability issues were encountered in the Uralla and Rocky Creeks Flood Study and addressed in the same fashion;
- affluxes of less than 10 millimetres (one centimetre) can be ignored as they are not practically relevant;
- the affluxes given in Table 1 and Figure 3 should be rounded up to the nearest centimetre (10 millimetres) for assessment purposes.

Average cross-section flow velocities for the design 1% AEP event, as derived from the MIKE-11 model, are given in Table 2 below.

Table 2**Average Flow Velocities**

Reference Chainage	Afflux Created (millimetres)		
	Existing Conditions	“Filled Option”	“Piled Option”
1788	1.4	1.4	1.4
1803	3.4	3.3	3.3
1845	1.9	1.7	1.8
1850	1.5	1.4	1.4
1875	1.5	1.7	1.6
1895	2.0	2.3	2.2
1913	2.9	2.8	2.9

Review of Table 2 indicates:

- an increase in average flow velocities at the proposed residence of up to 10 percent for the “Filled Option” and “Piled Option”;
- a slight decrease in average flow velocities in the areas of largest afflux (Chainage 1830 to 1860);
- high flow velocities downstream of Hill Street at Ch 1803.

Consideration of both flood velocity and flood depth for Rocky Creek at the proposed dwelling site leads to flood hazard classification as:

- High Hazard Floodway as per the NSW Floodplain Development Manual (Reference 1);
- Hazard Vulnerability Classification of H5 as per Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) (Reference 2).

Guideline 7.3 quotes H5 hazard classification as “Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure”.

3. CONCLUSIONS

Conclusions drawn from this analysis cover:

- Mr C Cooper proposes a dwelling with building footprint partly on Lot 30 and Lot 31, DP 100076, Uralla Street, Uralla;
- The bulk of Lot 30, DP 100076 is within the design 1% AEP flood extent of Rocky Creek;
- Part of the proposed dwelling footprint falls within the Rocky Creek floodplain;
- The flood hazard classification at the proposed dwelling site is “High Hazard Floodway” according to NSW Floodplain Development Manual, and H5 Flood Hazard Category according to Australian Institute for Disaster Resilience;
- Mr Cooper proposes the dwelling be either fully enclosed over its footprint (thus blocking part of the floodway) or elevated on piles (thus creating additional resistance of the floodplain);
- Both building options will increase design flood levels on adjoining properties, namely:
 - o Lot 2 and Lot 3, DP 596303
 - o Lot 2, DP 759022
- Each of the affected adjoining lots currently have existing dwellings and some out-buildings;
- The affluxes caused by either building option are larger than most government agencies might accept;
- Floor levels for the dwelling on the affected lots are not at hand but can be readily sourced by ground survey;
- The proposed development has adequate emergency escape routes along Uralla Street and Hill Street for events up to the PMF.

The above conclusions are provided to assist Uralla Shire Council in their assessment of Mr Cooper’s building proposal.

REFERENCES

1. New South Wales Government, "Floodplain Development Manual", April 2005
2. Australian Institute for Disaster Resilience, "Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3", 2017

FIGURES

Proposed Dwelling



LEGEND

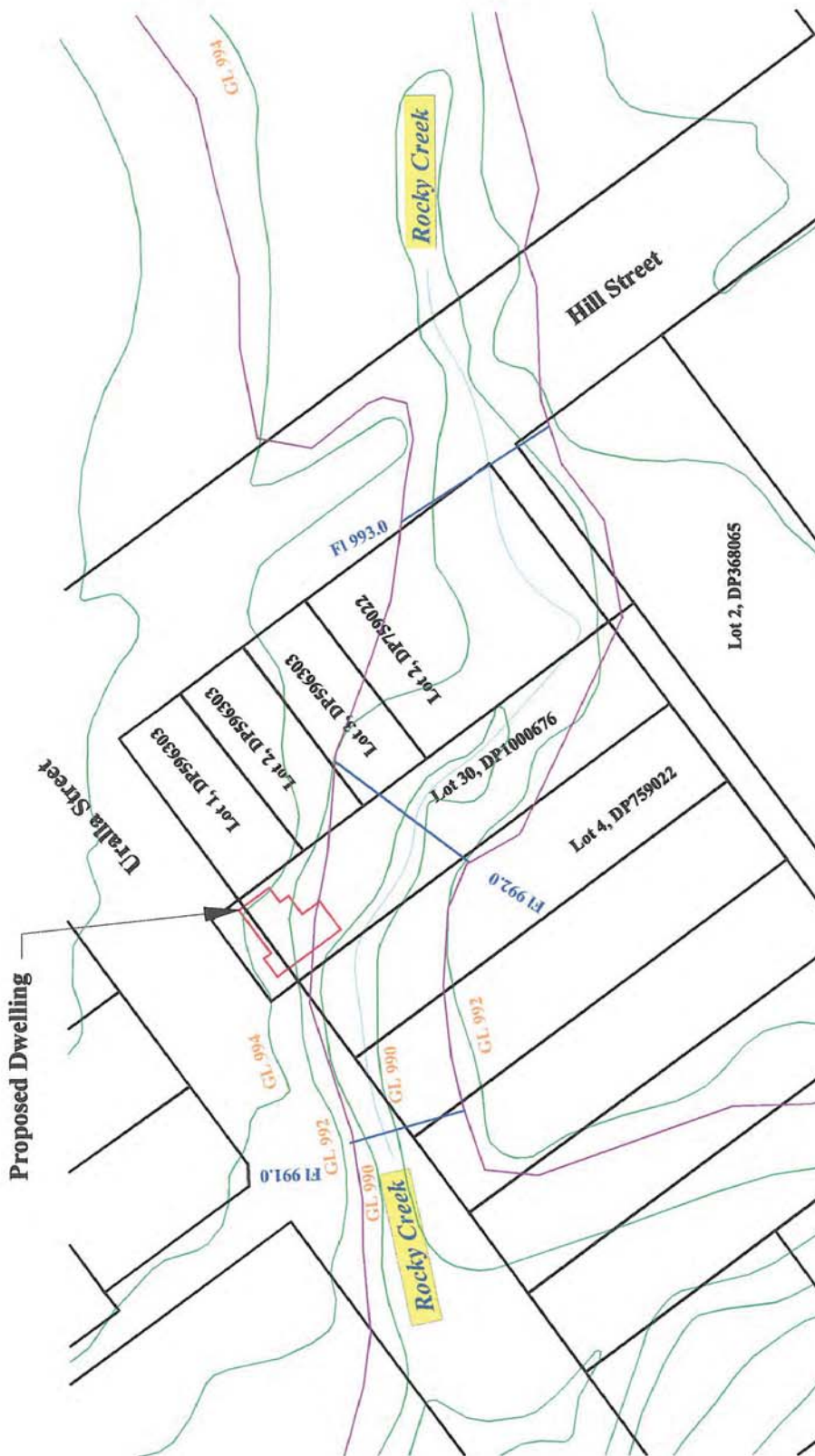
- Ground levels from LPI 2m contours GL 992
- Design 1% AEP flood levels FL 992.0
- Approx. floodplain extent from Uralla & Rocky Creeks Flood Study ---



FIGURE 1
 SITE PLAN

5 APRIL 2018
 DISC REF: 17018
 FILE REF: 17018_1_SITE PLAN JV
M. J. [Signature] 16/4/2018

MR C COOPER
 PROPOSED DWELLING, LOT 30, DP1000676
 URALLA



LEGEND

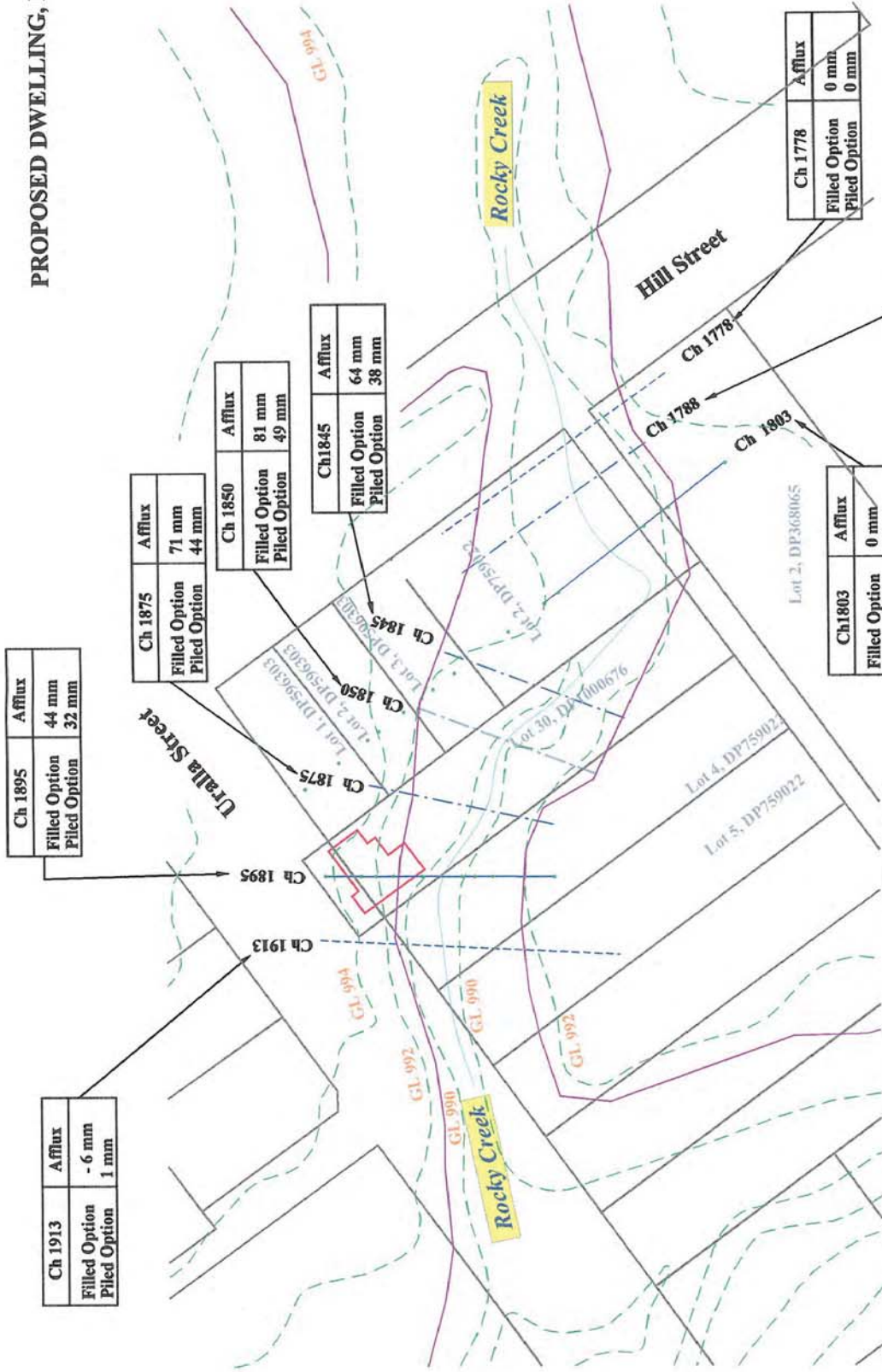
- Ground levels from LPI 2m contours — GL 992
- Design 1% AEP flood levels — FI 992.0
- Approx. floodplain extent from Uralla & Rocky Creeks Flood Study —



FIGURE 2
SURROUNDING LOTS

5 APRIL 2018
 DISC REF: 17018
 FILE REF: 17018
 SUBSURROUNDING LOTS V1
Matthew 16/4/2018

MR C COOPER
 PROPOSED DWELLING, LOT 30, DP100076
 URALLA



Ch 1895	Afflux
Filled Option	44 mm
Piled Option	32 mm

Ch 1875	Afflux
Filled Option	71 mm
Piled Option	44 mm

Ch 1850	Afflux
Filled Option	81 mm
Piled Option	49 mm

Ch 1845	Afflux
Filled Option	64 mm
Piled Option	38 mm

Ch 1803	Afflux
Filled Option	0 mm
Piled Option	3 mm

Ch 1788	Afflux
Filled Option	9 mm
Piled Option	9 mm

Ch 1778	Afflux
Filled Option	0 mm
Piled Option	0 mm

Ch 1913	Afflux
Filled Option	- 6 mm
Piled Option	1 mm

LEGEND

- Ground levels from LPI 2m contours GL 992
- Approx. floodplain extent from Uralla & Rocky Creeks Flood Study
- Ground survey points, this analysis

MIKE-11

- Reference chainage (m) Ch 1895
- Cross-sections, Uralla & Rocky Creeks Flood Study
- Cross-sections, This analysis
- Other reference locations



FIGURE 3
 ANALYSIS RESULTS

9 APRIL 2018
 DISSEMINATED TO THE PUBLIC
 15/4/2018
[Signature]

Development Assessment Report

DA Number: DA-35-2017 **Council:** Uralla Shire Council
Location: 36 Uralla Street URALLA
Development Description: Dwelling
Title Details: Lots: 30 and 31 DP: 1000678

Property Details/History

	Checked	Comments
File History	No	Not relevant to the application
Title Plan	Yes	No issues apparent.
Check Ownership	Yes	

Is there any other issue that requires notation? Yes

Comment: The flood risk to the property was identified in Planning Certificate 91/2012 prior to the purchase of the property by the applicant.

Application Type

Is this application an Integrated Development Application? No
 Is it a BASIX affected development? Yes. Basix Certificate 772495S supplied.

Concurrence/Referral

Section 4.13 – EP & A Act

Does this application require concurrence or referral? No
 Is there any other issue that requires notation? No
 Does this application require referral for decision by Council? Yes

Local Environmental Plan

Section 4.15(1)(a)(i) – EP & A Act

This land is zoned: **R1 General Residential**

List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	The proposed land use requires development consent.

List the relevant clause/clauses applicable under the LEP		
Clause	Compliance	Comment
6.2 Flood planning	No	Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: <ul style="list-style-type: none"> • is compatible with the flood hazard of the land, and • is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and • is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

Is there a draft LEP or draft LEP amendment which may affect this proposal?

No

Development Control Plan

Section 4.15(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal?

Yes

Chapter	Compliance	Comment
3 – Residential Development	No	The eastern side setback is below the 3.5 metre minimum required.
11 – Floodplain Development and Management	No	<ul style="list-style-type: none"> • The development is inconsistent with the NSW Floodplain Development Manual and the Uralla LEP. • The development may materially increase the risk to life. • The development is not at or above the flood planning level.

Is there a draft DCP which may affect this proposal?

No

Regional Environmental Plan

The proposal is inconsistent with Direction 12 of the New England North West Regional Plan, Action 12.1 “Minimise the risk from natural hazards and the projected effects of climate change by identifying hazards, managing risks and avoiding vulnerable areas, particularly when considering new urban release areas”.

State Environmental Planning Policy

Is this proposal affected by a SEPP?

No

Environmental Impacts

Section 79c(1)(b) – EP & A Act

	Impact	Comment
Economic	Yes	Surrounding properties may suffer increased damage in peak flood events.
Siting & Configuration	Yes	The flood impact assessment states that construction of a dwelling in the proposed location will increase the design flood levels on adjoining properties.

	Impact	Comment
Setbacks	Yes	The eastern side setback is non-compliant.

Environmental Impacts – Threatened Species

Section 4.15(1)(b) – EP & A Act

Is a Species Impact Statement required?

No

Environmental Impacts – Heritage

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	
Aboriginal	No	

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected?

Yes

Is there a flood study which includes this land?

Yes

Name of Study:

Rocky and Uralla Creeks Flood Study.

Flood Height: 990

Has a Flood Impact Assessment been completed for this proposal? Yes. Paterson Consultants April 2018.

Comment: Flood hazard classification at the proposed dwelling site is:

- High Hazard Floodway as per the NSW Floodplain Development Manual, and
- Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) “Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure”.



Bush Fire Prone Land

Section 4.15(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map? No

Contaminated Land

Section 4.15(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council? No

Infrastructure

Has an engineering assessment been completed? No

Does this proposal have any potential infrastructure impacts? No

Does the development require any new easements? No

Has an Erosion and Soil Control Plan been submitted? No

Construction Assessment

Is a construction assessment required? No

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 approval required? Yes

What the type of assessment/approval required? B1, B5, B6

Developer Contributions

Section 7.11 – EP & A Act

Does this proposal require any Developer Contribution? No

Signage

Does this proposal require signage? No

Notification

Section 4.15(1)(d) – EP & A Act

Was this application notified? No

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? No

Public Interest

Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues? Yes

Comment: Flood hazard as previously noted.

Site Suitability

Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this proposal? No

Comment: The flood hazard makes this site unsuitable for residential development.

Assessing Officer General Comment

ASSESSMENT – KEY ISSUES

No issues warranting further detailed consideration have been identified.

Recommendation

Significant adverse impacts are known or expected as a result of the approving the application. In that context it would be inappropriate to approve the Development Application.

Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

No

Signed: 

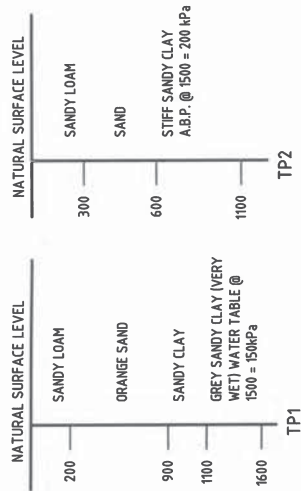
Matt Clarkson, Manager of Planning and Regulation

Date: 4.7.2018

DO NOT SCALE THIS DRAWING



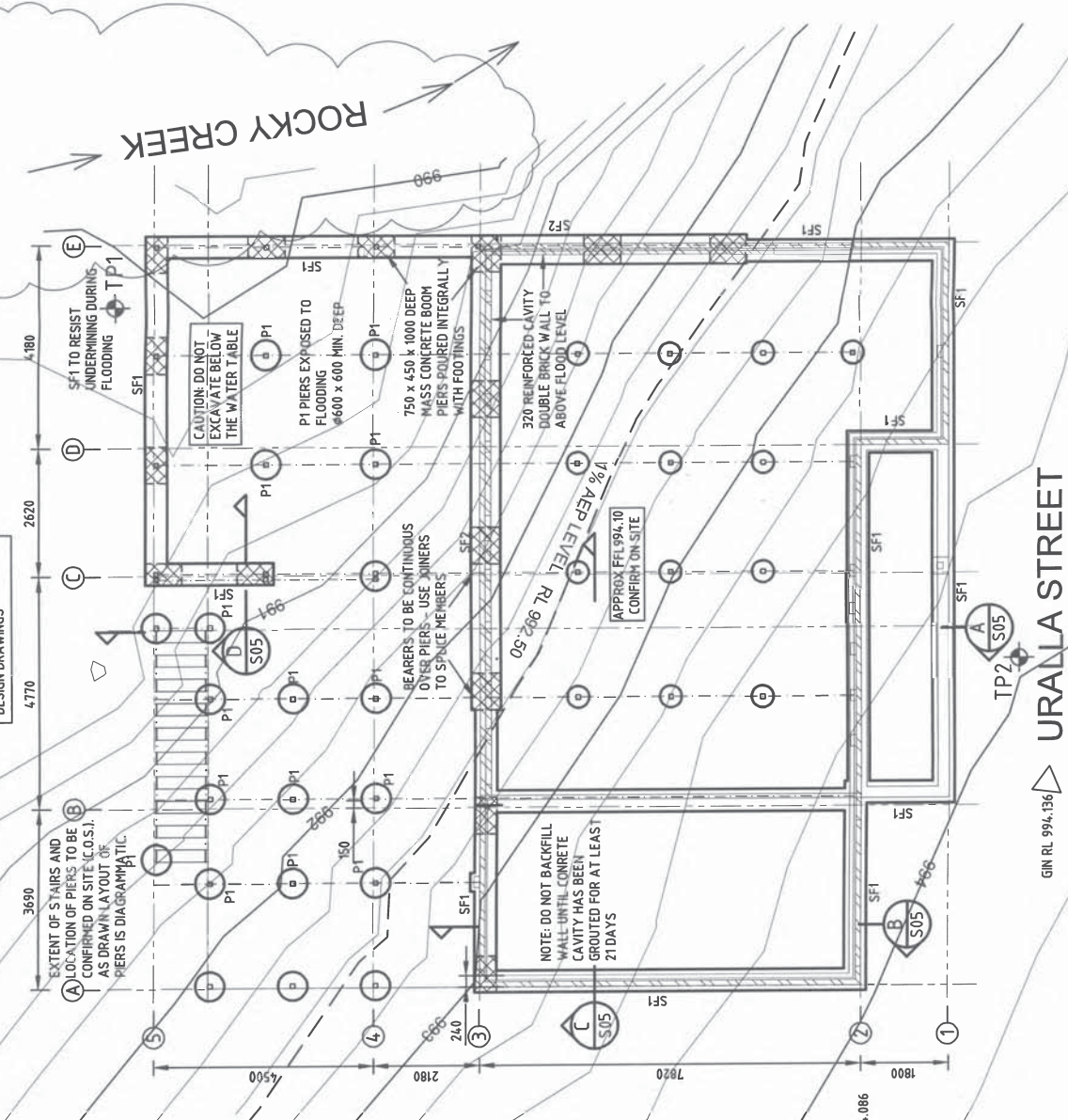
CONFIRM ALL DIMENSIONS ON SITE & WITH ARCHITECTURAL DESIGN DRAWINGS



SOIL PROFILES

SITE CLASSIFICATION

THE SITE CLASSIFICATION IS 'P' IN ACCORDANCE WITH AS2870 - "RESIDENTIAL SLABS AND FOOTINGS" CODE, DUE TO PRESENCE OF WATER TABLE.



FOOTING NOTES:

1. P1 TO BE 600 x 600 MIN. DEEP. MASS CONCRETE.
2. P2 TO BE 450 x 600 MIN. DEEP. MASS CONCRETE.
3. SF1 TO BE 450 WIDE x 500 DEEP, 4-L12TM TOP & BOTTOM, R10-600 TIES.
4. CONCRETE FOR FOOTINGS TO BE GRADE N20 IN ACCORDANCE WITH A51379.
5. D.C.P. DENOTES DYNAMIC CONE PENETROMETER TEST - REFER DRAWING S03.

REFER TO DRAWING S01 FOR CONSTRUCTION NOTES

Issue	Description	Date
2	ROCK RIP-RAP REMOVED	11/12/18
1	FOR APPROVAL & CONSTRUCTION	19/11/18

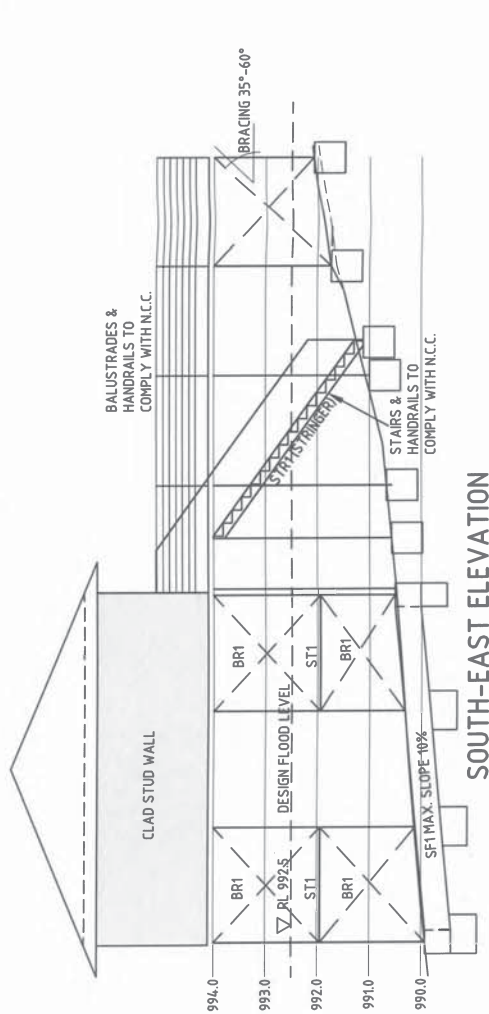
Neil Pullar & Associates
 Consulting Structural & Civil Engineers
 117 Kirkwood Street, Armidale
 Mt: 0427 715 885 E: neil@npaeng.com.au

Client: **Charlie Cooper**
 Drawing Title: **Footing Plan**
 Address:

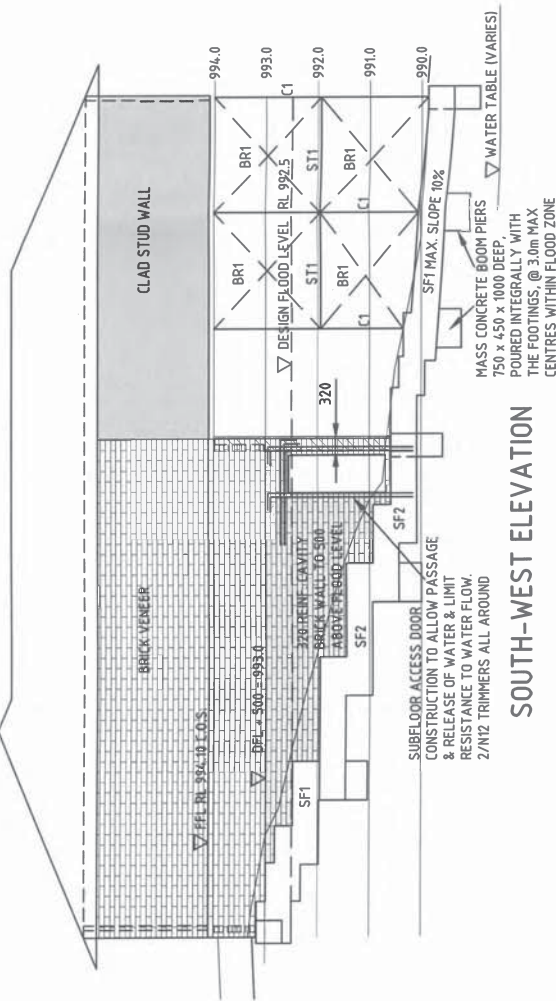
Proposed Residence
 36 Uralla Street
 Uralla NSW 2358

Scale: @ A3	Design Engineer: <i>Neil Pullar</i>
1:100	Neil Pullar B.E., M.I.E., P.Eng.
Project No: 18063	Drawing No: S02
	Amendment: 2
	of 6

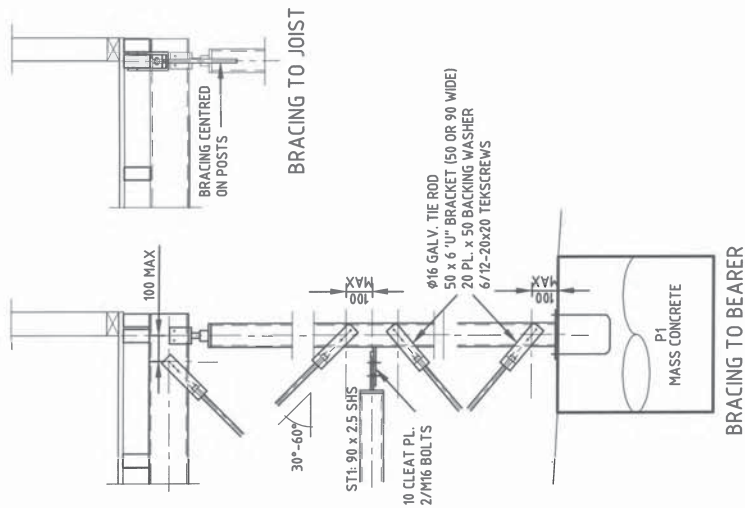
DO NOT SCALE THIS DRAWING



SOUTH-EAST ELEVATION



SOUTH-WEST ELEVATION



BRACING DETAILS

REFER TO DRAWING S01 FOR CONSTRUCTION NOTES

Issue	Description	Date
1	FOR APPROVAL & CONSTRUCTION	19/11/18

Neil Pullar & Associates
 Consulting Structural & Civil Engineers
 117 Kirkwood Street, Armidale
 M: 0427 715 885 E: neil@npaeng.com.au

Client: **Charlie Cooper**

Drawing Title: **Wall Elevations**

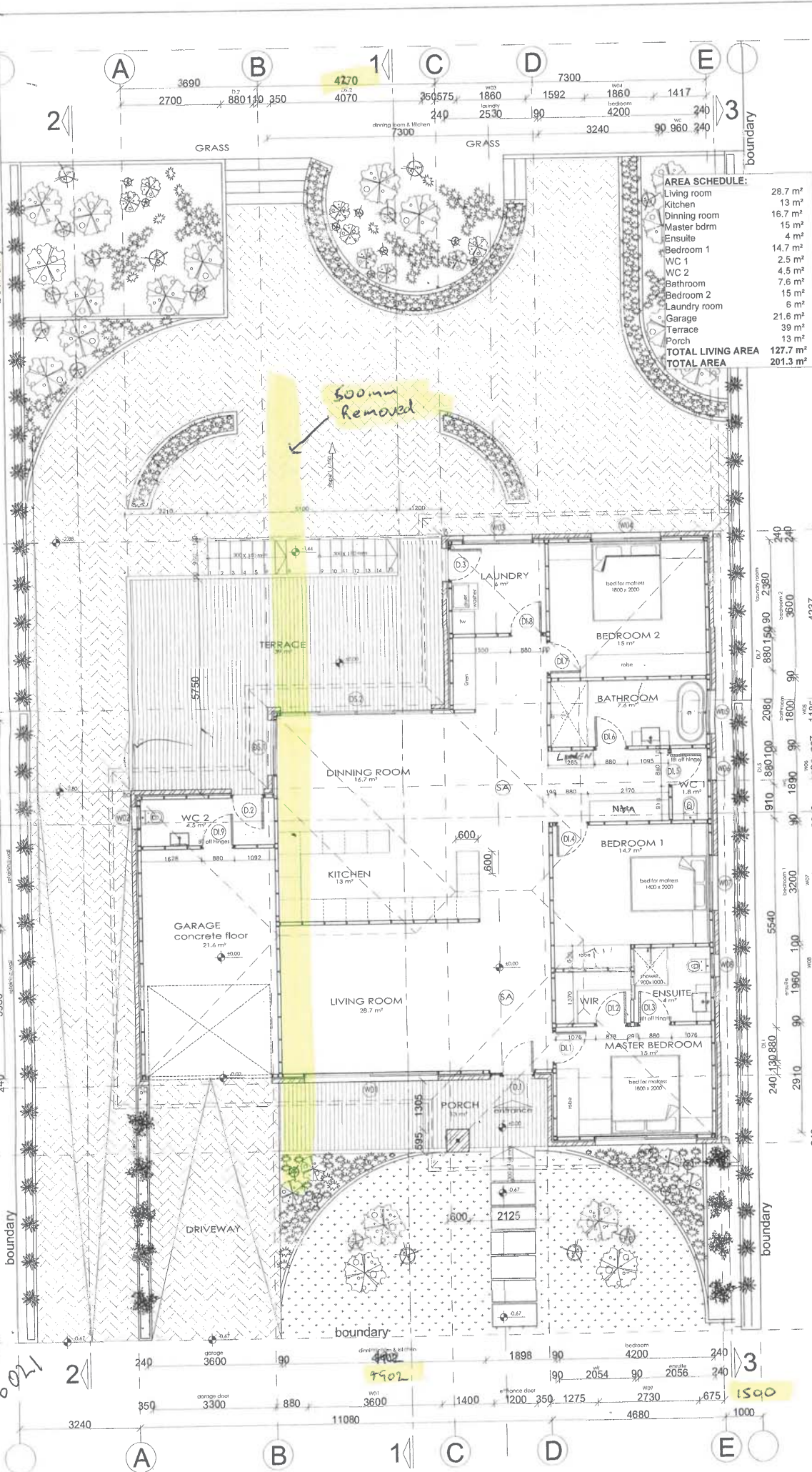
Address: **Proposed Residence
 36 Uralla Street
 Uralla NSW 2358**

Scale: @ A3
 1:100, 1:20
 Design Engineer: *Neil Pullar*
 Neil Pullar B.E., M.I.E. Aust.

Project No: **18063**
 Drawing No: **S04** of 6
 Amendment: **1**

Amended plan to allow
1500 clearance
from side boundary

Glenn Keet
0428536021



AREA SCHEDULE:

Living room	28.7 m ²
Kitchen	13 m ²
Dining room	16.7 m ²
Master bdrm	15 m ²
Ensuite	4 m ²
Bedroom 1	14.7 m ²
WC 1	2.5 m ²
WC 2	4.5 m ²
Bathroom	7.6 m ²
Bedroom 2	15 m ²
Laundry room	6 m ²
Garage	21.6 m ²
Terrace	39 m ²
Porch	13 m ²
TOTAL LIVING AREA	127.7 m²
TOTAL AREA	201.3 m²

GROUND FLOOR

PROJECT: **Great Value Homes**

DESIGNER: **Cherlie & Cath Cooper**

CLIENT NAME: **Cherlie & Cath Cooper**

PROJECT ADDRESS: **Lot 30 Uralia Street-North, Uralia, NSW**

DATE: **15/02/19**

SCALE: **1:50**

GROUND FLOOR

PROJECT: **Great Value Homes**

DESIGNER: **Cherlie & Cath Cooper**

CLIENT NAME: **Cherlie & Cath Cooper**

PROJECT ADDRESS: **Lot 30 Uralia Street-North, Uralia, NSW**

DATE: **15/02/19**

SCALE: **1:50**



PRELIMINARY - NOT FOR CONSTRUCTION

GENERAL NOTE: All work to be carried out on site

1: All work to be carried out on site

2: All work to be carried out on site

3: Within dimensions one preferred to roofing

4: Construction is not to commence until approved by relevant council

5: All structural, mechanical & hydraulic details (if required) are to be prepared by a qualified professional



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Planning and Development
Reference/Subject:	Report 18 - DIVISION DECISION – Modification of Development Application 26/2018 – Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
Activity:	2.1.4.1	Process building and development application
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

NOTE TO COUNCILLORS:

In accordance with the provisions of S375A of the *Local Government Act 1993*, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

SUMMARY:

Proposal:	Modification of development application for urban subdivision to not require provision of electricity to the property boundary.
Property description:	Lots 6 and 7 DP 583369
Applicant:	Gregory and Anne Ward
Owner:	Gregory and Anne Ward
Zoning:	R1 General Residential
Date received:	4 December 2018
Public notification or exhibition:	No
Exhibition period:	N/A
Submissions:	Nil
Other approvals:	Nil

OFFICER'S RECOMMENDATION:

That Council refuse the Modification of Development Application 26/2018 for urban subdivision to not require provision of electricity to the property boundary at 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369) as:

- It is appropriate that all lots within a new subdivision within the Uralla urban footprint have access to mains power.
- The proposed alternative arrangements for electricity provision present as being insufficient to satisfy the energy needs of an average household;
- Clause 6.4 of the Uralla Local Environmental Plan 2012 states that development consent must not be granted to development unless the consent authority is satisfied that adequate arrangements for the supply of electricity for the proposed development have been made.

BACKGROUND:

Development Application 26/2018 for a two into three lot subdivision was received on 1 May 2018 and approved on 22 May 2018. On 4 December 2018, an application was received to modify the development application conditions to remove the requirement for mains power to be available to all proposed lots, with a small standalone solar system proposed for the proposed Lot 2.

REPORT:

The applicants are proposing to supply one lot of a three lot urban subdivision with an off-grid solar system consisting of a 4.4 kilowatt solar array and 5.12 kilowatt hour battery rather than providing mains power to the boundary, as required by their development approval.

KEY ISSUES:

Availability of mains power for new development in urban areas: It is reasonable to suggest that it is an expectation that mains power would be easily available to any lot within a new urban subdivision, and this is demonstrably a standard requirement for new subdivisions in Australia. In this instance, should the modification application be approved, the purchaser of proposed Lot 2 would need to bear a cost typically borne by the developer if they wanted to connect to the mains grid.

Suitability of alternate electricity supply solution: Based on the CSIRO design tool for off-grid housing in Australia, a suitable system for supplying off-grid power for a typical user in a similar climate to Uralla would have a minimum 10 kilowatt solar array and 31 kilowatt hour battery (as noted in the author's presentation to Council at the December 2018 Councillor Workshop). Such a system is designed to provide three days energy independence. The energy generating capacity of the applicant's proposed solution is less than half that suggested of the CSIRO recommendation, and may be expected to only supply around twelve hours energy independence in typical usage conditions.

Compliance with Clause 6.4 of the Uralla Local Environmental Plan 2012: Council cannot approve the modification application unless it is satisfied that adequate arrangements for the supply of electricity for the proposed development have been made. Based on the information supplied by the applicant, for the solar system to provide enough energy for a typical application, additional generation and storage would be required.

CONCLUSION:

The application to modify the conditions of Development Application 26/2018 is inconsistent with accepted development standards, does not present as a viable alternative solution for electricity supply, and does not comply with the provisions of the Uralla Local Environmental Plan 2012. In that context, it would be inappropriate to approve the Development Application modification.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Uralla Development Control Plan 2011

Uralla Local Environmental Plan 2012

Environmental Planning and Assessment Regulation 2000

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

9. Disclosure of Political Donations and Gifts

Has a Political Donations Disclosure Statement been received in relation to this application? No

Political Donation Disclosure Statement register details N/A

Have staff received a gift or benefit from anyone involved in this application that needs to be disclosed? No

Gift and benefits register details N/A

Prepared by staff member: Matt Clarkson, Manager Development & Planning
TRIM Reference Number: DA-26-2018
Approved/Reviewed by Manager: Terry Seymour, Director Infrastructure & Development
Department: Infrastructure & Development
Attachments: Attachment 1 - DA-26-2018 - Modification Application
Attachment 2 - DA-26-2018 - Subdivision Plan
Attachment 3 - DA-26-2018 - Determination



Uralla Shire Council

Development Activity Application

Modification

Development Consent
Please complete Sections A, B and D

Construction Certificate
Please complete Sections A,C, D and E

Section 68 Certificate
Please complete Sections A and F

Subdivision Certificate
Please complete Section A and E

Complying Development Certificate
Please complete section A, B, D and E
Please choose which CDC assessment you require below

Application for Occupation Certificate
Please complete Section A

CDC Assessment under General Housing Code

CDC Assessment under Rural Housing Code

CDC Assessment under General Development Code

CDC Assessment under Commercial & Industrial Code

CDC Assessment under Subdivision Code

CDC Assessment under Demolition Code

Council encourages intending applicants to discuss development proposals prior to formal lodgement. Should you wish to discuss your proposal, please contact Council to arrange an appointment with the relevant regulatory officer.

Section A – PROPERTY DETAILS, APPLICANT & OWNERSHIP

Description of proposal: Modification to DA to install, off grid, solar electricity supply

Estimated commercial value of proposal: \$ 15,945

Please Note: All labour and materials and site works are to be included

Property Address

Street Address: 26 Uralla St Locality: Uralla NSW

Lot and DP, Portion, or Section: Lot 6: DP: 583369, Lot: 7-D.P: 583369

Applicant

Name/s: Greg & Anne Ward

Postal Address: 27 Queen St Uralla, NSW. 2358

Email Address: granvic2503@gmail.com

Daytime contact (phone, mobile and / or fax): 0429099404

Signature: [Signature] Date: 4.12.2018

Owner

Name/s: Anne, Greg Ward

Postal Address: 27 Queen St Uralla, NSW. 2358

Email Address: granvic2503@gmail.com

Daytime contact (phone, mobile and / or fax): 0429099404 Date: 4.12.2018

Owner's consent (ALL OWNERS MUST SIGN) company seal to accompany application if not owned by an individual

As the owner/s of the above property, I/we consent to the lodgement of this application. I/we permit officers of Council to enter the land to carry out inspections as required for the assessment of this application and will provide access where required.

Name Anne Ward Name GREG WARD

Signature [Signature] Signature [Signature]

Building work to be carried out by:

OWNER BUILDER – permit no. N/A

LICENCED BUILDER – name. N/A

Postal Address: _____

Email Address: _____

Daytime contact (phone, mobile and / or fax): _____ Licence No: _____

Will you be carrying out work on the road reserve (ie. constructing a new driveway) YES NO

Section B – DEVELOPMENT DETAILS

Development Type new building/s or additions/alterations to existing building/s subdivision of land
 change of use of land/building other

Current use of site vacant land

For Commercial/Industrial development - proposed hours of operation N/A

For Subdivision: number of lots to be created 1

For Subdivision: is a new road to be created? YES NO

Integrated Development

Your development is Integrated Development if it:

- Is within 40m of a creek, river or foreshore
- Involves dredging or reclamation in a waterway
- Affects the quality of water flowing into a creek, river or waterway
- Is adjacent to a main road
- Includes the building of a dam, weir or levee
- Draws water from a creek or river
- Relates to a Heritage item or Heritage Conservation area
- Relates to an Aboriginal Place or Relic
- Relates to scheduled premises or scheduled equipment under the provisions of the Clean Air Act, 1961 or the Noise Control Act, 1975
- Is located on land has previously been used for agricultural or industrial purposes and may be contaminated

Is the proposal Integrated Development?

YES

NO

Note : An integrated development application will need to be referred to the relevant State Government body, and payment of the statutory \$320 fee per referral is required at the time of lodgement of the application. All cheques are to be made out to the referral body/bodies (Council will arrange for the application to be forwarded).

Designated Development

Your development is Designated Development if it includes:

- Agricultural produce industries
- Electricity generating stations
- Aircraft facilities
- Extractive industries
- Aquaculture
- Limestone mines and works
- Artificial waterbodies
- Livestock intensive industries
- Bitumen pre-mix and hot-mix industries
- Livestock processing industries
- Breweries and distilleries
- Cement works
- Ceramic and glass industries
- Mineral processing or metallurgical works
- Chemical industries
- Mines
- Chemical storage facilities
- Paper pulp or pulp products industries
- Coal mines
- Petroleum works
- Coal works
- Railway freight terminals
- Non-domestic composting facilities
- Non-domestic sewerage facilities
- Concrete works
- Shipping facilities
- Contaminated soil treatment works
- Turf farms
- Crushing, grinding or separating works
- Waste management facilities or works
- Drum or container reconditioning works
- Wood or timber milling or processing works
- Wood preservation works

Is the proposal Designated Development?

YES

NO

Statement of Environment Effects

Legislation – In accordance with Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* a development application must be accompanied by a Statement of Environmental Effects (except for designated development which is accompanied by an Environment Impact Statement).

Qualifier – This *Statement of Environmental Effects Template* has been produced to assist applicants identify the environmental impacts of a development and the steps to be taken to protect the environment or lessen the expected harm. The template is suitable for minor impact development such as dwellings, alterations & additions, outbuildings, small scale commercial & industrial developments and minor subdivisions. It may be necessary for Council to request additional information depending on the nature and impacts of a proposal. Larger scale developments should be accompanied by a detailed and specific Statement of Environmental Effects. For further information in this regard please seek specific advice from Council's Planner.

(When completing template is any potential environmental impact is identified please provide additional comment – if necessary attach additional information).

DESCRIPTION OF THE DEVELOPMENT

(Should include where applicable physical description of building, proposed building materials, nominated colour scheme, nature of use, details of any demolition etc).

We wish to apply for a modification to our existing D.A application, DA No: DA-26-2018 to allow for the provisioning / installation of a 4.4kW, fully off grid, stand alone, roof-mounted solar electricity supply to the 1 block residential lot we are creating. The block is currently vacant with a set of cement brick & cement floor slabs with attached colorbond shed used for storage purposes only. Following discussions with a solar provider this building meets the requirements for the installation of solar panels & provides suitable storage for a 5.12 kWh battery.

DESCRIPTION OF THE SITE

(Describe the physical features such as shape, slope, vegetation, any waterways. Also describe the current use/s on the site).

Comments: The lot is currently vacant. It is a rectangular shaped lot with a gentle slope to the NW. There is very little vegetation on the block. The stable & shed situated on the block are used for storage only.

CONTEXT AND SETTING

Will the development:

- Be visually prominent in the surrounding area? [] YES [x] NO
• Be inconsistent with the existing streetscape or Council's setback policies? [] YES [x] NO
• Be out of character with the surrounding area? [x] YES [] NO

Comments: The modification requested will not impact the surrounding area.

ACCESS/TRAFFIC & UTILITIES

(Note 1 dwelling = approx. 10 vehicle movements per day)

- Is legal and practical access available to the development? [x] YES [] NO
• Will development increase local traffic movements / volumes? [] YES [x] NO
If Yes, by how much?.....
• Are additional access points to road network required? [] YES [x] NO
• Has Vehicle maneuvering and onsite parking been assessed in the design [] YES [] NO N/A
• Is power, water, electricity, sewer and telecommunications services readily available to the site? [] YES [] NO

Comments: At the current time provisioning for sewer, water - telecommunications are underway.

ENVIRONMENTAL IMPACTS

- Is the development likely to result in any form of air pollution?(smoke, dust, odour etc.) [] YES [x] NO
• Does the development have the potential to result in any form of water pollution? [] YES [x] NO
• Will the development have any noise impacts above background noise levels? [] YES [x] NO

- Does the development involve any significant excavation or filling? YES NO
- Could the development cause erosion or sediment run-off, including over the construction period? YES NO
- Is there any likelihood in the development resulting in soil contamination? YES NO
- Is the development likely to disturb any aboriginal artifacts or relics? YES NO

Comments:.....

FLORA AND FAUNA IMPACTS

(For further information on threatened species, see www.threatenedspecies.environment.nsw.gov.au)

- Will the development result in the removal of any native vegetation from the site? YES NO
- Is the development likely to have any impact on threatened species or endangered ecological communities? YES NO

(If the answer is yes to either of the above questions it may be necessary to have a formal seven-part test completed to access the impact on threatened species – applicants are encouraged to consult Council).

Comments:.....

NATURAL HAZARDS

Is the development site subject to any of the following natural hazards:

- Bushfire Prone? Landslip? Flooding?

(Note if the site is identified as Bushfire Prone it will be necessary to address the Planning for Bushfire Protection Guidelines and in the case of subdivision the development will be integrated. For further information please consult the NSW Rural Fire Services web site www.rfs.nsw.gov.au).

Comments:
The block is not subject to any of the above natural hazards

WASTE DISPOSAL *N/A*

- How will effluent be disposed of? To Sewer Onsite
- Will liquid trade waste be discharged to Council's sewer? YES NO
- How will stormwater (from roof and hard standing) be disposed of:
 Street Drainage System Other (if other provide details)

SOCIAL AND ECONOMIC IMPACTS

- Will the proposal have any economical consequences in the area? YES NO
- Will the proposal affect the amenity of surrounding residences by overshadowing, loss of privacy, increased noise or vibration? YES NO
- Is the development situated in a heritage area or likely to have an impact on any heritage item or item of cultural significance? YES NO

Comments:.....

OPERATIONAL AND MANAGEMENT DETAILS

N/A

(This section is only relevant to commercial / industrial / public buildings and other non-residential uses)

Please attach a separate statement to this form addressing the following matters:

- Description of Operation
- Hours and days of operation
- Numbers of staff
- Maximum expected no. of customers
- Description of production process
- Nature of any waste generated
- Method / timing / frequency of deliveries (loading and unloading)
- Type and quality of goods handled including any hazardous substances
- Provision for disabled access and facilities

If you answer YES to any of the following questions, you may be required to provide an Environmental Impact Statement which has prepared by an appropriately-qualified professional

- Is the land (or part of the land) considered to be 'critical habitat'? YES NO
- Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats? YES NO
- Will there be stormwater discharges into a natural drainage system? YES NO
- Will fumes, steam, smoke or dust be emitted from the development? YES NO
- Will the existing vegetation be removed? YES NO
- Will the development be visually prominent? YES NO
- Is the site affected by environmental constraints, eg. bushfire, flooding, contamination, landslip, slope exceeding 18 degrees from the horizontal and natural drainage courses? YES NO
- Will the proposal and associated machinery emit noise? YES NO
- Will the development result in increased traffic in the area? YES NO

Section C – COMPLYING DEVELOPMENT and CONSTRUCTION CERTIFICATES

Complying Development -

N/A

- Dwelling (incl. alterations and additions)
- Bed and Breakfast accommodation
- Swimming pool
- Class 10 building (shed, carport, etc)
- Commercial/retail
- Telecommunications
- Industrial

Construction Certificate

- building work – BCA class of building _____
 subdivision work _____

Development Consent No. _____

Date of Consent _____

BASIX Certificate

The Building Sustainability Index (BASIX) is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices. A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

You need a BASIX Certificate in Walcha, Uralla, Guyra and Armidale Dumaresq Council areas when BASIX applies to the type of development for which you require approval. Commencement dates and details of types of development are at www.basix.nsw.gov.au

The applicant is required to submit the BASIX Certificate with the Development Application or Complying Development Certificate application. The plans and specifications must also identify the BASIX commitments which will be checked by a professional building certifier during construction. Where submitted plans or specifications are inconsistent with the relevant BASIX Certificate, Council should require applicants to submit consistent applications before progressing the assessment process, either by amending plans / specifications or by submitting a new BASIX Certificate with commitments that match the rest of the application.

Applicants can generate the BASIX Certificate only on the NSW Department of Infrastructure, Planning and Natural Resources' BASIX website: www.basix.nsw.gov.au. For more information, phone DIPNR's BASIX Help Line on 1300 650 908.

Has a BASIX Certificate been supplied with this application? YES NO

Section D – INFORMATION REQUIRED BY BUREAU OF STATISTICS

Area of land _____ Current uses of land/buildings _____

Gross floor area of existing building (m²) _____ Storeys proposed (incl. underground floors) _____

Floor area of new work (m²) _____

Residential Buildings ONLY:

No. dwellings to be constructed _____ Will a dwelling be attached to new buildings? Y N

No. pre-existing dwellings on the site _____ Will a new building be attached to other buildings? Y N

No. dwellings to be demolished _____ Will the site contain a dual occupancy? Y N

Materials to be used in the construction of the new building(s) *tick all that apply*

- | | | | |
|--|---|-----------------------------------|---|
| -Walls- | -Roof- | -Floor- | -Frame- |
| <input type="checkbox"/> brick (double) | <input type="checkbox"/> tiles | <input type="checkbox"/> concrete | <input type="checkbox"/> timber |
| <input type="checkbox"/> brick (veneer) | <input type="checkbox"/> steel /aluminium | <input type="checkbox"/> timber | <input checked="" type="checkbox"/> steel |
| <input type="checkbox"/> concrete/stone | <input type="checkbox"/> other | <input type="checkbox"/> other | <input type="checkbox"/> other |
| <input type="checkbox"/> timber | | | |
| <input type="checkbox"/> steel / aluminium | | | |
| <input type="checkbox"/> other | | | |

Section E – PRINCIPAL CERTIFYING AUTHORITY

Do you wish to appoint Council as the Principal Certifying Authority (PCA) for the purpose of undertaking inspections and issuing Occupation and/or Subdivision Certificates? YES NO

If you tick YES, you must provide a copy of the Builders Home Warranty insurance or Owner-Builders Permit prior to booking the first inspection. If you tick NO and your proposal includes building or subdivision work, you are advised that building or construction work cannot be commenced until a PCA is appointed.

If you have nominated Council as the PCA, do you intend to start work within 90 days? YES NO

If you tick NO, you will need to provide a separate Commence of Works form at least 2 days prior to booking an inspection.

Section F – APPROVALS UNDER SECTION 68 LGA 1993

Water, sewage & stormwater	New structures or places of public entertainment	Other activities
<input type="checkbox"/> Water supply work and/or sewerage work in residential areas <input type="checkbox"/> Stormwater drainage work <input type="checkbox"/> Install and operate and onsite sewage management system <input type="checkbox"/> Trade waste	<input type="checkbox"/> Install a manufactured home, moveable dwelling or associated structure <input type="checkbox"/> Install a temporary structure <input type="checkbox"/> Use a building as a place of public entertainment <div style="text-align: center; font-size: 2em; color: blue;">NA</div>	<input type="checkbox"/> Swing goods across a public road by means of a lift, hoist or tackle projecting over the footway <input type="checkbox"/> Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road <input type="checkbox"/> Operate a public car park <input type="checkbox"/> Operate a caravan park, camping ground or manufactured home estate <input type="checkbox"/> Install a wood heater

For water, sewerage & stormwater work in residential areas Please indicate which services you require

- standard 20mm water service standard sewer service
 service to supply multi-occupancy development: number of units _____
 commercial/industrial developments: type of industry _____

Will you be installing hose reels fixed sprinklers a hydrant within your property?

For installation and operation of onsite sewage management systems Please indicate which services you require

Installation Firm/Plumber: _____

Address: _____

Phone: _____ Licence No: _____

WC Flush Capacity: _____ litres Septic Tank Capacity: _____ litres

Collection Well Capacity: _____ litres Aerated Septic Tank Brand: _____ litres

Source of Water Supply: _____

Wastes to be connected: WC and _____

Number of Persons Residing on Premises: _____

Conditions of Installation : Council's water installation will terminate at the meter. The water pipe from the main and the meter remain the property of Council and is the owner's responsibility to protect from damage whilst maintaining reasonable access to the service and meter at all times. Council's sewer service will terminate in a junction/pipe socket. The owner is responsible for the internal service and inspection shaft ("S-Box").

Please note; The fee for each application and depends on the individual nature and the type of intended development. It is suggested that Council be contacted for a fee quote prior to lodgement to ensure that your application is not delayed unnecessarily.

- Notes:
1. Aerial Image © LPI SX. Overlay is indicative only.
 2. Areas, possible encroachments and dimensions are subject to registration of final title survey.
 3. 1m contours are interval indicative, © Geosciences Australia

Items:

- (A) Existing residence - 56 Salisbury Street
 - (B) Existing residence - 26 Uralla Street
 - (C) Existing shed
- It is intended to create:
- (E) Easement for sewage 3 wide over existing sewer line
 - (F) Right of carriageway 5m wide and variable over existing driveway for reciprocal access to Lots 1 & 2.
 - (G) Easement for drainage and services benefiting Lots 1 & 2.
 - (H) Proposed right of carriageway over existing driveway (Lot 1 DP503996)

URALLA SHIRE COUNCIL

This is the Plan referred to in relation to Development Application No. **26/2018** **229 S 118**
COUNCIL OFFICER

PROPOSED LAYOUT
 Lots 6 & 7 DP583369
 being 56 Salisbury St & 26 Uralla St
 URALLA NSW 2358



"Southall"
 100 Barney Street
 Armidale NSW 2350
 p: 02 6772 1077
 m: 0414 782 867
 e: office@croftsurveying.com

Date: 07.03.18
 Drawing: 171020 - B
 Surveyor: Michael Croft
 Sheet 1 of 1
 1:500 at A3





Infrastructure & Regulation

P: 02 6778 6300

F: 02 6778 6349

E: council@uralla.nsw.gov.au

32 Salisbury Street, Uralla NSW 2358

PO Box 106, Uralla NSW 2358

ABN: 55 868 272 018

22 May 2018

Croft Surveying & Mapping
"Southall"
100 Barney Street
ARMIDALE NSW 2350

Dear Sir/Madam,

Development Application

Proposed Activity:	SUBDIVISION OF TWO URBAN LOTS TO CREATE THREE URBAN LOTS
Application No.:	DA-26-2018
Address:	56 SALISBURY STREET & 26 URALLA STREET, URALLA

I am pleased to advise that consent has been granted for the above Development Application. The consent documents are enclosed.

The Principal Certifying Authority is unable to complete any inspections unless the Notice of Commencement and a copy of the builder's Home Warranty Insurance or your Owner Builder permit has been provided to the Certifying Authority.

It is your responsibility to be aware of all covenants affecting the property, and to ensure that this approval does not contravene them in any way.

Should you be carrying out any work on Council property (e.g., the nature strip) you will also need to obtain separate approval from Council's Infrastructure & Regulation Department.

Should you have further enquiries, please do not hesitate to contact the Council Officer listed below or Council's offices by telephoning (02) 6778 6300.

Yours sincerely,

Andrew Hopkins
GENERAL MANAGER

Per: 

Encl:

Council Officer: Matt Clarkson – Manager Planning & Regulation
Telephone: (02) 6778 6300
Email: council@uralla.nsw.gov.au

URALLA SHIRE COUNCIL	
DA:	DA-26-2018
DATE:	06/05/18 2138
APP:	



Uralla Shire Council

Address correspondence to:
General Manager
32 Salisbury Street
URALLA NSW 2358

Phone: (02) 6778 6300
Fax: (02) 6778 6349
Email: council@uralla.nsw.gov.au
ABN 55 868 272 018

NOTICE OF DETERMINATION

Issued under *Environmental Planning and Assessment Act 1979* Section 81(1)(a)

DEVELOPMENT APPLICATION

APPLICANT

Application No: DA-26-2018

Applicant Name:	Croft Surveying & Mapping
Applicant Address:	"Southall", 100 Barney Street ARMIDALE NSW 2350

OWNER

Owner Name:	Mr G V Ward & Mrs A L Ward
Owner Address:	27 Queen Street, URALLA NSW 2358

LAND TO BE DEVELOPED

Property Details:	56 Salisbury Street URALLA, 26 Uralla Street URALLA
Legal Description:	Lot: 6 DP: 583369, Lot: 7 DP: 583369
Land Use Zone:	R1 – General Residential

DEVELOPMENT

Description:	Two Lots into Three Lots Subdivision
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DETERMINATION – APPROVAL

Decision Date:	22 May 2018	Operational Date:	22 May 2018	Lapse Date:	22 May 2023
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CONDITIONS (including Section 94 Conditions)

Please read all conditions carefully. The applicant/developer may arrange to meet with Council to clarify, if necessary, the precise requirements of the conditions of this consent.

Please Note: A copy of all conditions contained in this consent are to be provided to contractors and subcontractors working on the site, to ensure all work is carried out in accordance with this consent.

Approved Plans: Croft Surveying & Mapping – Proposed Layout, Drawing 171020 – B, 1 page, dated 7 March 2018

Uralla Shire Council – Development Application Determination

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

Shoring and adequacy of adjoining property

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

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

GENERAL CONDITIONS

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

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

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

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

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

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

6. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

Uralla Shire Council – Development Application Determination

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

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

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

Reason: To ensure the provision of appropriate documentation for Subdivision Certificate approval.

9. That three lots are created by the subdivision of Lot 6 and 7, DP 583369, one of about 1357 m², one of about 2561 m² and the other about 809 m².

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

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

- (a) The purpose is an "easement for sewerage drainage" in favour of Council.
- (b) It must be located centrally over Council's main located within proposed Lots 1, 2 and 3 inclusive, as indicated by (E) on drawing 171020 – B dated 7 March 2018 supplied by Croft Surveying and Mapping.
- (c) It must have a minimum width of 3 metres.

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

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

- (a) The purpose is an "easement drainage and services" benefiting proposed Lots 1 and 2, as indicated by (G) on drawing 171020 – B dated 7 March 2018 supplied by Croft Surveying and Mapping.
- (b) It must have a minimum width of 1 metre.

Reason: To protect services and drainage lines from inappropriate development.

12. The developer must create a right of carriageway under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is a "right of carriageway for reciprocal access" benefiting proposed Lot 2, as indicated by (F) on drawing 171020 – B dated 7 March 2018 supplied by Croft Surveying and Mapping.
- (b) It must have a minimum width of 5 metres and variable over proposed Lot 1.

Reason: To provide appropriate ongoing access to the proposed Lot 2.

13. The developer must create a right of carriageway over the existing driveway on Lot 1 DP 503996 under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is a "right of carriageway" benefiting proposed Lot 3, as indicated by (H) on drawing 171020 – B dated 7 March 2018 supplied by Croft Surveying and Mapping.

Reason: To provide appropriate ongoing access to the proposed Lot 3.

Uralla Shire Council – Development Application Determination

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

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

15. The subdivision must be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development.

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

16. The access handle to the proposed second Lot 1 is to be:

- A minimum of 4 metres wide.
- Concreted or bitumen sealed for the entire length to the proposed Lot 2 and to a minimum width of 3.65 metres.

Reason: To ensure appropriate access and that costs associated with establishing the subdivision are borne by the developer.

17. A water main extension is required from the existing line north-east of the property of proposed Lot 3 to the proposed Lot 2. This extension is to be constructed in accordance with Armidale Engineering Design Codes in force at the commencement of works, to a standard approved by the Director of Infrastructure and Regulation, and will be at the expense of the developer.

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

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

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

Reason: To ensure compliance with approved plans.

Uralla Shire Council – Development Application Determination

20. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.
- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
 - (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
 - (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
 - (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.

Reason: Requirement of Council as the Road Authority.

ADVISORY NOTES - GENERAL

21. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
22. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
23. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
24. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
25. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

Uralla Shire Council - Development Application Determination

REASONS FOR THE ABOVE CONDITIONS

Given Council's duty to consider the matters set out in Section 79C(1) of the Environmental Planning and Assessment Act 1979 (as amended), the above conditions have been placed on the consent in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 (as amended).

RIGHT OF APPEAL

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice. *Note: Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.* Section 82A of the Environmental Planning and Assessment Act 1979 gives you the right to request a Review of Determination. Upon payment of the prescribed fees, Council will review the determination under the provisions of Section 82A.

Note: Section 82A of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a Designated Development, Integrated Development or Crown Applications.

Andrew Hopkins
GENERAL MANAGER

Per: 

Date: 22 May 2018

Uralla Shire Council – Development Application Determination

NOTICE OF COMMENCEMENT OF WORK AND APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

made under the Environmental Planning and Assessment Act 1979 Section 81A(2) or (4), 86 (1) and (2)

1. Applicant Details

Name or

Company and contact
person

Croft Surveying & Mapping

OR company contact person: _____

Postal Address

"Southall", 100 Barney Street ARMIDALE NSW 2350

Contact details

daytime phone: _____ mobile: _____

2. Property Details

Address

56 Salisbury Street URALLA, 26 Uralla Street URALLA

Lot/DP

Lot: 6 DP: 583369, Lot: 7 DP: 583369

3. Description of development

Is Council the Principal
Certifying Authority?

yes no

name:

accreditation Number:

If no, provide details of the
PCA

company:

address:

office phone:

mobile:

email:

4. Principal Certifying Authority

Is the proposal for -

building work

subdivision work

Development consent

DA Number: DA-26-2018 Date of Determination:

CC Number:

5. Compliance with Consent

Have all conditions required to be satisfied prior to the
commencement of work been satisfied?

yes

if no, work must not commence

6. Date work is to commence

7. Declaration

I declare that the above information is, to the best of my knowledge, true and correct.

Applicant's signature _____



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Development and Planning
Reference/Subject:	Report 19 - DIVISION DECISION – Development Application 51/2018 – 23 Lot Industrial Subdivision – Rowan Avenue Uralla

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
Activity:	2.1.4.1	Process building and development application
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

NOTE TO COUNCILLORS:

In accordance with the provisions of S375A of the *Local Government Act 1993*, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

SUMMARY:

Proposal:	23 Lot Industrial Subdivision
Property description:	Lot 14 DP 787477 Assessment 53335
Applicant:	Local Government Engineering Services
Owner:	Uralla Shire Council
Zoning:	IN2 Light Industrial
Date received:	24 August 2018
Public notification or exhibition:	Yes
Exhibition period:	17 October 2018 to 2 November 2018
Submissions:	4
Other approvals:	Nil

OFFICER'S RECOMMENDATION:

That Council approve Development Application 51/2018 for a 23 Lot Industrial Subdivision on Rowan Avenue Uralla, being Lot 14 DP 787477, subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

Erection of signs

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

GENERAL CONDITIONS

4. The applicant shall develop a landscaping plan to address visual amenity from the New England Highway and Rowan Avenue. The plan should include details of landscaping provision and design elements/treatment. The plan shall be submitted to and approved of by Council's Development & Planning Section prior to the issue of a Construction Certificate.
5. The applicant must demonstrate that the intersection of Rowan Avenue and the New England Highway is appropriate for the largest design vehicle to safely access the proposed subdivision. The requirements of this condition shall be satisfied prior to the issue of a Construction Certificate.
6. A detailed flora and fauna assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
7. The applicant shall provide a land contamination assessment for the site. The assessment shall consider historic land uses and potential contamination sources with respect to the proposed subdivision. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
8. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Uralla Shire Council shall be submitted to the certifier prior to issue of a Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.
9. An archaeological assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
10. A traffic impact assessment shall be completed for the development. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by Council prior to the issue of a Construction Certificate.

11. The development shall be implemented in accordance with:
- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
 - (b) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
12. This approval is for two stages being:
- Stage One being Lots 1 to 11;
 - Stage Two being Lots 11 to 23.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
13. The internal water mains within the subdivision are to form a looped system with no dead ends. The design must comply with fire fighting minimum pressures and standards which are to be supplied in addition to peak instantaneous demands for a typical residential water demand.
- Reason: To ensure works are completed in line with appropriate standards.*
14. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
- Reason: To ensure works are completed in line with appropriate standards.*
15. Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798-1990 Guidelines on Earthworks for Commercial and Residential Developments. The developer's structural engineering consultant shall:
- identify the source of the fill and certify that it is free from contamination; and
 - classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1.
- Reason: To ensure any fill used in construction is of an appropriate standard.*
16. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.
- Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*
17. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Regional Council Engineering Design Codes in force at the time, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
- Reason: To ensure works are completed in line with appropriate standards.*
18. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.
- Reason: To prevent pollution from detrimentally affecting the public or environment.*

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

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

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

20. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- divert contaminated run-off away from disturbed areas,
- erect silt fencing along the downhill side of the property boundary,
- prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
- stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Reason: To prevent pollution from detrimentally affecting the public or environment.

21. A Construction Certificate must be obtained from a Certifying Authority before work commences.

Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.

CONDITIONS TO BE COMPLETED WITH DURING CONSTRUCTION

22. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.

Reason: To ensure amenity of the locality is maintained..

23. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.

Reason: To ensure compliance with appropriate standards.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

26. Occupancy of the site is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.

**CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION
CERTIFICATE(S)**

27. That twenty three lots are created by the subdivision of Lot 14, DP 787477.
- Stage One being Lots 1 to 11;
 - Stage Two being Lots 11 to 23.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
28. The subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council prior to the release of the subdivision certificate.
- Reason: To ensure that the subdivision is adequately serviced by utilities.*
29. Prior to the issue of a subdivision certificate, the applicant shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to each of the lots within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
- Reason: To ensure that the subdivision is adequately serviced by utilities.*
30. The applicants shall provide one set of print film copies of “work as executed” plans to Council for works carried out on Council property or benefiting Council. Each plan is to have a scale adjacent to the title block showing the scale used on that plan. The location of any fill introduced, by both plan limit and depth, together with relevant classifications shall be shown on the “work as executed” plans to be submitted to Council.
- Reason: To ensure Council has been provided with the location of new infrastructure.*
31. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an “easement for sewerage drainage” in favour of the proposed Lots.
 - (b) It must be located centrally over the new sewer line.
 - (c) It must have a minimum width of 3 metres.
- Reason: To protect sewer lines from inappropriate development.*
32. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an “easement for water supply” in favour of the proposed Lots.
 - (b) It must be located centrally over the new sewer line.
 - (c) It must have a minimum width of 3 metres.
- Reason: To protect water lines from inappropriate development.*
33. The developer must pay for the extension of Uralla Shire Council’s water main, and sewerage/effluent main to service the subdivision.
- Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.*

34. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Council and to be centrally located over all inter allotment drainage lines.
Reason: To protect drainage lines from inappropriate development.
35. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Essential Energy and to be centrally located over all electricity infrastructure.
Reason: To protect electricity infrastructure from inappropriate development.
36. The internal access road is to be excised from the subdivided land and dedicated as a public road.
Reason: The excision of part of the current Lot 14 DP 787477 for the purposes of public road is appropriate as it must form part of Council's road network to ensure ongoing maintenance.
37. The developer is to provide new kerb and gutter as well as vehicle entrances to the proposed lots to the satisfaction of Council, at their own expense. Driveways are to concrete or bitumen seal from the road to the property boundary.
Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.
38. Under-road conduits are to be provided to cater for electricity, telecommunications, gas supply or other underground utility services. Utility crossings of public roads are to be under-road bored and Council's Director of Infrastructure & Development advised of the intention to commence work at least 48 hours in advance. The developer and its agents are responsible for ascertaining the location of existing underground services before commencing work. Any damage to existing services or to the road construction is to be made good at the expense of the developer.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
39. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.
Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.
40. The developer shall have submitted to Council three (3) copies of the Title Plan. The applicant/developer is to ensure that a checklist, clearly showing that all conditions of consent have been met, is provided with the subdivision certificate application.
Reason: To ensure that appropriate documentation is provided.

ADVISORY NOTES – GENERAL

41. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
42. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.

Uralla Shire Council
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43. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
44. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
45. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
46. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 approval must be obtained from Council. Please contact Council to obtain an application form.

BACKGROUND:

Development Application 51/2018 for a 23 Lot Industrial Subdivision on Rowan Avenue Uralla, being Lot 14 DP 787477, was received on 24 August 2018. The application was forwarded to the planning department of Moree Plains Shire Council (MPSC) for an independent assessment on 28 September 2018 as the subdivision is a Uralla Shire Council project, and it is appropriate that assessment of such an application is not undertaken by Council as the consent authority. The recommended conditions imposed by MPSC have been incorporated into the proposed consent conditions for the subdivision along with sundry standard subdivision conditions that would normally be imposed by Council

REPORT:

Four submissions relating to the proposed development were received during the notification period. Consideration of the concerns raised were addressed by the planning department of MPSC, and are outlined below.

Submission Maker	Issue	Comment
Wayne Howard Uralla Shire Business Chamber	Direct access to the subdivision should be provided from the New England Highway	The proposal includes vehicle access to the New England Highway via Rowan Avenue. Clause 101 of State Environmental Planning Policy (Infrastructure) 2007 states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that "where practicable and safe, vehicular access to the land is provided by a road other than the classified road". For the subject proposal it is considered that an

Uralla Shire Council
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		<p>appropriate level of access is provided by Rowan Avenue.</p> <p>Clause 101 also addresses the safety, efficiency and ongoing operation of the classified road. Utilising the existing intersection of Rowan Avenue and the highway for subdivision access creates the least impact on the classified road and complies with clause 101.</p>
<p>Wayne Howard Uralla Shire Business Chamber</p>	<p>Visual amenity concerns regarding views of the development from the New England Highway</p>	<p>Visual amenity resulting from this subdivision is considered to be generally acceptable.</p> <p>It is noted that the subject land is prominently located on Uralla's southern entrance on the New England Highway. As such the development should make a positive contribution to the streetscape. Chapter 10 of the Uralla DCP 2011 provides as follows:</p> <p><i>Development within the southern gateway areas should contribute towards an attractive streetscape and a significant aspect of this is the provision of landscaped areas along site frontages.</i></p> <p><i>Given the diversity of developments permitted within the zones, landscaping is one of the few elements which can provide a unifying theme towards creating an established streetscape. A landscaping plan is to be submitted with any development application.</i></p> <p>Council staff have advised that the proposed landscaping treatment along the New England Highway and Rowan Avenue is to be a mix of Australian native shrubs 1-3m in height, with smaller varieties at 3m intervals, larger at 15m intervals. It is recommended that the applicant provide a landscaping plan to address landscaping provision and design elements/treatment.</p> <p>Future Development Applications would be lodged for the development of individual lots. Views from the Newell Highway would be addressed as part of this process.</p>
<p>Wayne Howard Uralla Shire Business Chamber Charlie McCarter</p>	<p>The proposed site layout does not maximise business exposure to the New England Highway</p>	<p>The site layout has been selected by the applicant from a range of potential options.</p> <p>This issue is not a planning matter and so will not be considered in this assessment.</p>
<p>Uralla Shire Business Chamber Dr Bruce McMullen</p>	<p>Rowan Avenue intersection with the New England Highway is unsuitable for truck access</p>	<p>This intersection is the current access for the Uralla landfill and recycling centre. It is regularly utilised by heavy vehicles and does not have any identified traffic issues or a history of incidents.</p> <p>Highway traffic from the south has generally slowed at this point as the intersection is well within the 50km/h zone.</p> <p>An inspection of this intersection was undertaken by Council staff on 9 November 2018. The staff observed that the road surface is in good condition and shows no evidence of vehicles cutting corners.</p>

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		For the expected increase in traffic volumes from the subdivision, the intersection appears to be satisfactory. To ensure this is the case it is recommended that an approval condition be included requiring the intersection to be assessed for suitability.
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CONCLUSION:

No significant adverse impacts are known or expected as a result of approving Development Application 51/2018.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Uralla Development Control Plan 2011

Uralla Local Environmental Plan 2012

Environmental Planning and Assessment Regulation 2000

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

9. Disclosure of Political Donations and Gifts

Has a Political Donations Disclosure Statement been received in relation to this application? No

Political Donation Disclosure Statement register details N/A

Have staff received a gift or benefit from anyone involved in this application that needs to be disclosed? No

Gift and benefits register details N/A

Prepared by staff member:

Matt Clarkson, Manager Development & Planning

TRIM Reference Number:

DA-51- 2018

Approved/Reviewed by Manager:

Director Infrastructure & Development

Department:

Infrastructure & Development

Attachments:

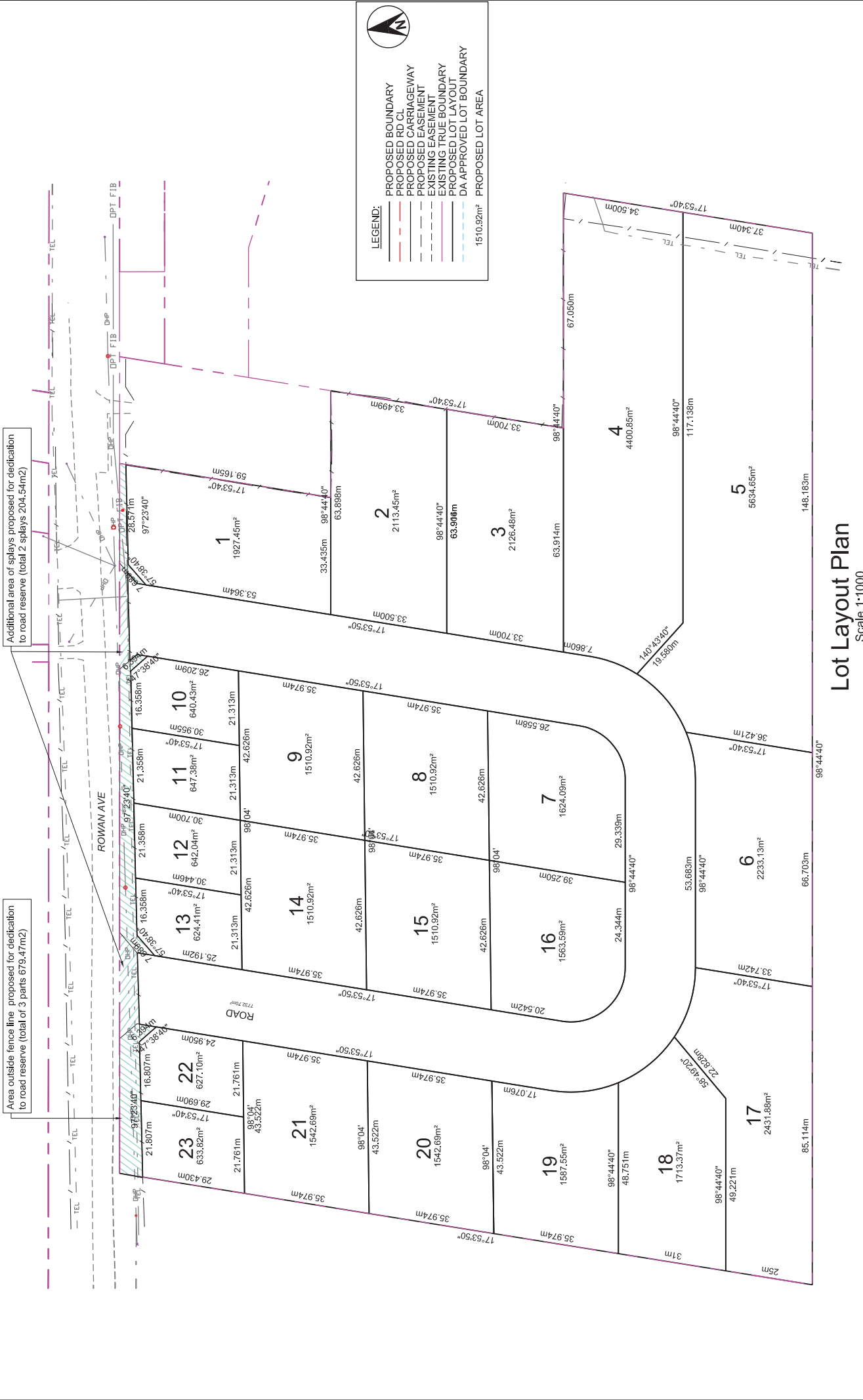
1 Site plan

2 Development Assessment Report prepared by Moree Plains Shire Council

3 Submissions (4)

Additional area of splays proposed for dedication to road reserve (total 2 splays 204.54m²)

Area outside fence line proposed for dedication to road reserve (total of 3 parts 679.47m²)





LEGEND:

- PROPOSED BOUNDARY
- - - PROPOSED RD CL
- - - PROPOSED CARRIAGEWAY
- - - PROPOSED EASEMENT
- - - EXISTING EASEMENT
- - - EXISTING TRUE BOUNDARY
- - - PROPOSED LOT LAYOUT
- - - DA APPROVED LOT BOUNDARY
- 1510.92m² PROPOSED LOT AREA

Lot Layout Plan

Scale 1:1000

JOB No. IV2978	DATE 12/02/19	DRAWN AD	SCALES	A3 ORIGINAL	ISSUE	SHEET No. 2
					DOCUMENT No. D002	
DESIGNED LW	DATE 24/08/18	APPROVED	DATE	STATUS: APPROVAL	REG. No.	
CLIENT: URALLA SHIRE COUNCIL						
PROJECT: INDUSTRIAL SUBDIVISION						
ROWAN AVENUE, URALLA NSW (LOT 14 DP787477)						
LOT LAYOUT PLAN						
						
						
Port Macquarie 71 Lord St, Ph: 02 65848888 Email: john@lges.com.au						
Inverell 17 Byron St, Ph: 02 65848888 Email: andrew@lges.com.au						
File Name: IV2978_DA_CTL.dwg						
Issue: B DEDICATION TO ROAD RESERVE Issue: A DEDICATION TO ROAD RESERVE						
Date: 12/02/2019						

Development Assessment Report

DA Number: DA-51-2018 **Council:** Uralla Shire Council
Location: Rowan Avenue URALLA
Development Description: Light Industrial Staged 23 Lot Subdivision
Title Details: Lot: 14 DP: 787477

Property Details/History

	Checked	Comments
File History	No	Not relevant: greenfield site.
Title Plan	Yes	
Check Ownership	Yes	

Application Type

Is this application an Integrated Development Application? No
Is this application a Designated Development Application? No
Is this application for State Significant Development? No
Is this application submitted by/on behalf of a Public Authority? Yes
Is this application a staged Development? Yes
Is this application a section 96 amendment? No
Date of original development consent:
Does this section 96 application contain a major deviation from the original development consent? N/A
Is it a BASIX affected development? No

Concurrence/Referral

Section 4.13 – EP & A Act

Does this application require concurrence or referral? No
Is there any other issue that requires notation? No
Does this application require referral for decision by Council? No

Local Environmental Plan

Section 4.15(1)(a)(i) – EP & A Act

This land is zoned: IN2 Light Industrial

List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	The proposal is not contrary to the zone objectives.

Is there a draft LEP or draft LEP amendment which may affect this proposal? No

Development Control Plan

Section 4.15(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal?

Yes

Chapter	Compliance	Comment
1	Yes	No issues
2	Yes	It is recommended that a flora and fauna assessment, archaeological assessment and traffic report be completed prior to CC. The proposal is generally compliant with the acceptable solutions for subdivision in commercial and industrial areas.
5	Yes	The proposal is generally in accordance with the relevant provisions of this chapter.
6	Yes	Parking requirements would be determined for individual lot development.
10	Yes	It is recommended that a landscaping plan be submitted prior to CC
13	Yes	The proposal was notified and 4 submissions were received. Details of submissions and responses to issues raised are provided later in this report.
14		It is recommended that a contamination assessment be submitted prior to CC
16	Yes	Kerb and guttering is proposed for the subdivision. Civil construction matters to be assessed prior to CC

Regional Environmental Plan

The proposal is not inconsistent with the New England North West Regional Plan.

State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

<u>List all relevant SEPPs</u>		
SEPP	Compliance	Comment
55		It is recommended that a site contamination report be submitted prior to the issue of a Construction Certificate.

Planning Agreement

Section 7.4 (10) – EP & A Act

Is there a Planning Agreement in force under section 93F of the EP&A Act?

No

Has a Planning Agreement been offered under this development?

No

Planning Strategies/Local Policy

Section 4.15(1)(b) – EP & A Act

Is there a Planning Strategy or Local Policy that requires notation?	No
Has the applicant submitted any supporting planning assessments?	No

Subdivision

Is this application for subdivision?	Yes
How many new lots are being created?	22

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential environmental impacts?

	Impact	Comment
Social	Yes	Employment opportunities resulting from new businesses in the subdivision.
Economic	Yes	Opportunities for new businesses in Uralla and flow-on economic benefits.
Siting & Configuration	Yes	Layout is functional.
Setbacks	No	
Privacy	No	
Overshadowing	No	
Solar Access	No	
Amenity	Yes	Amenity is considered to be generally acceptable. It is recommended that a public road presentation plan be developed to bed down landscaping and design measures visible to passing traffic and pedestrians.
Water	Yes	The site would be connected to town water so new bores would not be required.
Air	Yes	Potential dust generation during construction.
Noise	Yes	Noise generation during construction and from individual developments thereafter. Design measures, limits on hours of operation etc may assist with this.
Land Degradation	No	
Tree Loss	Yes	The site is predominately open with six trees to be removed across the 5 hectare site. According to USC none of these are koala habitat species.
Flora	Yes	To be reviewed in more detail prior to construction.
Fauna	Yes	To be reviewed in more detail prior to construction.

Environmental Impacts – Threatened Species

Section 4.15(1)(b) – EP & A Act

Has a Threatened Species Impact Assessment been prepared?	No
Are there any species/communities listed under the TSC Act?	Not determined
Does the proposed development require approval under the EPBC Act?	No
Is a Species Impact Statement required?	No
Has a Species Impact Statement been prepared?	No

Environmental Impacts – Heritage

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	
Aboriginal	No	

Is this land classified as containing an item of environmental heritage?	No
Is there an impact on an item of environmental heritage?	No
Is this proposal in a heritage conservation zone?	No
Is this proposal in an adjoining or in close vicinity to a conservation zone?	No
Has a Heritage Impact Statement been prepared for this proposal?	No
Has an Archaeological Survey been prepared for this proposal?	No

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected?	No
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Bush Fire Prone Land

Section 4.15(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map?	No
Has a Bush Fire management Plan been Prepared?	No
Has this plan been accepted by the NSW Rural Fire Service?	N/A

Contaminated Land

Section 4.15(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council?	No
Is it a possibility this land may be contaminated?	Yes
Does this land require remediation?	Undetermined
Has a Contaminated Land Site Investigation been completed?	No
Is a referral required to DECC?	No
Has a Remediation Action Plan been completed for the land?	No
Is this land in the close vicinity or adjoining a known contaminated site?	No

Infrastructure

Has an engineering assessment been completed?

Pre-DA

Does this proposal have any potential infrastructure impacts?

Yes

	Impact	Comment
Sewer	Yes	Each proposed lot to be connected to sewer
Water	Yes	Each proposed lot to be connected to council water supply
Drainage	Yes	Design appears adequate. A final drainage plan to be provided prior to construction.
Access	Yes	The proposal would provide legal and practical access to each new lot.
Kerb & Gutter	Yes	New kerb and gutter will be constructed as part of the development.
Upgrade Existing Road	Yes	Parts of Rowan Avenue would be upgraded.
Road Network	Yes	Road improvements would be undertaken on Rowan Avenue and new road construction would take place within the proposed development site.
Existing Easements	No	
Electricity	Yes	Electricity to be made available to each lot.
Telecommunications	Yes	Telecommunications to be made available to each lot.
Pedestrian Access	Yes	Road verges provide space for pedestrian access.
Loading & Unloading	Yes	To be within individual lots in conjunction to new developments.
Parking	Yes	Parking to be within new allotments in conjunction with individual new developments.

Does the development require any new easements?

Yes

Comment:

Easements for service provision

Has an Erosion and Soil Control Plan been submitted?

No

Construction Assessment

Is a construction assessment required?

No

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 approval required?

No

Developer Contributions

Section 7.11 – EP & A Act

Does this proposal require any Developer Contribution?

No

Signage

Does this proposal require signage?

No

Notification

Section 4.15(1)(d) – EP & A Act

Was this application notified?

Yes

Is this application an advertised development application?

No

Were there any written submissions received?

Yes

If Yes, what was the number of submissions received?

4

Submission Maker	Issue	Comment
Wayne Howard Uralla Shire Business Chamber	Direct access to the subdivision should be provided from the New England Highway	<p>The proposal includes vehicle access to the New England Highway via Rowan Avenue.</p> <p>Clause 101 of State Environmental Planning Policy (Infrastructure) 2007 states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that “where practicable and safe, vehicular access to the land is provided by a road other than the classified road”. For the subject proposal it is considered that an appropriate level of access is provided by Rowan Avenue.</p> <p>Clause 101 also addresses the safety, efficiency and ongoing operation of the classified road. Utilising the existing intersection of Rowan Avenue and the highway for subdivision access creates the least impact on the classified road and complies with clause 101.</p>

<p>Wayne Howard Uralla Shire Business Chamber</p>	<p>Visual amenity concerns regarding views of the development from the New England Highway</p>	<p>Visual amenity resulting from this subdivision is considered to be generally acceptable.</p> <p>It is noted that the subject land is prominently located on Uralla's southern entrance on the New England Highway. As such the development should make a positive contribution to the streetscape. Chapter 10 of the Uralla DCP 2011 provides as follows:</p> <p><i>Development within the southern gateway areas should contribute towards an attractive streetscape and a significant aspect of this is the provision of landscaped areas along site frontages.</i></p> <p><i>Given the diversity of developments permitted within the zones, landscaping is one of the few elements which can provide a unifying theme towards creating an established streetscape. A landscaping plan is to be submitted with any development application.</i></p> <p>Council staff have advised that the proposed landscaping treatment along the New England Highway and Rowan Avenue is to be a mix of Australian native shrubs 1-3m in height, with smaller varieties at 3m intervals, larger at 15m intervals. It is recommended that the applicant provide a landscaping plan to address landscaping provision and design elements/treatment.</p> <p>Future Development Applications would be lodged for the development of individual lots. Views from the Newell Highway would be addressed as part of this process.</p>
<p>Wayne Howard Uralla Shire Business Chamber Charlie McCarter</p>	<p>The proposed site layout does not maximise business exposure to the New England Highway</p>	<p>The site layout has been selected by the applicant from a range of potential options.</p> <p>This issue is not a planning matter and so will not be considered in this assessment.</p>
<p>Uralla Shire Business Chamber Dr Bruce McMullen</p>	<p>Rowan Avenue intersection with the New England Highway is unsuitable for truck access</p>	<p>This intersection is the current access for the Uralla landfill and recycling centre. It is regularly utilised by heavy vehicles and does not have any identified traffic issues or a history of incidents.</p> <p>Highway traffic from the south has generally slowed at this point as the intersection is well within the 50km/h zone.</p> <p>An inspection of this intersection was undertaken by Council staff on 9 November 2018. The staff observed that the road surface is in good condition and shows no evidence of vehicles cutting corners.</p> <p>For the expected increase in traffic volumes from the subdivision, the intersection appears to be satisfactory. To ensure this is the case it is recommended that an approval condition be included requiring the intersection to be assessed for suitability.</p>

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared?

Yes

Comment: The development includes easements for services

Public Interest

Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues?

No

Are there any other public interest issues?

Yes

Comment: The issues raised in public submissions focus on design and giving the development the best chance of success. The development is viewed as having potential benefits for the local community. No objections were received to the development.

Site Suitability

Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this proposal

Yes

Assessing Officer General Comment

ASSESSMENT – KEY ISSUES

No issues warranting further detailed consideration have been identified.

Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

Standard conditions including 88B creation of easements for services, provision of services to each lot, developer contributions, requirement for civil works Construction Certificate, Section 94, water & sewer headworks charges (if you have a policy for this)

Additional DA conditions

- 1) The applicant shall develop a landscaping plan to address visual amenity from the New England Highway and Rowan Avenue. The plan should include details of landscaping provision and design elements/treatment. The plan shall be submitted to and approved of by Council's Planning & Regulation Section prior to the issue of a Construction Certificate.
- 2) The applicant must demonstrate that the intersection of Rowan Avenue and the New England Highway is appropriate for the largest design vehicle to safely access the proposed subdivision. The requirements of this condition shall be satisfied prior to the issue of a Construction Certificate.
- 3) A detailed flora and fauna assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
- 4) The applicant shall provide a land contamination assessment for the site. The assessment shall consider historic land uses and potential contamination sources with respect to the proposed subdivision. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
- 5) Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Uralla Shire Council shall be submitted to the certifier prior to issue of a Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.
- 6) An archaeological assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
- 7) A traffic impact assessment shall be completed for the development. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by Council prior to the issue of a Construction Certificate.

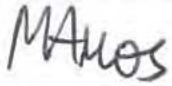
Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

No



Signed:



Murray Amos | Senior Urban Planner

Tel: (02) 6757 3252

Email: murray.amos@mpsc.nsw.gov.au

Date: 20 February 2019



Howards Electrical Service
PTY LTD

ABN: 20 130 136 426

Howards Electrical Service Pty Ltd
T/AS Neal Howards Electrical Service
Phone No: 02 6448 4062
Fax No: 02 6778 5116
howardselectrical@gmail.com
Wayne Howard 82406C

November 2, 2018

Matt Clarkson
Manager Planning and Regulation
Uralla Council
32 Salisbury Street
URALLA NSW 2358

Dear Mr Clarkson,

REGARDING: LIGHT INDUSTRIAL STAGED 23 LOT SUBDIVISION
Lot 14 Rowan Avenue, Uralla NSW 2358 Application No. DA-51-2018

With regards to light industrial stage 23 lot division I am pleased to see this proposal to support the future growth of the Uralla Shire, and the work that the Council has undertaken towards this moving forward.

I have owned Neal Howard's Electrical Services for 25 years, and own commercial property in town.

The original recommendations of the industrial subdivision were always proposed to have Highway access to provide an industrial estate with easy access and appealing aspect to the development.

My concerns now based on the DA application I have at hand are:

1. There are restrictions on industrial and commercial vehicles to have adequate access.
2. Signage to promote the industrial area and its businesses will be limited.
3. Industrial properties on a Highway should have Highway access.
4. RTA access is available. I am aware that it comes at a cost, but over time the costs for an inadequate access point will reduce the value of this industrial estate. A good example is Acacia Park Armidale Business District is now unviable and now moving to the Highway, with Highway access. If we are to compete in this market, we need to develop the best possible proposal to attract the right buyers at the right price.

5. It was always proposed that there would be Highway access for this subdivision, and I believe it should also have access from Rowan Avenue for light vehicles.
6. Blocks 4 and 5 could be made into the access point from the Highway, and this would also enable for future expansion South of the subdivision at a later stage with the one entry.
7. Having the lots facing North means that all vehicles driving in to Uralla will see the back of the lots. Being a tradesperson, I have the need to go to many industrial sites around the country and I have seen the back areas (mine included), and they are not an appealing vision.

I am raising these concerns on behalf of the business community of Uralla as I have had many operators seeing the same potential issues that I do, and we feel this project may become unviable if it does not provide the services potential buyers would be seeking.

Also, there has been several conversations regarding RTA requirements, but I would like to bring this to the Councils attention that all successful industrial areas do have Highway access.

I am raising these concerns as an avid supporter of the project, and I only want it to be a successful and profitable project for the Shire.

Best regards,



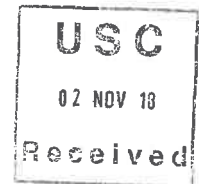
Wayne Howard
Director – Neal Howards Electrical Services

cc: Uralla Council Councillors (via email)



Uralla Shire Business Chamber Inc
51 Bridge St
Uralla NSW 2358
secretary@urallabusinesschamber.org.au
urallabusinesschamber.org.au

November 2, 2018



Matt Clarkson
Manager Planning and Regulation
Uralla Council
32 Salisbury Street
URALLA NSW 2358

Dear Mr Clarkson,

**REGARDING: LIGHT INDUSTRIAL STAGED 23 LOT SUBDIVISION
Lot 14 Rowan Avenue, Uralla NSW 2358**

The Uralla Shire Business Chamber (USBC) is writing a submission to Council with objection to the proposed subdivision (above). Councillors will be copied on this correspondence.

After discussion at the USBC's last general meeting it was unanimously decided that we do see two glaring problems with this subdivision.

1. The lots will not meet user requirements

In most cases an industrial park's potential buyers will require adequate, safe, convenient and structured road access.

The access to turn into Rowan Avenue from the Highway is not wide enough to properly accommodate a single unit truck, bus, prime movers or semi-trailers. Even now trucks turning into Rowan Avenue have been seen cutting the corner and driving over the grass and paths on both properties on the corner of Rowan Avenue and the Highway (Council and Telstra are aware of this as they have had to repair damage caused by this). With more trucks entering of varying sizes this will cause a bottleneck and be unsafe not only for vehicles but also for pedestrians.

2. The back of the lots will face vehicles as they enter Uralla from the North side

The USBC is concerned that the back of the lots will be the first image people will see as they enter Uralla. In general, the back of industrial lots are unsightly and this is not what the first image of Uralla should be for people driving in to town.

The USBC suggests that the entrance to the proposed subdivision should be from the Highway for these reasons:

1. It will allow safe and adequate access for all size vehicles, making the lots more appealing to interested buyers.
2. It will be far more aesthetically appealing to motorists as they enter Uralla from the North.
3. It will allow for more visible signage for lot owners, making it more appealing to potential buyers.
4. All these points will mean that the lots have a greater potential of being sold in a reasonable timeframe.

Best regards,

A handwritten signature in black ink that reads "Teresa French". The signature is written in a cursive, flowing style.

Teresa French
President

1st November, 2018

Mr. Matt Clarkson

Manager, Planning and Regulation

Uralla Shire Council

Re: Proposed Light Industrial Staged 23 Lot Subdivision (Application No. DA-51-2018) at Lot 14 Rowan Avenue, Uralla.

Dear Mr. Clarkson,

As a resident who frequently uses Plane Avenue, please regard the following submission as an objection to the location of the access road to the light industrial subdivision described by the DA-51-2018 at the address noted above.

Whilst I support the application for the subdivision itself, the access to the area from Rowan Avenue as described on the submitted plan is not suitable for the appropriate delivery to and despatch from the subdivision by heavy vehicles such as semi-trailers. The section of Rowan Avenue where the turn into and out of the proposed subdivision proposes is not adequate to allow even a garbage truck and a car to pass in opposite directions without the need for a deviation from the road. If two semi-trailers were to meet, one going in and another coming out, there would be no room for either to pass. This is particularly pertinent to that section of the road adjacent to the New England Highway where existing businesses are located. If private vehicles (often with trailers going to/from the waste disposal site) and council vehicles (including garbage trucks) were to share this road with semi-trailers servicing the light industrial area, traffic congestion, particularly at the intersection with the highway, would be an inevitable consequence. Hence, it would be far more suitable to locate the highway access road to the light industrial complex further to the south, away from existing businesses and infrastructure. This may require the construction of a significant roundabout as is the case adjacent to the industrial area being developed at the airport in Armidale to ensure a smooth flow of traffic along the New England Highway.

I look forward to your considered response to my concerns for the safety and traffic flow.

Dr. Bruce McMullen

24 Lookout Road,

URALLA NSW 2358

Matt Clarkson

01/11/2018

Manager Planning and Regulation, Uralla Council
32 Salisbury Street, Uralla NSW 2358

Dear Mr Clarkson,

RE: Proposed subdivision 14 Rowan Ave, Uralla NSW 2358 (Application: DA-51-2018)

As a business owner and operator of Wrench King Uralla I have concerns of the truck access to an industrial area from New England Highway to Rowan Avenue.

I am supporting the proposed subdivision and the progression of the Uralla Shire with changes made to the accessibility and signage, with the proposed access to this via New England Highway as this represents great exposure for future businesses within the light industrial area.

To make a fully detailed submission we would require a detailed signage and traffic management plans etc.

As I have worked extensively throughout different areas of Australia particularly in the industrial sector, it seems impossible to have a fully working light industrial area without full visibility from a major road/HWY and to make ourselves a viable option for future businesses in the area. (Particularly when the Armidale council has an industrial area directly off New England Highway that will subsequently attract future buyers away from our proposed subdivision).

If there is an RTA costs involved for access from New England Highway to subdivision this surely would be offset by the viability of this proposed subdivision and also governments grants (Like the 1 Million Dollar grant from Barnaby Joyce).

Kind Regards,



Charlie McCarter

Director – Wrench King Uralla



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director of Infrastructure & Development
Reference/Subject:	Report 20 - Planning Proposal 8 – Amendment of Land Classification – Public Hearing and Recommendation

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.2	Growing diversified employment, education, and tourism opportunities
Strategy:	2.2.1	Provide land use planning that facilitates employment creation
Action:	2.2.1.1	Optimise land use planning instruments to support employment creating business and industries

SUMMARY:

This report is to advise Council that Planning Proposal 8 - Amendment of Land Classification to reclassify the Uralla Caravan Park (Lot 30 DP793510) and the proposed Industrial Estate (Lot 14 DP787477) from community land to operational land has been the subject of a public hearing in line with the provisions of Section 47G of the Local Government Act 1993. The independent chair of the hearing has recommended that the proposal proceed.

OFFICER'S RECOMMENDATION:

That Council:

1. **Resolve to note and receive the Public Hearing Report and Recommendation prepared by Barnson (Ref: 30501-PR01_B) dated 10 January 2019, and**
2. **Resolve to continue to progress Planning Proposal 8 – Amendment of Land Classification to reclassify the Uralla Caravan Park (Lot 30 DP793510) and the proposed Industrial Estate (Lot 14 DP787477) from community land to operational land with the Department of Planning and Environment.**

BACKGROUND:

At the 24 April 2018, Council meeting it was resolved to submit Planning Proposal 8 - Amendment of Land Classification to the Department of Planning and Environment for a Gateway Determination:

MOTION (Crs R Bell /B Crouch)

That;

Council resolve to submit a Planning Proposal for Gateway Determination to the Department of Planning and Environment to reclassify the Queen Street Uralla Caravan Park (Lot 30 DP793510), Uralla and the proposed Industrial Estate (Lot 14 DP787477) Rowan Avenue, Uralla from community land to operational land.

49.04/18 CARRIED

The Department of Planning and Environment issued a Gateway Determination for the Planning Proposal on 8 June 2018.

Uralla Shire Council
Council Business Paper – 26 February 2019

Planning proposal 8 - Amendment of Land Classification was publicly exhibited from Friday 31 August 2018 until Friday 28 September 2018, and a public hearing was held on 12 December 2018 in Uralla Council Chambers. The independent chair of the public hearing provided a final report into the hearing on 14 January 2019.

REPORT:

Summary of the independent chair's findings in the recommendation:

- It is not the intent of the report to consider the potential end use, sale, lease, ownership and/or management of the land, but to assess the benefit and suitability of the re-classification in terms of the implied community and Council benefit.
- The proposed re-classification would not result in any activities that the community would find unacceptable.
- It is recommended that the reclassification of Lot 30 DP 793510 (Uralla Caravan Park) and Lot 14 DP 787477 (proposed Industrial Estate) from Community Land to Operational Land should proceed.

CONCLUSION:

Following a successful Gateway Determination by the Department of Planning and Environment, Planning Proposal 8 - Amendment of Land Classification has been publically exhibited and a public hearing held in line with all legislative requirements. As the independent chair has recommended that the Planning Proposal should proceed, it is appropriate that Council progress the reclassification with the Department of Planning and Environment.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Uralla Local Environmental Plan 2012

Environmental Planning & Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Local Government Act 1993

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:

Matt Clarkson, Manager Development & Planning

Approved/Reviewed by Manager:

Director of Infrastructure & Development

Department:

Infrastructure & Development

Attachments:

1 - Public Hearing Report and Recommendation prepared by Barnson, dated 10 January 2019

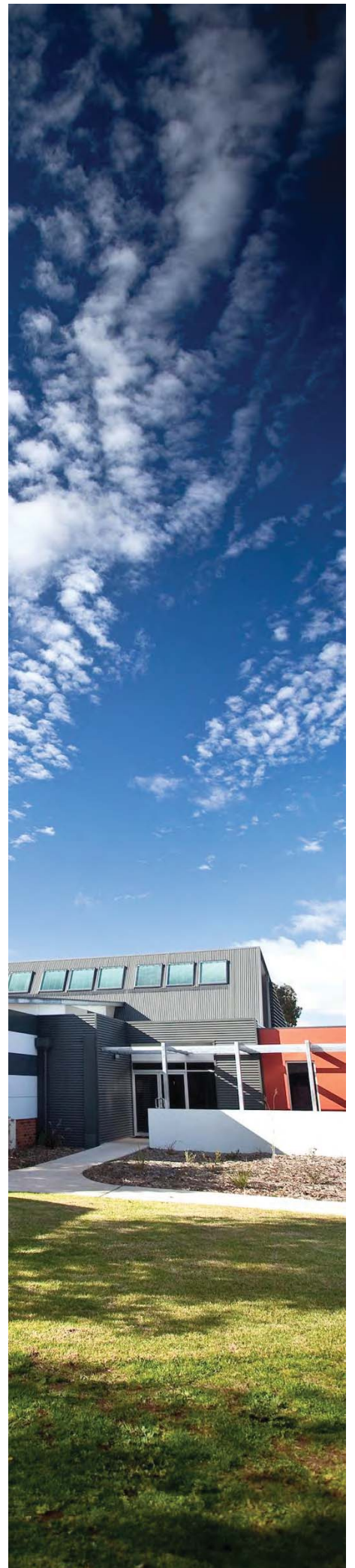
2 - LEP flowchart



Public Hearing Report and Recommendation

Proposed Re-classification of
Land from Community to
Operational
Uralla Caravan Park and Proposed
Industrial Estate


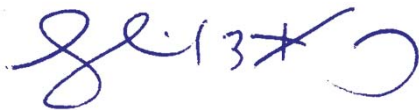
(Our Reference: 30501-PR01_B)
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Disclaimer

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Report Title:	Public Hearing Report and Recommendation
Project Name:	Proposed Re-classification of Land from Community to Operational (Uralla Caravan Park and Proposed Industrial Estate)
Client:	Uralla Shire Council
Project No.	30501
Report Reference	30501-PR01_B
Date:	10/01/19
Revision:	Final

Prepared by:	Reviewed by:
	
Jack Massey B. Urb & Reg. Planning Town Planner	Jim Sarantzouklis B. Arts, Grad. Dip. Urb. Reg. Plan, Dip. EH&B Surveying, MAIBS MEHA RPIA Director

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1 INTRODUCTION

1.1 Background

Barnson Pty Ltd have been engaged by Uralla Shire Council to conduct and chair a Public Hearing into the proposed re-classification of community land and to prepare a subsequent report back to Council. This report provides an assessment of the issues arising from the submissions received and discussed at the Public Hearing, and includes a recommendation for the re-classification of the subject lands.

1.2 Purpose of the public hearing report

This report has been prepared pursuant to the provisions under Section 29 of the *Local Government Act 1993* (the LG Act). The purpose of this report is to provide Uralla Shire Council with information and advice regarding the submissions made in relation to the proposed re-classification and subsequently discussed at the Public Hearing conducted on Wednesday 12 December 2018.

The re-classification is being undertaken in accordance with the Department of Planning & Environment Practice Note PN 16-001, issued 5 October 2016 and NSW Department of Local Government Practice Note No. 1 May 2000. The purpose of these practice notes are to provide guidance on classifying and reclassifying public land.

Pursuant to Section 29 of the LG Act, Council's are required to hold a Public Hearing for the proposed re-classification of public land. Public Hearings are required to be conducted by an independent chairperson pursuant to Section 47G of the LG Act.

Public land is defined under the LG Act as follows:

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or*
- (b) land to which the [Crown Land Management Act 2016](#) applies, or*
- (c) a common, or*
- (d) a regional park under the [National Parks and Wildlife Act 1974](#).*

1.3 Subject lands for re-classification

The Public Hearing report addresses the proposed re-classification of community land to operational land in accordance with the provisions under the *Local Government Act 1993*. Details of the sites are as follows:

- Uralla Caravan Park – Lot 30 DP793510, 17 Queen Street, Uralla;
- Proposed Industrial Estate – Lot 14 DP787477, Rowan Avenue, Uralla.

The Caravan Park was acquired by Council in 1990 through excision from the Crown Land Reserve occupied by Alma Park (adjoining). The excision was formalised to allow for the ongoing operation of the Caravan Park located on the site. Council has indicated that the Uralla Caravan Park does extend onto the adjoining Crown Land which is formalised through licencing with Crown Lands. The Proposed Industrial Estate was acquired by Council in 2016 for the purposes of creating an industrial estate. The land defaulted to community land as per the provisions of the *Local Government Act 1993*. The land is capable of being developed with approximately 23 allotments, depending on the subdivision plan adopted.



Figure 1 – Aerial view of the Caravan Park



Figure 2 – Aerial view of the Proposed Industrial Estate

1.4 Legislative requirements

Public Land owned by Council may be classified as either *community* or *operational land*. Community land is defined as land that must be kept for the use of the general community, must not be sold and is subject to a range of controls. Operational land comprises land that serves a commercial or operational function, or land that is being retained for commercial or strategic reasons. The range of controls that apply to community land do not apply to the use and management of operational land.

The management of community land is prescribed by legislation set out in the *Local Government Act 1993* (LG Act) and the *Local Government (General) Regulation 2005* (LG Regulation). Council must adhere to the guidelines and management of community land in accordance with these legislative documents.

The NSW Department of Local Government Practice Note No. 1 May 2000 relating to public land management states:

All public land must be classified by Council as either community or operational. The main effect of classification is to restrict the alienation and use of land.

Operational land has no special restrictions other than those that may apply to any piece of land.

Community land is different. Classification as community land reflects the importance of the land to the community because of its use or special features. Generally, it is land intended for public access and use; or where other restrictions applying to the land create some obligation to maintain public areas (such as a trust deed, or dedication under Section 94 of the Environmental Planning and Assessment Act, 1979). This gives rise to the restrictions in the Act, intended to preserve the qualities of the land. Community land;

- *Cannot be sold,*
- *Cannot be leased, licenced or any other estate granted over the land for more than 21 years.*
- *Must have a plan of management prepared for it.*

Pursuant to Section 36 of the *Local Government Act 1993*, community land is required to be used and managed in accordance with a Plan of Management. Before a Plan of Management can be implemented for community land, the land must be categorised. Section 36(4) states that community land is to be categorised as one or more of the following:

- a natural area;
- a sportsground;
- a park;
- an area of cultural significance; or
- general community use.

Land that is categorised as a 'natural area' is to be further categorised as one or more of the following under Section 36(5) of the Act:

- bushland;
- wetland;
- escarpment;
- watercourse; or
- foreshore.

The NSW Department of Local Government Practice Note No. 1 May 2000 states that:

Until a plan of management for community land is adopted the nature and use of the land must not be changed (s.44). This means that council cannot carry out new development on the land. It also means that council cannot grant a lease, licence or other estate over the land until a plan of management is in place.

Guidelines and core objectives for the various categories listed above are prescribed by the *Local Government Act 1993* (LG Act) and *Local Government (General) Regulation 2005* (LG Regulation). Council's must categorise and manage community land in accordance with this legislation.

Consideration of these guidelines for classifying/categorising community land is set out in the NSW Department of Local Government Practice Note No. 1 May 2000. The Practice Note states:

Council must have regard to the guidelines in determining a category but are not required to adopt any category merely because the land fits the description in the guidelines. Council should look at all the circumstances of the land in making a decision as to categorisation. For example, a piece of land may seem to satisfy the guidelines for more than one category. Council has a discretion in this case to look at the land in context, taking into account all relevant material before determining a category. It is important that Council be able to justify a decision.

There are no Plans of Management currently in place for the subject lands, therefore the lands have not been categorised in accordance with the LG Act. The categorisation of community land and implementation of a Plan of Management is at the discretion of Council, with consideration to the nature of the land and how it should be managed.

1.5 Planning Proposal & Gateway Determination details

Where it is proposed that a re-classification of land will be conducted concurrently with a proposed amendment to an LEP, in this case the *Uralla Local Environmental Plan 2012*, the requirement for public consultation must comply with the provisions under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Schedule 1(4) of the EP&A Act states that a Planning Proposal must be exhibited for a period of 28 days, unless otherwise specified in the Gateway Determination.

Refer to **Appendix A** of this report for the Planning Proposal.

In accordance with Section 3.34 (previously section 56) of the EP&A Act, the Department of Planning released a Gateway Determination for the Planning Proposal. As a requirement of this Gateway Determination, Council were required to exhibit the proposal to the community.

Uralla Shire Council exhibited the re-classification/Planning Proposal via targeted mailing, local newspaper, Council's website/newsletter and various social media platforms. Copies of the documents were available for viewing at Council's Administration office.

1.6 Public Hearing details

A Public Hearing was held on Wednesday 12 December 2018 at Uralla Shire Council Chambers, commencing at 5:30pm. A notice of the hearing was provided by Council via the local newspaper; Council's website; social media and Council's newsletter. Refer to **Appendix B** of this report for the wording of the Public Notice.

1.7 Attendance at Public Hearing

Pursuant to Section 47G of the *Local Government Act 1993* (LG Act), Uralla Shire Council appointed an independent chairperson to attend and chair the Public Hearing. For the hearing, Jack Massey of Barnson Pty Ltd officiated as the chair. Uralla Shire Council officers Matt Clarkson (Manager Planning & Regulation) and Terry Seymour (Director Infrastructure and Regulation) attended the hearing. The chair and Council officers were available at the designated hearing venue, and an attendance sheet was provided. There were three Councillors and two community members in attendance. Refer to **Appendix C** of this report for attendees of the hearing.

1.8 Written submissions

As part of the notification period discussed above, formal written submissions were received by Council. As part of the Public Hearing, the community members who provided the submissions expanded on their matters raised in the submissions. The written submissions have been provided in **Appendix D** of this report.

1.9 Public Hearing Report and Recommendation

This report details the issues arising from the consultation period of the Planning Proposal and discussions during the Public Hearing. The report provides an assessment of those issues and will offer a recommendation for the re-classification of the subject lands. It is important to note that the Act/s do not direct Council to act in accordance with the recommendation of this report.

2 SUMMARY OF WRITTEN SUBMISSIONS

This section of the report summarises all submissions that were received during the notification period. It also summarises the issues/concerns that were discussed at the public hearing. Refer to **Table 1** below. The written submissions have been provided in **Appendix D** of this report.

Table 1 – Summary of Submissions

Date	Submission type/writer	Submission issue/comment	Discussion/comment
4.10.2018	Letter Public Hearing (verbal) Mr Phillip Smith	Concerns with the potential future ownership of the Caravan Park.	Concerns with the potential future ownership of the Caravan Park is noted, however, it is not the purpose of the public hearing or this report to consider Council's intent for future ownership. It is considered that any future ownership or use of the Caravan Park is likely to not be dissimilar to the current use.
11.09.2018	Letter Public Hearing (verbal) Mrs Noelene Porter	Concerns with the potential future ownership of the Caravan Park.	Concerns with the potential future ownership of the Caravan Park is noted, however, it is not the purpose of the public hearing or this report to consider Council's intent for future ownership. It is considered that any future ownership or use of the Caravan Park is likely to not be dissimilar to the current use.
11.09.2018	Letter Mrs Noelene Porter	Preservation of Alma Park and surrounding areas.	Alma Park is located on a separate allotment/title to the subject site. The re-classification from <i>community</i> to <i>operational</i> for the Caravan Park is proposed to ensure that the current use appropriately reflects its classification.
19.09.2018	Letter Public Hearing (verbal) Mrs Noelene Porter	Is there any impact on adjoining Crown Land parcels and current/potential licences?	The re-classification relates to the subject sites only. Any licences and/or approvals with Crown Lands shall be governed by the <i>Local Government Act 1993</i> and <i>Crown Land Management Act 2016</i> . It is anticipated that it is unlikely there

<p>19.09.2018</p>	<p>Letter Public Hearing (verbal) Mrs Noelene Porter</p>	<p>Are there any exceptions when leasing community land?</p>	<p>will be any impacts on adjoining Crown Land as a result of the re-classification.</p> <p>It is noted that this concern relates to the NSW Department of Local Government Practice Note No. 1 May 2000. The Practice Note details some exceptions stated under the LG Act; Section 34(4) and Sections 36A – 36D.</p> <p>Section 34(4) has since been repealed from the LG Act.</p> <p>Section 36A – 36D relate to the requirements for specific Plans of Management for certain pieces of community land. For example, land to be declared critical habitat under the <i>Threatened Species Conservation Act 1995 (TSC Act)</i> or <i>Fisheries Management Act 1994 (FM Act)</i>; land affected by a recovery plan or threat abatement plan under the TSC Act or FM Act, land declared by council to contain significant natural features, or land declared by council to contain an area of cultural significance.</p> <p>It is understood that the subject lands are not identified as containing any ‘critical habitat’, nor have Council declared the sites as containing any significant natural features or areas of cultural significance.</p> <p>No. The Planning Proposal has not changed since Gateway Determination was received.</p> <p>It is a common occurrence that multiple elements are included in the one Planning Proposal. The Planning Proposal clearly describes the two sites, impacts and proposed re-classification.</p>
<p>19.09.2018</p>	<p>Letter Mrs Noelene Porter</p>	<p>Has the Planning Proposal changed since Gateway Determination?</p>	<p>No. The Planning Proposal has not changed since Gateway Determination was received.</p>
<p>19.09.2018</p>	<p>Letter Mrs Noelene Porter</p>	<p>Concerned with the Planning Proposal having two re-classifications (Caravan Park & Industrial Land).</p>	<p>It is a common occurrence that multiple elements are included in the one Planning Proposal. The Planning Proposal clearly describes the two sites, impacts and proposed re-classification.</p>

19.09.2018	Letter Mrs Noelene Porter	Can the Crown Land be split into multiple uses on the licence?	<p>This question does not relate to the proposed re-classification. All uses on Crown Land are governed under the <i>Local Government Act 1993</i> and <i>Crown Land Management Act 2016</i>.</p> <p>This statement appears to refer to the Industrial land only. The re-classification of the industrial land shall provide additional vacant industrial allotments for businesses in Uralla and the wider community. This statement does not appear to relate to the Uralla Caravan Park re-classification.</p>
19.09.2018	Letter Mrs Noelene Porter	How does the PP support a statement that refers to the reclassification of the Caravan Park 'providing land to be utilised in future to respond to the needs of Uralla residents and wider community'?	<p>A Planning Proposal/Public Hearing is required under the provisions of the LG Act for Council to reclassify the land from <i>Community to Operational</i>. The intent of the re-classification for the Caravan Park site is to ensure that the classification best represents the use of the site.</p> <p>It is also noted that there are greater restrictions imposed on community land for lease/tenancy agreements. In this regard, Council is proposing the reclassification of the land to help alleviate some of these issues in terms of leasing and licencing for the Caravan Park.</p>
19.09.2018	Letter Mrs Noelene Porter	Is the PP the only formal process or legal avenue available that would ensure the caravan park remains under community classification and still be able to operate under a lease agreement?	<p>Concerns with the potential future use of the Caravan Park is noted, however, it is not the purpose of the public hearing or this report to consider the future use of the site. It is considered that any future use of the site is likely to not be dissimilar to the current use.</p>
19.09.2018	Letter Mrs Noelene Porter	The PP states that the re-classification will provide the opportunity for Council to facilitate the future uses of the Caravan Park.	

			<p>It is noted that the site will retain its land zoning and applicable development controls would still apply to the land, as with any land parcel in the shire.</p>
<p>19.09.2018</p>	<p>Letter Mrs Noelene Porter</p>	<p>Do the sites have conservation value (Aboriginal or historic)?</p>	<p>The subject sites do not appear to contain any heritage listed items under the State Heritage Register or <i>Uralla Local Environmental Plan 2012</i> (Uralla LEP).</p> <p>Alma Park is located within proximity to the Caravan Park and is identified under Schedule 5 'Environmental Heritage' of the Uralla LEP. The heritage listing does not appear to extend onto Lot 30 DP793510 (Uralla Caravan Park).</p> <p>The lands do not appear to contain any items of Aboriginal heritage significance in accordance with the Department of Environment and Heritage Aboriginal Heritage Information Management System platform.</p>
<p>19.09.2018</p>	<p>Letter Mrs Noelene Porter</p>	<p>Explore future ownership of the Caravan Park with a view of retention rather than converting the site to parkland?</p>	<p>It is considered that the re-classification of the Caravan Park allotment and any future ownership or use of the Caravan Park is likely to not be dissimilar to the current use. Converting the site to parkland would be at the discretion of Council.</p>
<p>19.09.2018</p>	<p>Letter Mrs Noelene Porter</p>	<p>Would future Development Applications require heritage assessments?</p>	<p>Any future Development Applications will be subject to relevant legislation requirements and local development controls (LEP, DCP ect), as is any piece of land within the Shire. The requirement for specialist studies would be determined by Uralla Shire Council or relevant authorities.</p>

12.12.2018	Public Hearing (verbal) Mrs Noelene Porter	What is the arrangement with the recent 2 year management contract for the Caravan Park?	<p>Council has entered into a 2 year contract with a further 2 year option to manage the Caravan Park operations on behalf of Council.</p> <p>The intent of the proposed re-classification is to ensure the classification best represents the use of the land. Council anticipates that the land will continue to be used as a Caravan Park.</p>
12.12.2018	Public Hearing (verbal) Mr Phillip Smith	The Caravan Park is a usable asset for Uralla and a benefit for the community. Has this been considered by Council?	<p>It was noted by Council officers during the Public Hearing the Caravan Park has been in existence for an extended period of time and may be subject to existing use rights. The legality of the caravan park is irrelevant to the subject re-classification.</p> <p>The Chair indicated that the subject site will still be subject to all regulatory requirements for any future development or ongoing operations and that the zoning of the site would not change.</p>
12.12.18	Public Hearing (verbal) Mrs Noelene Porter	Is the Caravan Park a lawful use?	<p>The operations (current and future) of the Caravan Park should not influence this report. It is considered that any future ownership or use of the Caravan Park is likely to not be dissimilar to the current use and any potential price increases would be at the owner's discretion.</p>
12.12.18	Public Hearing (verbal) Mr Phillip Smith	Concerns with the Caravan Park being sold resulting in increases in prices.	<p>The Crown Lands Map provided in Appendix E of this report shows the extent of the Crown Land under licence. The licence is time limited and subject to a range of terms and conditions.</p>
12.12.18	Public Hearing (verbal) Mrs Noelene Porter	There is ambiguity with the use of the Crown Land by the Caravan Park/camping.	

3 DISCUSSION AND ASSESSMENT

Uralla Shire Council has undertaken the re-classification of the subject lands in conjunction with a Planning Proposal to amend the *Uralla Local Environmental Plan 2012*. The objectives of the Planning Proposal were documented as follows:

- *To reclassify land presently classified as community to operational.*
- *To achieve better alignment between the current use and the land classification*

The current use being a Caravan Park and Proposed Industrial Land Estate. The Planning Proposal provides additional reasoning for the re-classification, as follows:

The proposed reclassification of both lots from Community to Operational land provides the opportunity for future development for each site.

Although having indicated the preferred end-use of each site, this should not compromise the impartiality of dealing directly with the re-classification of the subject lands. The process of assessing the community value/benefit should not be influenced by the potential future sale and/or end-use of either of the sites. Therefore, this assessment and the discussion to follow, deals directly with the re-classification of the subject lands from *community to operational* and the assumption that the re-classification would lead to a more beneficial outcome for both the community and Council.

The public hearing attracted two (2) members of the public, who raised (both written and verbal) concerns about the proposed re-classification. The consensus of the concerns mainly related to the potential future use/ownership of the Caravan Park once the re-classification was processed. There were minimal concerns with the re-classification of the proposed Industrial Land Estate.

In respect to the Caravan Park, the process of re-classification and intended future use/ownership should be viewed independently. However, it is understandable that the community members who raised concern are focussed on the potential use of the site given its location.

It is understood that all community land is required to have a Plan of Management and categorisation in accordance with the provisions under the *Local Government Act 1993* (LG Act). For the purposes of this assessment, it is noted that there are no Plans of Management currently afforded to the lands, and therefore the lands have not been categorised in accordance with the LG Act.

Until a plan of management is adopted by Council, the nature and use of the land must not be changed (Section 44 of the LG Act). That is, Council cannot carry out any new development, nor do they have the ability to grant a lease, licence or other estate over the land until a plan of management is in place. Any leases, licences or other estates currently in place have been disregarded from and should not influence this assessment.

The categorisation of community land in accordance with the LG Act is entirely at the discretion of Council, with consideration to the nature of the land, its use and how it should be managed. This report cannot confirm or deny whether the land could be categorised under one of the

categories listed under Section 36 of the LG Act, nor can this report confirm if the land could continue to be used under its current 'community land' classification should a Plan of Management/categorisation be adopted.

However, it is important to note that the use of land that has a commercial element afforded to it is generally classified as operational rather than community land. Operational land comprises land that serves a commercial or operational function, or land that is being retained for commercial or strategic reasons. It is at the discretion of Council to determine the nature and use of the land, and whether a Plan of Management/categorisation could be adopted whilst retaining the 'community land' status. Considering the definitions of both community land and operational land and the fact that the caravan park does have a commercial element to it, it would be best to describe the land as operational. However, it is reiterated that the provisions under the LG Act and guidance under the NSW Department of Local Government Practice Note No. 1 May 2000, clearly state that it is up to Council to determine if lands can be categorised/afforded with a Plan of Management whilst retaining its community status.

3.1 Caravan Park Submissions

The main concerns stated in the submissions with regard to the Caravan Park re-classification relate to the potential end use, sale, ownership and/or management of the land given its locality and context. Whilst the land currently remains under the control of Council, there is a perception from the community members that the re-classification of the land could potentially impact the Uralla community via increased pricing; expansion of the Caravan Park and future development potential should the land be sold. The submissions continuously referenced the nearby Alma Park and the impact that the re-classification could have on this recreational community land.

It is important to note that the re-classification of the Caravan Park pertains to the subject site only, being Lot 30 DP 793510. Any licences and/or arrangements with nearby Crown Land should not influence this report as these arrangements are governed by the *Local Government Act 1993* and *Crown Land Management Act 2016*. The assessment of the re-classification should not take into account any use or licences afforded to nearby lands.

There may be some wider community benefit for retaining the land under its current classification, however, the intent of the proposed re-classification is to ensure that the classification of the land best represents its current use. Operational land comprises land that serves a commercial or operational function, or land that is being retained for commercial or strategic reasons. Community land is land that must be kept for the general use of the community, such as neighbourhood parks; swimming pools; and sportsgrounds etc.

In this regard and considering the definitions of both community land and operational land, it is considered that the Caravan Park would be best described as operational land. Furthermore, it is the contention of this report that there does not appear to be any immediate threat to the continued use of the land due to the re-classification and the use of the land following the reclassification as it would not be dissimilar to its current use.

3.2 Industrial Estate

The submissions received during the notification period and discussion held at the Public Hearing did not express any major concerns with the reclassification of the Industrial site. Therefore, no further assessment is required.

4 RECOMMENDATION

4.1 Public Hearing recommendation

The reclassification of Lot 30 DP 793510 (Uralla Caravan Park) and Lot 14 DP 787477 (proposed Industrial Estate) from *Community Land* to *Operational Land* should be assessed with regard to the overall benefit for the community and Council. It is not the intent of this report to consider the potential end use, sale, lease, ownership and/or management of the land, but to assess the benefit and suitability of the re-classification in terms of the implied community and Council benefit.

The community consultation of the Planning Proposal and subsequent Public Hearing extracted some community participation, as outlined in **Section 2** and **Appendix D** of this report. The matters stated within the submissions and verbally during the Public Hearing contained valid arguments against the proposed re-classification, but the consensus of these arguments were focussed on the potential end use of the site rather than the re-classification itself.

The concerns expressed as part of the Planning Proposal consultation period and subsequent Public Hearing in respect to the re-classification, can be managed through the application of planning and legislative requirements. Any future use/expansion/development on the site due to a potential sale would be subject to the same provisions and regulatory requirements as would other such land within the Shire. Therefore, understanding that the likely future use of the subject land would not be dissimilar to the current use, assists in confirming that the proposed re-classification would not result in any activities that the community would find unacceptable.

It is therefore recommended that the re-classification of Lot 30 DP 793510 (Uralla Caravan Park) and Lot 14 DP 787477 (proposed Industrial Estate) from *Community Land* to *Operational Land* should proceed.

4.2 Reporting

Pursuant to the provisions under the *Local Government Act 1993*, Uralla Shire Council is required to make a copy of this report available to the community. The LG Act requires Council to make the report available within four (4) business days of its receipt from the independent chair. It is therefore recommended that Council implement the following:

- Advise the receipt of the Public Hearing Report to community members who made submissions;
- Provide a copy of the Public Hearing Report for inspection at Council's Administration building;
- Provide an electronic copy of the Public Hearing Report on Council's website.

4.3 Adoption of proposed re-classification

The recommendation of this report must be reported to Council and Council must adopt the proposed re-classification and minute accordingly.

BARNSON PTY LTD



Jack Massey
B. Urb. Reg. Planning
Town Planner

Appendix A - Planning Proposal



Planning Proposal

April 2018

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PLANNING PROPOSAL

Uralla Local Environmental Plan 2012 Amendment of Land Classification

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The Objectives of the Planning Proposal are:

- To reclassify land presently classified as *community* to *operational*.
- To achieve better alignment between the current use and the land classification.

The intended outcome is to amend the Uralla Local Environmental Plan 2012 (ULEP 2012) Schedule 4 – Classification and Reclassification of the land to achieve better alignment between the current use and the land classification.

Location

The subject lands are identified as Lot 30 in Deposited Plan 793510 (Lot 30 DP793510) Queen Street, Uralla and Lot 14 in Deposited Plan 787477 (Lot 14 DP787477), Rowan Avenue, Uralla. The land is owned by Uralla Shire Council.

The Uralla Caravan Park is located on Lot 30 DP793510 and adjacent Crown Land through Permissive Occupancy (AE88H47) which includes the unformed section of King St. It has an area of 3700m². It is proposed to reclassify Lot 30 DP793510 as *operational*. Refer to Attachment 1 – Location Plan.

Lot 14 DP787477 is located on the western side of Rowan Avenue and is on the outskirts of Uralla on the New England Highway leading to Tamworth. To the north west is the Uralla Landfill. It has an area of 4.83 ha. Refer to Attachment 2 – Location Plan.

Background

Lot 30 DP793510 was acquired by Council in 1990 through excision from the Crown land Reserve for Alma Park for operational purposes to allow for operation of the existing caravan park. As such, the *operational* classification is most appropriate for the land although it has defaulted to *community* in the absence of any action to classify it in the appropriate manner.

In 2013 Council put forward the reclassification of Lot 30 DP793510 in a planning proposal. A public hearing was undertaken as per the provisions of Sections 56 and 57 of the *Environmental Planning & Assessment Act 1979*, and Section 29(1) and 47G of the *Local Government Act 1993*, by Mr Gerry Moran on 16 October 2013. His report (5 December 2013) concluded:

Considering all the submissions made regarding the reclassification of this land, at the public hearing and the written submission received by Council during the exhibition period, and the relevance to the Local Environmental Plan process, I conclude there are no issues arising that would prevent Council reclassifying the abovementioned land as operational in the Local Environmental Plan.

Further his report recommended:

Council reclassify the land contained within this report as operational land subject to the section of Alma Park currently being used for the overflow of the Uralla Caravan Park reflect its use either by acquiring part of the park as free hold or by way of Permissive Occupancy.

Council resolved at its Ordinary Meeting on 16 December 2013 to deviate from the original planning proposal by choosing not to alter the classification of the land, thus is remained as *community* land.

Lot 14 DP787477 was purchased by Council on 30 June 2016 for the purpose of ensuring there is suitable land available to meet opportunistic industrial needs that arise in Uralla. The land is capable of being developed with around 23 lots, depending on the subdivision model adopted. In this regard a number of preliminary layout models have been drafted and are still being critically examined.

At the end of 2017 the then lessee of the Uralla Caravan Park advised that the property would be vacated on the 30 January 2018 and operations on the site would cease. Interim arrangements have been put in place to continue the operations of the caravan park utilising Council staff. Council has historically engaged a third party to operate the Council owned Caravan Park at Queen Street, Uralla under a lease arrangement which has now ended.

The caravan park is located on lands owned by Council, and Crown Lands occupied under a Permissive Occupancy. The Permissive Occupancy has expired and NSW Department of Industry – Land’s staff have more recently advised that they are preparing a licence in favour of Council over the previous permissive occupancy area that will allow Council to operate, or lease, the area for the purposes of a caravan park.

Apart from the caretaker’s residence most of the sites and fixed infrastructure is located on the Council owned site at Lot 30 DP 793510.

Summary

The planning proposal represents an important amendment to the Uralla Local Environmental Plan 2012 to provide for land to be utilised in future to respond to the needs of Uralla residents and the wider community.

PART 2 - EXPLANATION OF PROVISIONS

The proposed amendment will amend Schedule 4 of the Uralla Local Environmental Plan 2012 (ULEP 2012) to reclassify Lot 30 DP793510 and Lot 14 DP787477 from *Community* to *Operational* land.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

A1. Is this planning proposal a result of any strategic study or report?

There is no relevant strategic study.

A2. Is this planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the only legal method of amending the ULEP 2012 to reclassify the land from *Community* to *Operational* to provide for future community uses and to dispose of the land. In accordance with LEP Practice Note PN16-001 Council is not seeking Delegated Authority to make this LEP.

A3. Is there a net community benefit?

There is a net community benefit associated with the proposed amendment to the ULEP 2012. Refer to **ATTACHMENT 3** for the analysis of the net community benefit criteria.

It is considered that the resultant community benefit significantly outweighs the administrative cost of implementing the proposal.

Section B – Relationship to strategic planning framework

The New England Development Strategy 2010 (the Strategy) was prepared for the New England Strategic Alliance Councils. The Alliance comprises the four local government areas (LGAs) of Armidale Dumaresq, Guyra, Uralla and Walcha. The Strategy (adopted April 2010) outlines key land use policies and principles for the four LGAs and provides the planning context for the preparation of local environmental plan (LEP) provisions. The Strategy has a time frame of approximately 25 years, to 2032.

In relation to industrial land within the town of Uralla it states:

Section 6.2 Industrial land provision

.....Although there is adequate undeveloped land currently zoned for industry, there is a perceived shortage of developed industrial lots available on the market in the towns of Uralla and Guyra. The main issue appears to be the limited choice of zoned industrial land, with the current owners of zoned land not yet proceeding to service and develop the land. As a result, alternative locations for industry and employment need to be identified to provide a more competitive market in Uralla and Guyra.

Objectives – Industrial land provision

- Provide adequate industrial land to meet demand for development and enable employment opportunities.

B1. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

The New England North West Regional Plan 2036 was approved and released on 23 August 2017. The regional plan has relevance to the planning proposal in several sections including:

- Direction 6 – Deliver new industries.
- Direction 7 – Build strong economic centres.
- Direction 13 – Expand emerging industries through freight and logistics connectivity.
- Direction 17 – Strengthen community resilience.
- Direction 18 – Provide great places to live.
- Direction 19 – Support Healthy, safe, socially engaged and well connected communities.

B2. Is the planning proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?

The Community Plan is silent on any specific mention of the subject land. There is nothing about the proposed reclassification of the subject land that is inconsistent with the Community Strategic Plan.

The proposal is also consistent with Uralla Council’s Community Strategic Plan 2017-2027 (CSP). The CSP was formulated and subject to an extensive consultation process in the first half of 2017 and was adopted by Council on 27 June 2017. The CSP has relevance to the planning proposal in several sections including the following:

Goal 2.1: An attractive environment for business, tourism and industry.

- Strategy 2.1.1:** Promote the Uralla Shire and the region as a wonderful place to live, work, visit and invest.
- Strategy 2.1.2:** Promote the Uralla Shire to business and industry and increase recognition of the area’s strategic advantages.

Goal 2.2: Growing and diversified employment, education and tourism opportunities.

- Strategy 2.2.1:** Provide land use planning that facilitates employment creation.
- Strategy 2.2.2:** Support and encourage existing business and industry to develop and grow.
- Strategy 2.2.3:** Support the attraction of new businesses, including sustainable employment generating projects.

To this end, Council has sought to provide additional development opportunities for industrially zoned land and believes that the Uralla Caravan Park provides an important function in terms of long and short term affordable accommodation with residents contributing to the local economy.

There is no other Local Strategic Plan to consider.

B3. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Refer to **ATTACHMENT 4 – Consideration of Relevant SEPPs.**

B4. Is the planning proposal consistent with applicable S.9.1 Ministerial Directions?

Refer to **ATTACHMENT 5 – Consideration of S.9.1 Ministerial Directions.**

Section C – Environmental, Social and Economic Impacts

C1. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

It is considered that there is no likelihood of any adverse impact on critical habitat or threatened species.

C2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is considered that there is no likelihood of other environmental effects resulting from this planning proposal.

C3. How has the planning proposal adequately addressed any social and economic effects?

Refer to the community benefit established at **ATTACHMENT 3.**

Section D – State and Commonwealth interests

D1. Is there adequate public infrastructure for the planning proposal?

There are established utilities with an adequate public infrastructure support system in the Uralla Caravan Park (Lot 30 DP793510).

Currently, there are no services to Lot 14 DP787477, however they are available, and will be constructed once a definite subdivision layout for the industrial site has been finalised.

D2. What are the views of State and Commonwealth Public Authorities consulted in accordance with gateway determination, and have they resulted in any variations to the planning proposal.

Consultation will be undertaken in accordance with the requirements of a Gateway Determination.

PART 4 - MAPPING

The proposed amendment will not affect the Uralla Local Environmental Plan 2012 Mapping.

PART 5 – COMMUNITY CONSULTATION

A community consultation strategy for this planning proposal will be implemented to engage stakeholders and general public. The engagement process will involve displays at Council offices, media releases, public notices and interviews with residents and stakeholders upon request.

This planning proposal is required to be on public exhibition for a period of 28 days.

Once a Gateway determination to proceed has been received, Council will undertake community consultation in accordance with that determination. It is anticipated that consultation will proceed along the following lines:

- Notification in the local newspaper (Armidale Express);
- Notification on Council's website; and
- Written notification to the adjoining landowners (Councils all subject land and has resolved to seek its reclassification)

In addition, notification will be provided in Council's monthly newsletter which is circulated to all residents.

In addition to that above public consultation, Council is required under the *Local Government Act 1993* to conduct a public hearing. The public hearing will be foreshadowed in the above information and will be formally notified at the completion of the exhibition period in accordance with the Act as follows:

- Give notice of the arrangement for the public hearing in a local newspaper, and
- Give notice in a letter to each of the persons who requested a public hearing when making a submission, at least 21 days before the date of the hearing.

The public exhibition and public hearing will be undertaken in accordance with the relevant legislation and the requirements of a Gateway Determination.

PART 6 – PROJECT TIMELINE

The table below provides an indication of the timeline for the planning proposal.

Anticipated commencement date (date of Gateway Determination)	June 2018
Anticipated timeframe for the completion of technical information	Studies complete
Government agency consultation	Subject to Gateway Determination requirements
Commencement and completion dates for public exhibition period	June (28 days)
Dates for public hearing (if required)	September 2018 (21 days following close of exhibition)
Timeframe for consideration of submissions	October 2018 – dependent on the level of community interest in the proposal
Timeframe for further consideration of the proposal	2 weeks – dependent on the level of community interest in the proposal
Date of submission to PCO and the Department to finalise the LEP	November 2018
Anticipated date Council will make the plan (if delegated)	Not Applicable
Anticipated date council will forward to the Department for notification	December 2018

ATTACHMENT 1: LOCATION OF LOT 30 IN DEPOSITED PLAN 793510

LAND CLASSIFICATION PLANNING PROPOSAL



Source: Uralla Shire Council GIS System

ATTACHMENT 2: LOCATION OF LOT 14 IN DEPOSITED PLAN 787477

LAND CLASSIFICATION PLANNING PROPOSAL



Source: Uralla Shire Council GIS System

ATTACHMENT 3: ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA

ASSESSMENT RELEVANT TO LAND CLASSIFICATION PLANNING PROPOSAL

EVALUATION CRITERIA YES/NO (or other comment as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASECASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERION
<p>Is the planning proposal compatible with agreed State and regional strategic direction for development in the area?</p> <p>YES</p>	<p>The proposal is compatible with the new England North West Regional Plan 2036 prepared by the Department of Planning and Environment and the New England Development Strategy 2010.</p>	<p>The Planning Proposal provides the potential to establish other uses on the subject lands, (in full or in part) in future without prejudicing the use of the land.</p>	<p>The reclassification of the land will benefit the community by providing for future uses on the land as appropriate. Additional benefits may include an increase in services to the community and employment opportunities generated by the community facilities. A community benefit is identified for this criterion.</p>
<p>Is the planning proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or another regional/sub-regional strategy?</p> <p>NO</p>	<p>Uralla is not considered to be global or regional city, rather a small rural town. It does have an important presence in the New England North West Region, being located between Armidale and Tamworth on the New England Highway.</p>	<p>The proposed changes to the lands are supported by the goals identified by the <i>New England North West Regional Plan 2036</i> for delivering new industries, building economic centres, expanding emerging industries through freight and logistics connectivity, community resilience, healthy and well connected communities.</p>	<p>The <i>New England North West Regional Plan 2036</i> supports the delivery of industrial capability, expanding industrial opportunities through freight and logistics connectivity, location of community services and facilities to serve the public in the immediate area and are well planned to provide services to the wider Northwest Region. A community benefit is identified for this criterion.</p>

<p>Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landowners?</p> <p>NO</p>	<p>The owner of the land is Uralla Council. The site is surrounded by private and public land being either industrial or residential, and parkland.</p>	<p>A change in classification will provide the opportunity for Council to facilitate future uses on Lot 30 DP793510 and create industrial opportunity on Lot 14 DP787477.</p>	<p>A change in classification will provide the opportunity for council to facilitate future uses on both lots. It is considered that the planning proposal may be benefit/cost neutral for this criterion.</p>
<p>Have the cumulative effects of other rezoning proposals in the locality been considered? What was the outcome of these considerations?</p> <p>N/A</p>	<p>No spot rezoning have been undertaken in the locality.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>Will the planning proposal facilitate a permanent employment generating activity?</p> <p>YES</p>	<p>Lot 30 DP793510 is currently used as a caravan park. Lot 14 DP787477 will create employment as industry is developed on the land. Previously the industrial land has been held in a monopoly situation with no IN1 or IN2 zoned land being developed. Council has chosen to purchase the land as a whole and develop to provide additional development opportunities for industrially zoned land</p>	<p>It is proposed to reclassify Lot 14 DP787477 from <i>Community to Operational</i> classification to provide for future uses that may entail substantial employment opportunities.</p>	<p>Potential employment opportunities will be created as the industrial land is developed. A substantial community benefit is identified for this criterion.</p>
<p>Will the planning proposal impact upon the supply of residential land and therefore housing supply and affordability?</p> <p>YES</p>	<p>Lot 30 DP793510 is zoned <i>RE1 – Public Recreation</i> and Lot 14 DP787477 is zoned <i>IN2- Light Industrial</i> both having Community classification.</p>	<p>The zoning for both lots will remain unaltered. The caravan park provides an important function in terms of long and short term affordable Accommodation, with residents contributing to the local economy.</p>	<p>A community benefit is identified in relation to this criterion.</p>

<p>Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?</p> <p>YES</p>	<p>Utilities are provided to both lots. Lot 14 DP787477 has frontage to the New England Highway and Rowan Avenue.</p>	<p>The proposal provides both lots being able to take advantage of infrastructure, utilities and public transport services.</p>	<p>A community benefit is identified in relation to this criterion.</p>
<p>Will the proposal result in changes to the care distances travelled by customers, employees and suppliers?</p> <p>NO</p> <p>If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</p>	<p>No changes to the care distances travelled by customers, employees and suppliers has been identified.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal?</p> <p>NO</p> <p>If so, what is the expected impact?</p>	<p>No significant Government investment or infrastructure will be affected.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>

<p>Will the proposal impact on land that the Government has identified a need to protect (eg, land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors?</p> <p>NO</p>	<p>Neither lot is identified as having high conservation values.</p>	<p>The proposal does not require the removal of vegetation. Management of trees and drainage will be considerations of any future development applications relating to the site.</p>	<p>It is considered that the planning proposal may be benefit/cost neutral for this criterion.</p>
<p>Will the LEP be compatible or complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?</p> <p>YES</p>	<p>Currently Lot 30 DP793510 is used as a caravan park and Lot 14 DP787477 is being developed for industrial purposes. This will provide additional development opportunities for industrially zoned land and ensure that the caravan park provides an important function in terms of long and short term affordable accommodation.</p>	<p>The LEP will be compatible with the surrounding land uses. However, the potential for buildings on the either site may affect the amenity of the area. Amenity and public domain issues are matters considered with any future development applications.</p>	<p>A substantial community benefit is identified for this criterion.</p>
<p>Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?</p> <p>YES</p>	<p>The development of Lot 14 DP787477 for industrial sites will encourage new industry in Uralla. There may be some increase in competition and choice, however it is expected this will be with other similar sites located in Walcha, Tamworth and Armidale due to its location on the New England Highway.</p>	<p>It is considered that the proposal has the potential to increase choice and competition by increasing the number of retail and commercial premises operating in the area.</p>	<p>A substantial community benefit is identified for this criterion.</p>

<p>If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?</p> <p>NO</p>	<p>Not Applicable</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?</p> <p>YES</p>	<p>Lot 14 DP787477 has the community benefit of being developed as an industrial site, thus breaking the monopoly ownership of Industrial lands within the Uralla township, and but encouraging and promoting more industry.</p> <p>Lot 30 DP793510 allows Council the opportunity to explore the future ownership potential for the Uralla Caravan Park, with the view to its retention rather than converting the site to Parkland.</p>	<p>Council recognises the benefit of reclassifying both lots to allow for future growth and development, and to retain the caravan park as it provides an important function in terms of long and short term affordable Accommodation, with residents contributing to the local economy.</p>	<p>The proposed reclassification of both lots from <i>Community</i> to <i>Operational</i> land provides the opportunity for future development for each site. If the amendment to the <i>ULEP 2012</i> is not implemented at this time, investment and development may be hampered. A community benefit is identified for this criterion.</p>
<p>NET COMMUNITY BENEFIT = 8 of the 15 applicable criteria above identify a clear community benefit. 2 of the 14 applicable criteria are assessed as being potentially benefit/cost neutral.</p> <p>Overall, a notable net community benefit is identified in relation to this planning proposal.</p>			

ATTACHMENT 4: CONSIDERATION OF RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

ASSESSMENT RELEVANT TO LAND CLASSIFICATION PLANNING PROPOSAL

SEPPs applicable to the lands subject to the planning proposal	Consistent?	Reason for inconsistency or comment
No. 21 Caravan Parks	Yes	Caravan Parks are permissible in the RE1 – Public Recreation zone. The zoning of the land is not proposed to be changed. The provisions of the SEPP are additional to those in ULEP 2012.
No. 30 Intensive Agriculture	Yes	Intensive livestock agriculture is not a permissible use in the RE1 zone. The provisions of the SEPP are additional to those in ULEP 2012.
No. 33 Hazardous and Offensive Development	Yes	Hazardous and offensive developments are not a permissible use in the RE1 zone. The provisions of the SEPP are additional to those in ULEP 2012.
No. 36 Manufactured Home Estates	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
No. 44 Koala Habitat Protection	Yes	The subject land is not koala habitat neither is it potential koala habitat. The provisions of the SEPP are additional to those in ULEP 2012.
No. 55 Remediation of land	Yes	The provisions of the SEPP are additional to those in ULEP 2012. Contamination investigations would be a consideration of any future development applications.
No. 62 Sustainable Aquaculture	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
No. 64 Advertising and Signage	Yes	The provisions of the SEPP are additional to those in ULEP 2012. Advertising and Signage would be a consideration of any future development applications.
Building Sustainability Index: BASIX 2004	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
Educational Establishments and Child Care Facilities 2017	Yes	Child care centres are permissible in the RE1 zone. The provisions of the SEPP are additional to those in ULEP 2012.
Exempt and Complying Development codes 2008	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
Housing for Seniors or People with a Disability 2004	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
Infrastructure 2007	Yes	The proposal is in accordance with the aims of the SEPP. The provisions of the SEPP are additional to those in ULEP 2012.

SEPPs applicable to the lands subject to the planning proposal	Consistent?	Reason for inconsistency or comment
Mining, Petroleum Production and Extractive Industries 2007	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
Rural Lands 2008	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
SEPP (State and Regional Development) 2011	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
SEPP (State Significant Precincts) 2005	Yes	The provisions of the SEPP are additional to those in ULEP 2012.
SEPP (Vegetation in Non-Rural Areas) 2017	Yes	The provisions of the SEPP are additional to those in ULEP 2012.

ATTACHMENT 5: CONSIDERATION OF SECTION 9.1 MINISTERIAL DIRECTIONS

ASSESSMENT RELEVANT TO LAND CLASSIFICATION PLANNING PROPOSAL

1. Employment and Resources

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
1.1. Business and Industrial Zones	Yes	Yes	The planning proposal is consistent in that the reclassification from <i>community</i> to <i>operational</i> will allow Lot 14 DP 787477 to be sold and developed for industrial purposes, thus encouraging employment and will support the stability of the Uralla township. Reclassification of the caravan park will protect its viability.
1.2. Rural Zones	Cl.2(a) Yes Cl.2(b) No	Not Relevant	The planning proposal does not affect rural zoned land.
1.3. Mining, Petroleum Production and Extractive Industries	Yes	Not Relevant	The proposal does not entail a change of zone or the permissibility of mining.
1.4. Oyster Aquaculture	No	Not Applicable	
1.5. Rural Lands	Yes	Not Relevant	The planning proposal does not affect land with a rural or environmental protection zoning.

2. Environment and Heritage

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
2.1. Environment Protection Zones	Yes	Not Relevant	The planning proposal does not affect environmentally sensitive areas.
2.2. Coastal Management	No	Not Applicable	
2.3. Heritage Conservation	Yes	Not Relevant	The planning proposal does not affect land identified as having heritage significance. Future development approvals may include assessment of heritage matters.
2.4. Recreation Vehicle Areas	Yes	Not Relevant	The proposal does not increase the permissibility of recreation vehicle uses on environmentally significant land.

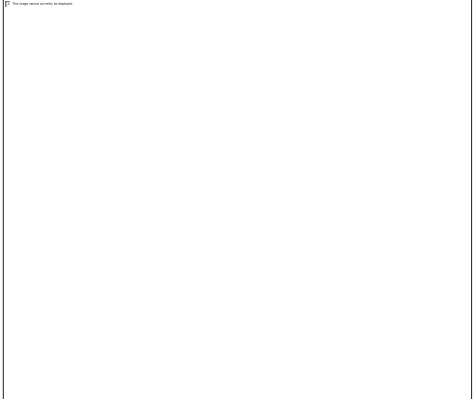
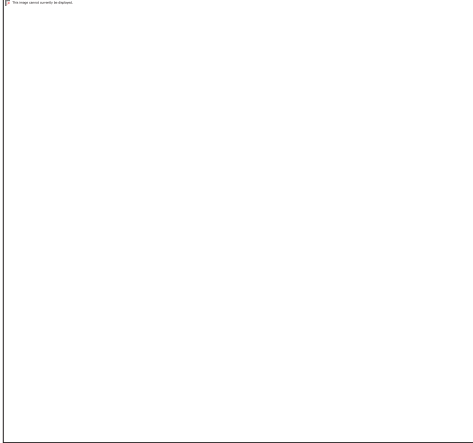
2.5. Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	Not Applicable	
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3. Housing, Infrastructure and Urban Development

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
3.1. Residential Zones	Yes	Not Relevant	The planning proposal does not affect residential zoned land.
3.2. Caravan Parks and Manufactured Homes Estates	Yes	Yes	The planning proposal does not entail a change of planning provisions that would impact the caravan park operation on Lot 30 DP793510.
3.3. Home Occupations	Yes	Not Relevant	The planning proposal does not affect residential zoned land.
3.4. Integrating Land Use and Transport	Yes	Yes	The location of Lot 14 DP787477 on the New England Highway will assist in the logistics of freight transport within the region, utilising the national transport network system.
3.5. Development Near Licensed Aerodromes	No	Not Applicable	
3.6. Shooting Ranges	Yes	Not Relevant	The planning proposal does not affect land adjacent to or adjoining an existing shooting range.

4. Hazard and Risk

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
4.1. Acid Sulfate Soils	No	Not Applicable	
4.2. Mine Subsidence and Unstable Land	No	Not Applicable	

4.3. Flood Prone Land	Yes	Not Relevant	<p>The planning proposal does not affect flood prone land. The Lot 30 DP793510 adjoins flood prone land.</p>  <p>Future development will be required to manage stormwater in accordance with the provisions of Council's guidelines in force at the time.</p>
4.4. Planning for Bushfire Protection	Yes	Yes	<p>Lot 30 DP793510 contains only buffer bushfire prone land. The planning proposal does not affect land that is covered by bushfire mapping.</p>  <p>Lot 14 Lot 14 DP787477 is not identified as bushfire prone.</p>

5. Regional Planning

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
5.1. Implementation of Regional Strategies	No	Not Applicable	
5.2. Sydney Drinking Water Catchment	No	Not Applicable	
5.3. Farmland of State and Regional Significance on the	No	Not Applicable	

NSW Far North Coast			
5.4. Commercial and Retail Development along the Pacific Highway, North Coast	No	Not Applicable	
5.5. Revoked			
5.6. Revoked			
5.7. Revoked			
5.8. Second Sydney Airport: Badgerys Creek	No	Not Applicable	
5.9. North West Rail Link Corridor Strategy	No	Not Applicable	
5.10. Implementation of Regional Plans	Yes	Yes	The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> .

6. Local Plan Making

Direction	Applicable to Uralla LGA	Consistent	Reason for inconsistency or comment
6.1. Approvals and Referral Requirements	Yes	Yes	The planning proposal does not entail provisions which increase approval and referral requirements as outlined in the Direction.
6.2. Reserving Land for Public Purposes	Yes	Yes	The planning proposal facilitates removal of the reservation for public purposes only. .
6.3. Site Specific Provisions	Yes	Yes	The planning proposal does not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

7. Metropolitan Planning – Directions 7.1 to 7.6 do not affecting the Uralla Local Government Area

Appendix B - Public Notice

PUBLIC HEARING - URALLA SHIRE COUNCIL LAND RECLASSIFICATION

Council is proposing to reclassify two parcels of land from 'community' to 'operational' as part of a Planning Proposal to amend the Uralla Local Environmental Plan 2012.

A public hearing in respect of these proposed reclassifications is to be held at Uralla Shire Council Chambers, 32 Salisbury Street, Uralla on Wednesday 12 December 2018 commencing at 5:30pm.

For more information please look under Public Notices on Council's website at www.council.uralla.nsw.gov.au or contact Council on 6778 6300.

Appendix C - Attendance Sheet

ATTENDANCE SHEET

LOCATION	DATE	PROJECT		
Uralla Shire Council	12 December 2018	Public Hearing for Reclassification of Land		
NAME	INENTION TO SPEAK Y/N	CONTACT DETAILS	SIGNATURE	
Cr. Bob Couch	N	[REDACTED]		
CR NATASHA LODGER	N	[REDACTED]		
Phillip Smith	Y	[REDACTED]		
TERRY SEMOUR	N	fseymour@urxllh.nsw.gov.au 0427 215 970		
CLR ISABEL STRUTT	N	[REDACTED]		
Noelene Porter	Y	[REDACTED]		
MARIE CANNON	N	mclarkson@uralla.nsw.gov.au 6778 6310		

Appendix D - Written Submissions

The General Manager

Uralla Shire Council

PO Box 106

URALLA NSW 2358



Dear Sir

Re

Planning Proposal April 2018 – Uralla LEP 2012 Amendment of Land Classification –Lot 30

DP 793510 - Uralla Caravan Park from *Community* to *Operational*

I wish to lodge my submission and objection to the above Planning Proposal – Uralla LEP 2012 amendment of Land Classification of Lot 30 DP793510 (currently occupied by the Uralla Caravan Park) from its present classification of *Community* to *Operational*.

In support of my submission I advise the following:

Alma Park was established in approximately the late 1800s and has significant historical value to the township. The adjoining Crown Lands and the unformed road reserve have always been assumed and used as part of the Alma Park precinct.

Since that early establishment date of this beautiful town asset the care and preservation of this significant historical area has been entrusted to the Council to act on behalf of past and present residents of Uralla in ensuring that it is protected for future generations. Reclassifying the park from its protective *community* classification to an *operational* classification has the potential to put the future of the community owned park remaining in its entirety at severe risk. Whilst it remains under the protective *community* classification it is protected from potential lot division, sale and/or unsuitable private commercial development.

The actual date that the Caravan Park was established within Alma Park precinct is unknown to me, but it appears that it has been part of the park area for many decades and over that time I would assume that there has been many different forms of management and control of the caravan park i.e. Council run, Lease arrangements and contracts. The issue of the park being classified *community* has not appeared to have created any major problems with these arrangements in the past, so I wonder why it has reared its ugly head once again. As, you would be aware previously Council had raised the proposal to reclassify this portion of the park in 2012/2013 and a public hearing was conducted as per the requirements under Local Government Act 1993. Council at the time decided in their wisdom not to proceed and therefore preserved this valuable community asset in its entirety for future generations.

Whilst I have no concerns with the current Caravan Park remaining within the Alma Park area and being continued to be managed under Council's control, I do have concerns with the statement made by Council in their Planning Proposal. In the proposal Council had to state their reasons for preparing the plan and their statement was as follows "Lot 30 DP 793510 allows Council the opportunity to explore the **future ownership potential** for the Uralla Caravan Park, with the view to its retention rather than converting the site to Parkland" This statement "future ownership potential" is a real concern and I feel that perhaps if the community had to choose between losing

the control of the designated caravan park area from the Alma Park precinct (if circumstances would not allow the Council to continue under present *Community* classification status) by selling off the designated Caravan Park area for private commercial gain and development then it may be that they would then prefer to keep the "Parkland" as a whole with its open spaces contributing to the beauty, ambience and attraction of Alma Park and lose the caravan park to a commercial operator in **another location**.

Alma Park and the surrounding areas should be preserved in its present entirety with all its natural open space, with community ownership/control and most importantly its history protected and preserved.

Any opportunity or action by Council in making way for potential sale of part of the Alma Park precinct for private commercial use or gain should be avoided at all costs.

As I stumbled across this Planning Proposal by accident when looking up Council website for information on another matter I would also appreciate your immediate advices on the following please:

- Commencement and completion dates for public exhibition?
- How, where and dates this Planning Proposal was advertised to gain engagement with stakeholders and public?
- Date, time and venue for public hearing? Please note that I am formally requesting advices regarding this information so that I may attend and address this meeting in need.
- Timeframe for consideration of the submissions?
- Will I receive feedback regarding any decisions made by Council on this proposal?

Yours faithfully



Mrs N E Porter



11 September 2018

The General Manager
Uralla Shire Council
PO Box 106
URALLA NSW 2358



Dear Sir

**Re: Planning Proposal April 2018 – Uralla LEP 2012 Amendment of Land Classification –Lot 30
DP 793510 - Uralla Caravan Park from *Community* to *Operational***

Further to my previous submission dated 11 September 2018, I now wish to add to that submission the attached notes that I presented to the Public Meeting/Community Information Session held Wednesday 19 September 2018 at Council Chambers.

These notes were a result of further investigations I completed after my original submission was lodged and that I had prepared for the public meeting. The notes contain more detailed information in support of my objection to the above Uralla LEP 2012 amendment of Land re classification.

I also wish to question the chairing of this public meeting by a staff member of Uralla Council. My understanding is when amending the classification and reclassification of public land through a local environmental plan and conducting a public meeting it is to be chaired by an independent person. This independent person would then prepare a public hearing report and council would make the report publicly available.

I found the chairpersons Mr Matt Clarkson – Council Planning Officer and Mr Terry Seymour – Council Engineer both informative and engaged in the discussions but felt that their involvement did not met the specific requirement under LGAct s.47G. Having a public meeting and discussing any concerns or issues surrounding the proposal with staff directly involved appeared somewhat directed and pointless. I did question this at the beginning of the meeting and was informed that it was not a requirement for an independent person to be the chair at this meeting.

Yours faithfully

A handwritten signature in black ink, appearing to be 'N. Porter'.

Mrs Noelene Porter



19 September 2018

1.

Notes for Community Information Session regarding reclassification of Uralla Caravan Park from *community* to *operational*.

Wednesday 19 September 2018 5.30 Council Chambers

I could start with simply saying that I passionately believe that the public should remain as custodians and guardians of the caravan park, as it is connected to the adjoining historic Alma Park and Crown Lands that have traditionally been considered one area.

If the caravan park was anywhere else besides the Alma Park area I would not be as concerned.

This brief statements above will not be enough to convince Council not to proceed so I will endeavour to produce relevant and valid information in support of my objection to the reclassification of the caravan park land from community to operational.

I apologise if some of the information may not appear to be directly relevant, but I am not apologising for trying to obtain information that could support the objection. Initially I didn't feel that it was my role to have to investigate and supply supporting information regarding all the formal requirements for preserving and retaining control of community land, as this is a duty of Council. I do feel though that the community including myself needed to at least be informed and to think about all the possible consequences of the proposal.

This land has been classified community for a very long time and has been entrusted to the public to protect, preserve, care and control. Unfortunately, in this instance I feel that changing the classification of this land from community to operational may not reflect that trust or be in the best interest of the public or produce the desired outcome for the area's preservation.

Basically, by changing the classification from community to operational there will be no restriction placed on the future use of the land and no guarantee that the land will remain a public asset or that any future potential private development would complement the surrounding historic park area.

We cannot look at the Caravan Park area in isolation in this proposal as the surrounding areas also needs to be included and consideration given to how any possible consequences of this reclassification may affect the adjoining historic Alma Park, Crown Lands and any other land claims. E.g. Aboriginal Lands. history of Uralla.

It was once the centre for:

- A Cemetery – in 1882 bodies were exhumed and moved to the “old” cemetery but more remains were found later and removed.
- A Sports Ground – Cricket/Football/Tennis – Parts of the park were flattened and prepared for these activities.
- It had a Band Room that was the meeting place and storage area for the town band that played in the Rotunda – Band Room was on part of the current Uralla Caravan Site and

removed to make way for an earlier caravan park caretaker's cottage. **NB: This room and the previous public toilets were on the now block designated as caravan park.**

- Steam Mill (1856)
- Mail Depot site before Cobb & Co took over and moved the depot

Traditionally the whole area or block including the now defined Crown Lands has always been known and used as "Alma Park".

CROWN LAND

The adjoining crown land must be taken into consideration when reviewing this proposal as it may be affected or have influence on the outcome of this proposal.

Land adjoining the official Alma Park area is crown land under the Crown Land Management Act 2016 (implemented 1 July 2018). Council is to manage this dedicated and reserved land as if it was public land under the LGA 1993. Most crown lands are classified as community land and there is the ability to manage these community lands as operational in special circumstances. Council is to have Management Plans in place for the land.

Licences for the use of these lands will now be granted by Dept of Industry, Crown Land & Water. I assume Council has the appropriate Management plans in place or they are in the development process? I noted in the Planning Proposal that Council previously held a Permissive Occupancy over part or all the adjoining crown land as the crown land held the **overflow and present caretaker's cottage** from the Caravan Park. This Permissive Occupancy has now expired, and the new licencing arrangement will be required for the crown land area.

Licences that are issued need to identify a benefit to the user and I raise this matter as it appears that under this new licencing requirement re Crown Land and Crown Roads, any benefit that is provided by the licence to adjoining freehold or leasehold land will automatically be transferred to the new owner when the benefiting land is sold or reassigned. This could apply to the Caravan Park area if changed to operational and sold!! i.e. If sold, then the crown land licenced to be used as a benefit to the caravan park will **automatically** be transferred to the new owner. If this did occur it would be interesting to see what areas of crown land that adjoins Alma Park would then be lost to the public by exclusion (fences etc)

We need to ensure that the crown land and its historic connection to Alma Park (including the Caravan Park area) is protected and noted in any Council Land Use agreements.

This could be achieved maybe by using:

- Public Interest
- Close to Native Title Land
- Areas of Cultural significance
- History of the area and historic use of the whole area
- Not reclassifying the caravan park to operational

COMMUNITY LAND

I referred to Practice Note – Public Land Management 2000 for information re community land. The Practice Note sets out information and recommendations regarding management of community lands. Including recommending desired processes such as advertising the public meetings, proposals etc. These recommendations also include providing the public with full name and addresses of the property in question to avoid future conflict and confusion to the public. **NB: This detailed information was not supplied in some information published by council.**

Noted in the Practice Note:

- This document does appear in some instances to support exemptions when **leasing** community land.
- It supports that operational land has no restrictions compared to community lands
- It states that community land can be used for commercial operation provided the requirements of the Local Government Act 1993 have been met? Perhaps that could be investigated by Council if not already completed??
- Confirmed that community land requires Management Plans to be in place

When formalising or updating the Management Plan requirement perhaps the following could be taken into consideration:

- When defining the category of the land, look at the whole area in context i.e. don't isolate the part used by Caravan Park separate from the rest of Alma Park.
- Identify the heritage component
- Consider the traditional use of the land
- Short term leases only
- Note specific conditions i.e. No Sale

PLANNING PROPOSAL

Was the planning proposal document as found on Councils web site the same document that was submitted to the Planning Department for Gateway determination or is another form of determination documentation submitted? (Document on web site is a **draft** according to headings on internal pages)

Notification process for the proposal appeared flawed – Newsletter received only 21 days prior to closing date for submission (should be 28 days). Was it also advertised in Armidale Express x 2, Council Social media as per email advice received from Council?

NB: Council website was not dated with commencement date of the proposal so not sure how long it had been available.

When reviewing the Planning Proposal, by having the two proposals (Caravan Park & Industrial Land) running together on the same proposal it appeared to confuse the different issues that applied to each site and blurred the possible impact on the Caravan Park's reclassification and its direct relationship to Alma Park and adjoining Crown Lands.

Another question arose during my enquiries as to why the Caravan Park area ended up being on a separate title to Alma Park as all old maps, traditional access and useage always indicated the area as one lot? My title search indicated that the Caravan Park area is held by unknown holder whereas Alma Park title is held by Uralla Shire Council?

Other questions raised after reading and considering the planning proposal include:

- Can the Crown land be split into multiple uses on the licence once expired Permissive Occupancy is replaced? i.e. To avoid possible loss of all the crown land area if the reclassification and possible sale of caravan park did proceed?
- How does the planning proposal support a statement that refers to the reclassification of the Caravan Park as “providing land to be utilized in future to respond to the needs of Uralla Residents and wider community”? **No supporting documents.**
- Is the Proposal regarding the caravan Park reclassification the only formal process or legal avenue available that would ensure the caravan park remains under community classification and still be able to operate under a lease agreement?
- Under “Benefit” – Change in classification will provide the opportunity for council to facilitate future uses of caravan park? **What are those uses?**
- Proposal stated that neither lot (so includes caravan park) was identified as having high conservation value? **Surely just the caravan park’s location near the Alma park heritage area and adjoining Aboriginal land must merit some historic conservation value?**
- Statement - Explore future ownership of the Caravan Park with a view to retention rather than converting the site to parkland? **Does that mean that if the land was not able to be leased and used under community ownership than council would rather sell the land than consider reverting to parkland as another option in preserving the heritage area?**
- Zoning is correct for caravan park. No need for any change in this regard then. TICK
- Under “Heritage” – Future development approvals **MAY** include assessment of heritage matters? **Surely it would require assessment of heritage matters. not may require!**
- **PLANNING PROPOSAL ONLY FACILITATES REMOVAL OF THE RESERVATION FOR PUBLIC PURPOSES!!**

In summary, this issue is very complicated and governed by many different forms of legislation and governing factors. There are usually always exceptions to the rules and with the proper licences, or trust agreements and management plans in place surely there is a work around that will enable this land to remain in community hands and still be able to be leased as a caravan park. If this is the only reason for reclassification!

Submission to Uralla Council Against the Proposal to Re Zone the Uralla Caravan Park from Community Land To Operational Land

Dear Council Staff

04/10/2018

I am totally against the Councils intention to rezone the Caravan Park to Operational Land

This area of Land must be kept as Community Land and not altered as the ownership of that Land, in the future will become Privately Owned, with no regard to the benefits it would create if kept as a community asset. It is commonly known and well documented that many other councils have gone through this process previously only to find that the land was later sold off to large Caravan Park Companies, then redeveloped with no local benefit. Managers are appointed for the operation of the park with very little local employment and the huge profits from exorbitant price rises just disappear out of town. Occupancy rates will dramatically fall due to the price increases and there will be less travelling public to spend locally and keep the businesses viable.

The amount of capital from the sale of that Land would be insignificant to Council compared to the Community Benefit in years to come. Tourism is fast becoming the saving grace of many smaller communities and this opportunity cannot and must not be missed to develop the Park into a viable Community Owned asset for the future of Uralla.

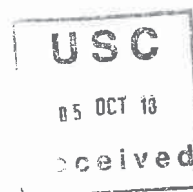
Many other Council Owned Parkes have retained "Community Control" to the greater benefit of local people and businesses.

This area must be kept as Community Controlled.

I have travelled extensively throughout Northern New South Wales and Queensland and had many many discussions regarding these types of arrangements so I do have a reasonable knowledge of these situations

Sincerely

Phillip Smith



Re: Public Meeting – Planning Proposal – Uralla LEP 2012 Amendment of Land Reclassification – Lot 30 DP 793510 – Uralla Caravan Park from Community Classification to Operational Classification

For Information: I attended the Public Meeting held Wednesday 19 September 2018 and presented my case for the retention of the Community Classification on Lot 30 DP 793510. At the time of the meeting I questioned the chairing of the meeting by Council staff and was informed that the meeting was in order so continued to present my argument. It was later determined that the proper process was not followed, and another public meeting would be called.

After the meeting held 19th September 2018 I submitted my notes that were used at that public meeting to Council to be added to my original submission dated 11th September 2018 made prior to the meeting. I feel that going through the process again is frustrating and may not be necessary as I will be supplying my notes from that meeting 19 September 2018 to the current chair.

However, a couple of matters have arisen from my last report and I would like to add to them now.

1. The Caravan Park is now under a 2-year Management Contract. This Management Contract appears to also include the lower end of the Alma Park (not included in DP 793510) plus part of the adjoining Crown Lands – DP 1057499 and DP 1131765 and part of closed Crown Public Road. **How do these additional parts of Alma Park Reserve, Crown Land and closed Crown Public Road that are used in the day to day running of the Uralla Caravan Park fit into supporting the isolation of the Uralla Caravan Park by changing from its current Community Classification to Operational?**
2. The adjoining part Crown Land that is currently used by the Uralla Caravan Park is now under a Crown Land Licence to Uralla Shire Council, replacing the previous Permissive Occupancy. This Licence document and its approval is within the Native Title Act and appears complex to the layperson. The Licence appears to restrict the use and construction of improvements and/or the future development or expansion of the Uralla Caravan Park on Crown Lands outside the area of DP 793510. **If the Uralla Caravan Park was changed to Public and its use or ownership changed, how would this effect the Licence and the use of the whole Crown Land areas that is currently open to the public as part of the Alma Park area?**
3. It was also noted during my investigation of the history of the Uralla Caravan Park that Lot 30 DP 793510 was acquired by Council in **1990** through excision from the Alma Park Reserve for operational purposes to allow for the operation of the **existing** Caravan Park. As the Alma Park Reserve is classified as Community Land and as the Caravan Park has been in existence a lot longer than that this date it would be interesting to see what instigated this action in 1990 and if the community was involved in this decision and the proper consultation processes carried out? **The Caravan Park has continued to operate for many many years as part of the Alma Park Reserve and under its current Community Status, so I see no reason for a change that will open the Alma Park precinct to the potential dangers of being split up, sold or controlled by a private owner/operator.**

As previously stated I passionately believe that the only protection that exists for the assured retention of the Alma Park area (including the adjoining Crown Land) to remain in its entirety now and in the future is for the land to remain under its current Community status.

NE Porter

[REDACTED]

[REDACTED]

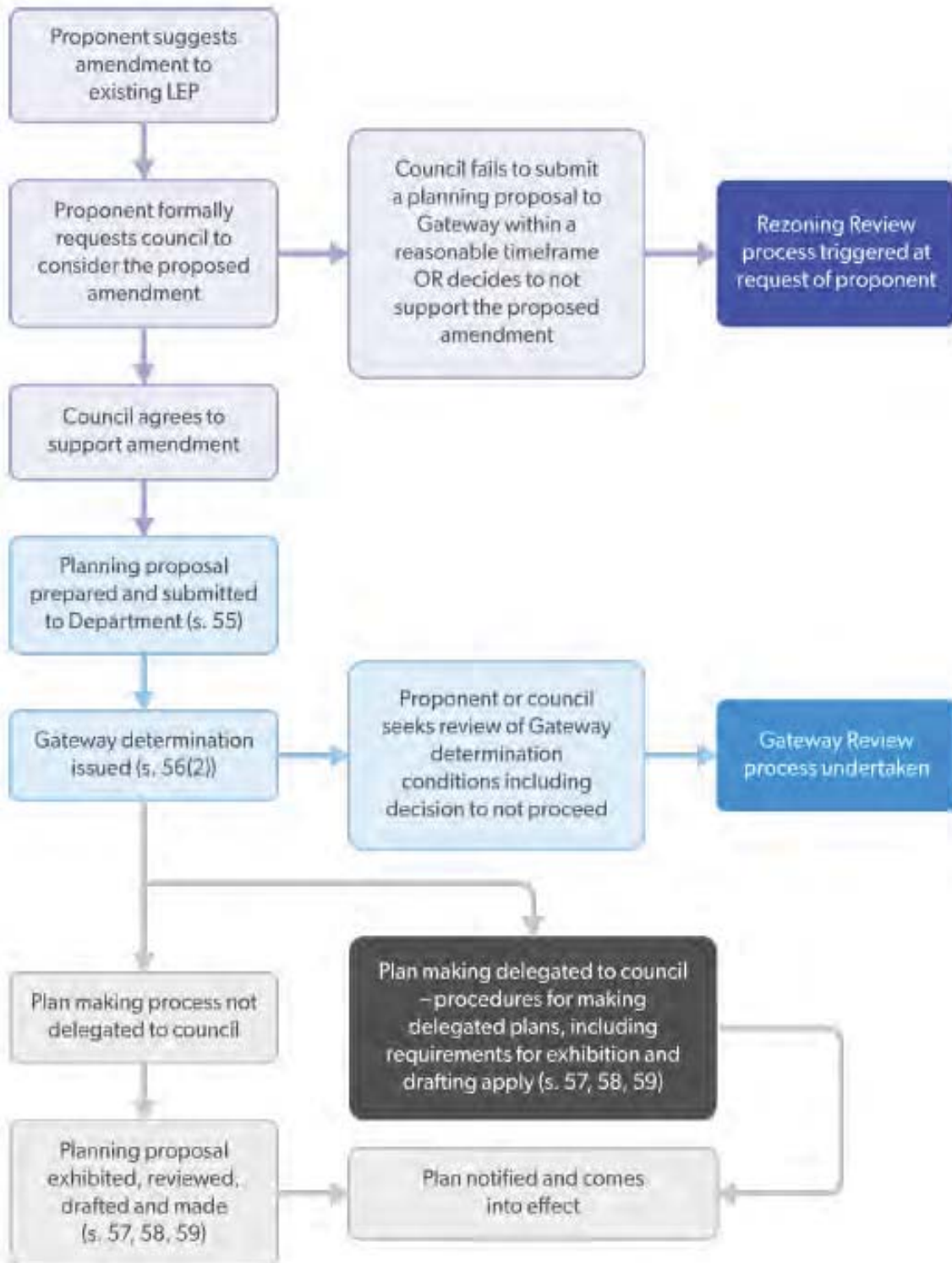
Appendix E - Crown Lands Map

Schedule 3



***** End of Schedule 3 *****

LEP making process





REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director of Infrastructure & Development
Reference/Subject:	Report 21 - Drought Communities Assistance Program

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	4.2.2	Operate in a financially responsible and sustainable manner
Activity:	4.2.2.3	Maximise grant and funding partnership opportunities
Action:	4.2.2.3.1	Identify and seek grant funding opportunities as resources provide for infrastructure and development projects or services

SUMMARY:

This report is to seek Council's endorsement of the Drought Community Committee's recommendation to progress projects for Community Infrastructure renewals and upgrades and events under the Drought Communities program.

OFFICER'S RECOMMENDATION:

That Council:

1. Submit a grant application (being the second under this program) based on the quoted works for: Bundarra School of Arts Hall; Dangars Lagoon bird hide; Arding Hall; Kentucky Memorial Hall; and Uralla Memorial Hall.
2. Seek additional quotations from contractors and tradespeople, inside and outside the Uralla Shire for works to: the Uralla Memorial Hall; the Uralla Shire Council owned preschool building; the Uralla Court House; the McMaugh Garden's garden shed; and the Council Chambers/Administration Building, subject to available funding
3. Seek quotations for potential rectification work to the Grace Munro buildings where such would not otherwise be funded by the recently awarded ACRRRI grant for that facility.
4. Submit a grant application (being the third under this program) for works identified in accordance with 2 and 3, above, and to exhaust the remainder of the 'up to' \$1 million grant available to Council.

BACKGROUND:

Council can apply for up to \$1million of funding under the Drought Communities program.

An initial application for \$26,000 to fund the BBQ lunch at the Uralla Show and for the supply of fence panels for the stockyards at the showgrounds was successful.

Uralla Shire Council
Council Business Paper – 26 February 2019

The guidelines for the program advise that the works under this program are to be completed by 30 June 2019.

Over November and December, Uralla Shire based contractors and tradespeople were requested to submit expressions of interest to participate in this program. Notification of the request for expressions of interest were advertised: on the front page of the November edition and page 3 of the December edition of Council's newsletter; via Council's Facebook page; and also through direct engagement.

Subsequent to the expression of interest process and on 19 December 2018, Council staff sought quotations from local contractors and tradespeople to undertake works on a range of projects shortlisted to be undertaken under the Drought Communities Assistance Program.

Several of the projects shortlisted for the Drought Communities Assistance Program have not attracted quotations from local tradespeople or contractors, consequently staff now propose to re-advertise the unquoted works both locally and further afield, beginning in Uralla Shire, Armidale, Inverell and Tamworth. Further, as it appears that the existing shortlisted projects may not fully expend all of the funds allocated to Council, staff now propose to scope maintenance works for the Old Court House in Uralla and the Council Chambers so that these may be included in the shortlisted projects.

REPORT:

Nine renovation/maintenance projects were shortlisted to be undertaken under the Drought Communities Assistance Program. A significant proportion of the proposed works did not attract any quotes from local tradespeople or contractors (within the Uralla Shire).

Of note are the following:

- Proposed works to the Uralla Memorial Hall attracted little interest, apart from plumbing work, rectification to the breakout doors and air-conditioning.
- The preschool also attracted little interest apart from works to the plumbing and hot water units.
- No quotations have been received for the slab and erection of the garden shed at McMaugh Gardens.
- The Grace Munro facility has received funding through the Aged Care Regional Rural and Remote Infrastructure (ACRRI) Grant for selected upgrade and remediation works. The works quoted are covered under the ACCRI funding. A further inspection is proposed to detail any additional works not covered by the grant.
- The Bundarra School of Arts Hall has received the necessary quotations to progress the Bundarra Hall project.
- Suitable quotations were received for the Arding Hall and Kentucky Memorial Hall projects.

Works which can be progressed therefore include:

- Plumbing and air-conditioning at the Uralla Memorial hall.
- Painting and fencing works at Kentucky hall, (owned by others).
- Window replacement followed by painting at the Arding Hall (owned by others).
- Dangars Lagoon Bird Hide (owned by others and managed by the Uralla Lions Club).
- Plumbing works at the Council owned preschool building including the replacement of the hot water unit.
- Painting and building maintenance works at the Bundarra hall.

Uralla Shire Council
Council Business Paper – 26 February 2019

These works will consume between \$240,000 to \$260,000 of the available funds, excluding project management costs or contingencies.

(The shed company to be selected to supply the shed to the Friends of McMaugh Gardens should be able to provide details of installers to arrange for the slab and construction).

Uralla Showgrounds

The Uralla Showground Land Manager has provided a costed, prioritised list of works with supporting quotations. These works will be coordinated by the Land Manager with Council staff overseeing the procurement.

The total costs for these works is estimated at \$350,000 including 10% for contingency and 10% for project management.

These Showground works can also be progressed (subject to Council approval).

Additional projects

It is anticipated that the aforementioned works to the Uralla Showground, the Uralla Memorial Hall, the Bundarra School of Arts Hall and other projects will leave a residual amount of \$160,000 to \$200,000 unexpended from the fund.

It is suggested therefore that refurbishment works for the Uralla Court House and Council Chambers be included in the list of projects.

Resourcing

It should be noted that Council's effort to recruit an Assets Manager (to project manage these works) has not been successful to date. Council does not have capacity within its existing staff group to project manage this fund.

Therefore, additional resourcing will be required to progress:

- The request for quotations from a larger local area including Tamworth, Armidale, Inverell and Uralla Shire. And
- The oversight of the projects within the program.

RECOMMENDATION

Given the above, the recommendations put to the Drought Communities Committee were that Council:

Submit a grant funding application for the acceptable quoted works and subject to the grant funding application being successful, award and commence the following:

- Bundarra School of Arts Hall.
- Uralla Showgrounds projects as per the attached spreadsheet.
- Plumbing and air-conditioning at the Uralla Memorial Hall.
- Painting and fencing works at the Kentucky Hall.
- Painting and window replacement works at Arding Hall (quote for window installation pending but imminent).
- Dangars Lagoon Bird Hide.
- Plumbing works at the Uralla Preschool.

Seek quotations from a wider area for:

- Memorial hall works as scoped.
- Preschool as scoped, and
- The Court House (yet to be scoped).
- Any additional works identified at the Grace Munro facility.
- Maintenance/renewal items at the Council Chambers yet to be confirmed.

Subject to the receipt of acceptable quotations prepare and submit a third Drought Communities grant funding application.

In considering the matter the consensus of the Drought Communities Committee was for council to:

- Submit a second grant application for the quoted works.
- Follow up for additional quotations outside USC for the Memorial Hall, the Pre School, the Court House and the McMaugh Gardens Shed.
- Confirm potential additional Grace Munro works (not covered by the ACCRI grant).
- Provide a report to Council confirming the recommendations (ie this report).
- Submit a third grant application to cover the remainder of the \$1 million available to Council

CONCLUSION:

In order to successfully dispense the funds allocated to Uralla Shire Council under the Drought Communities Assistance Program it is necessary to solicit quotes from further afield, and incorporate maintenance works to the Old Courthouse in Uralla into the shortlist.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Consultation has occurred with entities identified by staff and Councillors
- 2. Policy and Regulation**
Procurement requirements need to be considered
- 3. Financial (LTFP)**
Potential to reduce future impacts through backlog reduction for Council buildings
- 4. Asset Management (AMS)**
Provides for a reduction of backlog works
- 5. Workforce (WMS)**
Requires additional project management resources
- 6. Legal and Risk Management**
Procurement practices, health and safety, contractor insurances.
The timeframe to deliver the works is very short and may not be achieved and commencement of any works at the earliest is desirable.
Management of the projects is resource intensive and additional project and contract management resources will be required.
The commencement of works prior to Council receiving approval from the Commonwealth Government provides a financial risk to Council should the application not be approved.
- 7. Performance Measures**
Nil

8. Project Management

Project management services will need to be procured and coordinated by staff from the Division of Infrastructure and Development.

Prepared by staff member:	Matt Clarkson, Manager Development & Planning
TRIM Reference Number:	U18/7455
Approved/Reviewed by Manager:	Director of Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Nil



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director Infrastructure & Development
Reference/Subject:	Report 22 - Regulatory Statistics Ending 31 December 2018

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Activity:	2.1.4.1	Process building and development applications
Action:	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

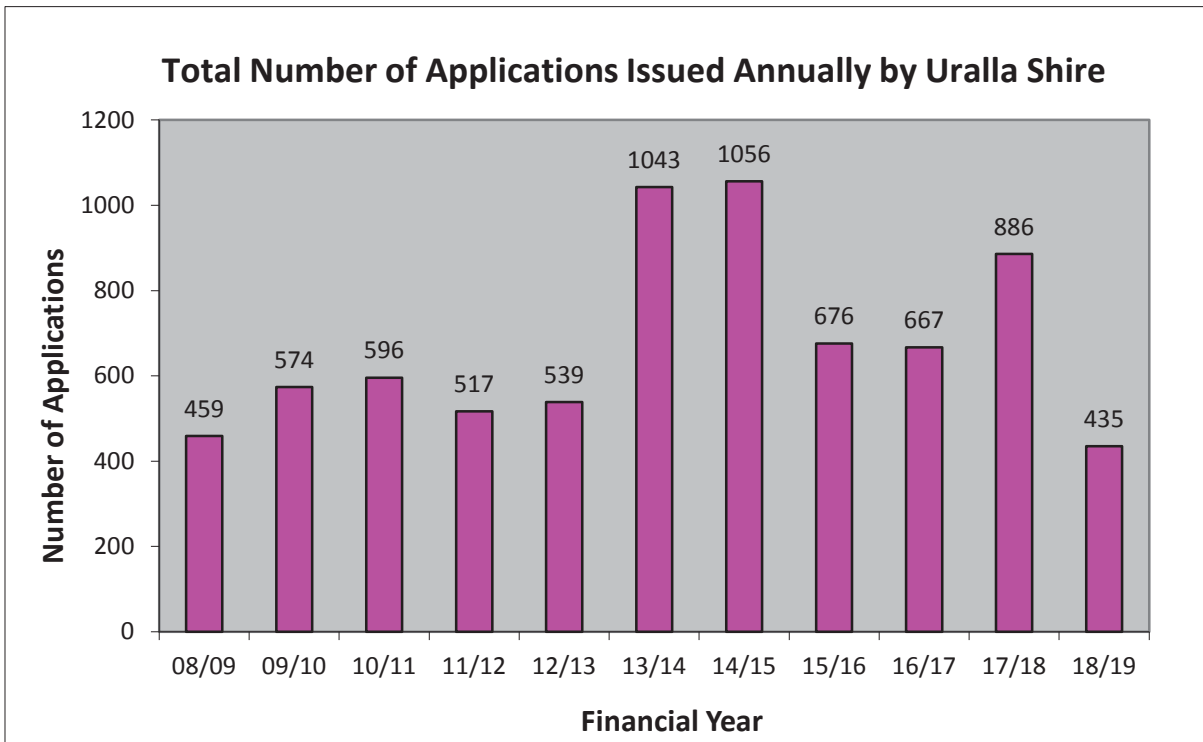
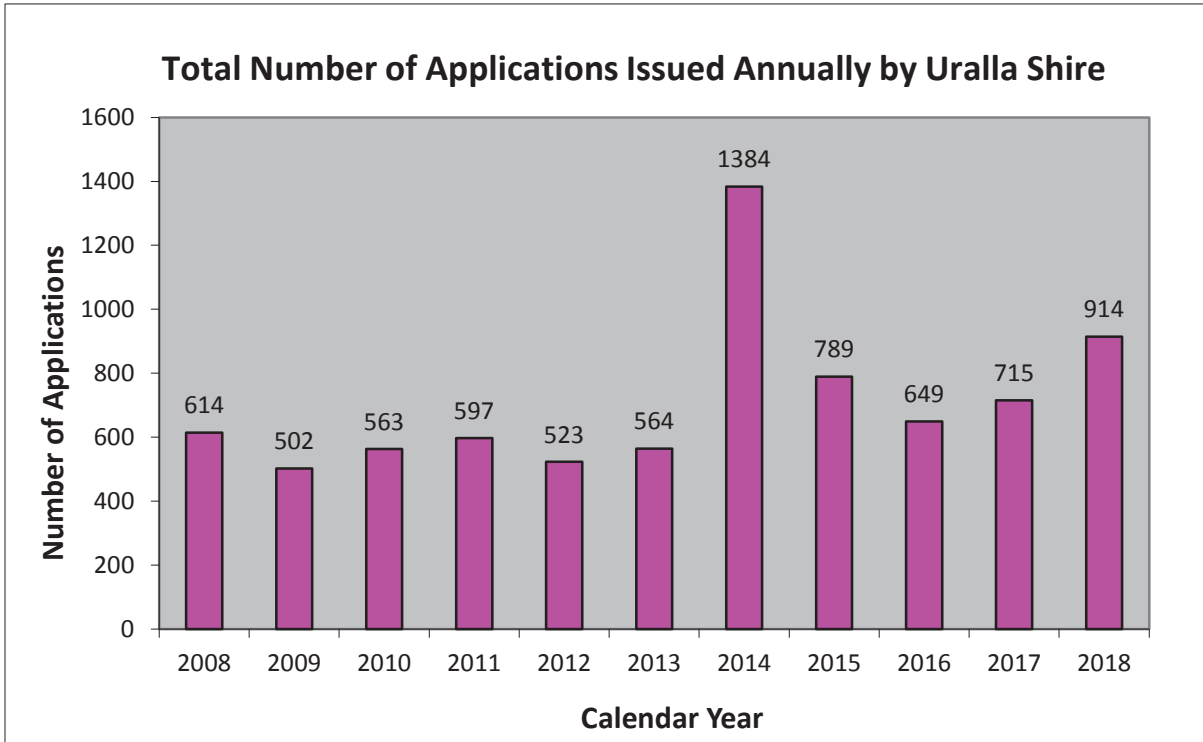
SUMMARY:

The following contains the Statistical Reporting on the Processed Regulatory Applications for Uralla Shire Council ending 31 December 2018. It also provides a six-monthly check on the financial year figures.

OFFICER'S RECOMMENDATION:

That the Regulatory Function Statistics ending 31 December 2018 be received and noted.

REPORT:



Please note, the current financial year details only contain six months of records.

Uralla Shire Council
Council Business Paper – 26 February 2019

Comparison of Applications Issued by Calendar Year

	Development Applications	Development Complying Applications	Section 96 Applications	Construction Certificates	Occupation Certificates	Section 68 Applications	Subdivision Certificates	Section 10.7(2) & 10.7(5) Certificates	Drainage Diagrams	Bushfire Attack Level Certificates	OSSM Licences	Totals
2008	124	39	11	82	-	35	15	209	99	-	-	614
2009	69	59	5	33	10	34	8	210	74	-	-	502
2010	71	60	6	30	45	37	17	221	76	-	-	563
2011	75	52	0	40	39	42	13	244	92	-	-	597
2012	60	49	4	28	69	33	8	192	71	9	-	523
2013	70	51	9	50	82	26	11	180	69	4	12	564
2014	88	31	3	40	78	46	8	208	101	3	778	1384
2015	78	29	19	53	83	51	13	195	88	5	175	789
2016	66	29	11	43	42	31	13	213	109	2	90	649
2017	61	37	8	43	62	37	10	208	104	5	140	715
2018	60	32	7	36	59	49	7	202	107	9	346	914

Uralla Shire Council
Council Business Paper – 26 February 2019

Uralla Shire Total Development Value

Note: Total Development Value includes Complying Development

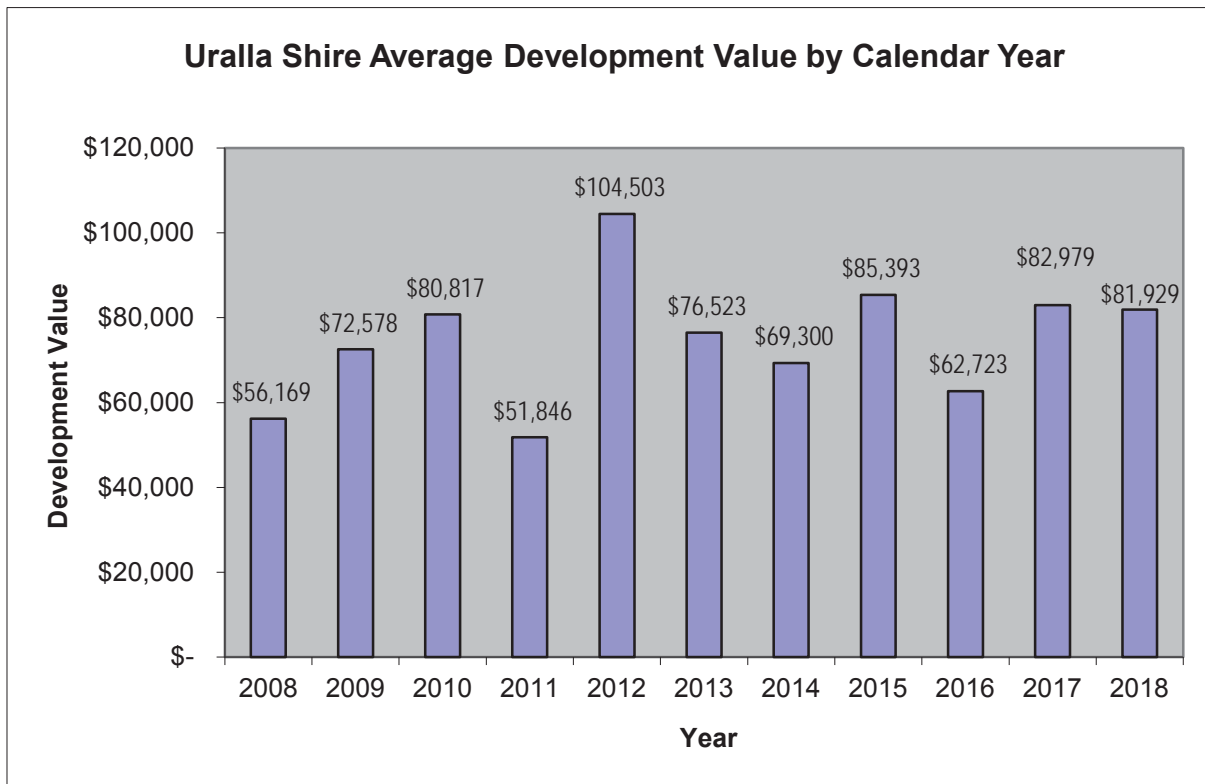
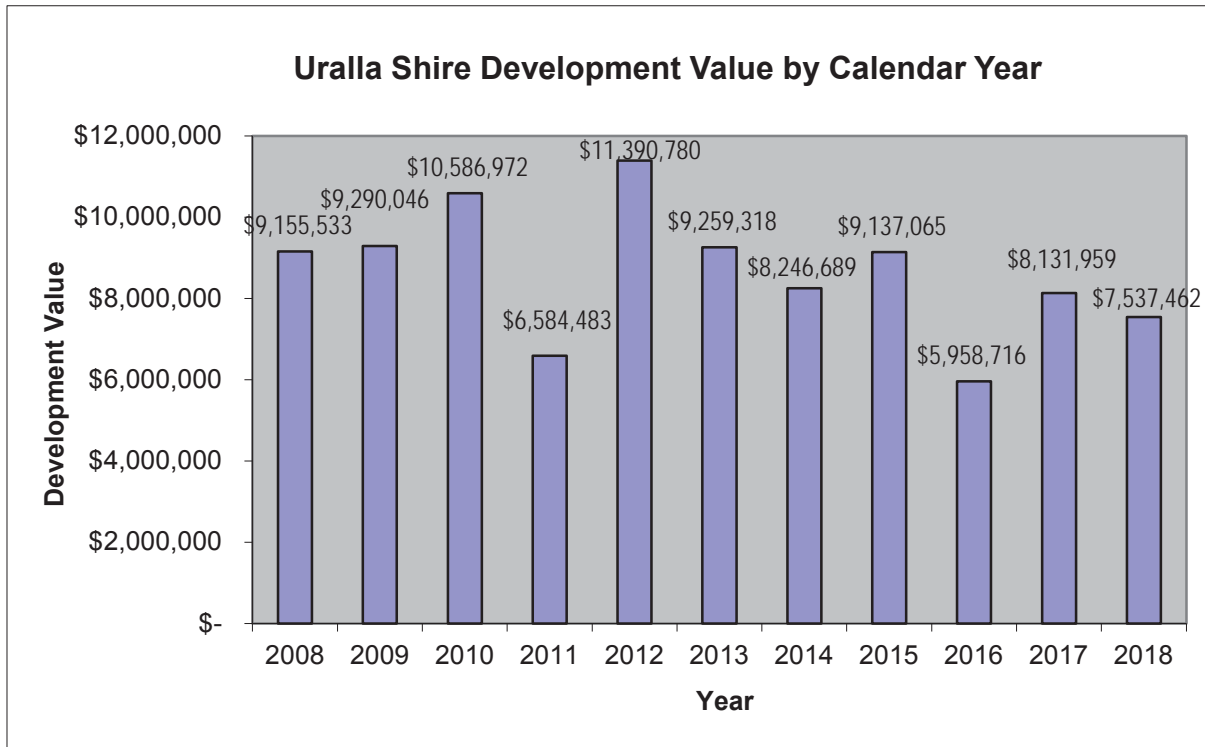
Calendar Year Totals

	Total Development Value	Average Development Value	Development Application Value	Complying Development Value
2008	\$ 9,155,533	\$ 56,169	\$ 7,393,239	\$ 1,762,294
2009	\$ 9,290,046	\$ 72,578	\$ 5,749,162	\$ 3,540,884
2010	\$ 10,586,972	\$ 80,817	\$ 5,958,887	\$ 4,628,085
2011	\$ 6,584,483	\$ 51,846	\$ 3,449,607	\$ 3,134,876
2012	\$ 11,390,780	\$ 104,503	\$ 6,158,718	\$ 5,232,062
2013	\$ 9,259,318	\$ 76,523	\$ 4,678,720	\$ 4,580,598
2014	\$ 8,246,689	\$ 69,300	\$ 5,657,845	\$ 2,588,844
2015	\$ 9,137,065	\$ 85,393	\$ 6,980,198	\$ 2,156,867
2016	\$ 5,958,716	\$ 62,723	\$ 3,997,389	\$ 1,961,327
2017	\$ 8,131,959	\$ 82,979	\$ 5,953,666	\$ 2,178,293
2018	\$ 7,537,462	\$ 81,929	\$ 3,618,198	\$ 3,919,264

Financial Year Totals

	Total Development Value	Average Development Value	Development Application Value	Complying Development Value
2008/2009	\$ 8,095,812	\$ 61,332	\$ 4,588,050	\$ 3,507,762
2009/2010	\$ 12,395,113	\$ 77,469	\$ 7,121,590	\$ 5,273,523
2010/2011	\$ 8,212,500	\$ 73,986	\$ 5,023,347	\$ 3,189,153
2011/2012	\$ 5,986,330	\$ 53,449	\$ 3,667,764	\$ 2,318,566
2012/2013	\$ 12,339,996	\$ 101,983	\$ 6,100,857	\$ 6,239,139
2013/2014	\$ 7,791,911	\$ 71,485	\$ 4,697,885	\$ 3,094,026
2014/2015	\$ 9,779,535	\$ 109,917	\$ 6,392,260	\$ 3,387,274
2015/2016	\$ 7,560,263	\$ 76,366	\$ 6,393,433	\$ 1,166,830
2016/2017	\$ 6,544,087	\$ 68,168	\$ 4,186,513	\$ 2,357,574
2017/2018	\$ 9,073,505	\$ 87,245	\$ 6,057,412	\$ 3,016,093
2018/2019	\$ 3,194,609	\$ 79,865	\$ 1,061,155	\$ 2,133,454

Please note, the current financial year details only contain six months of records.

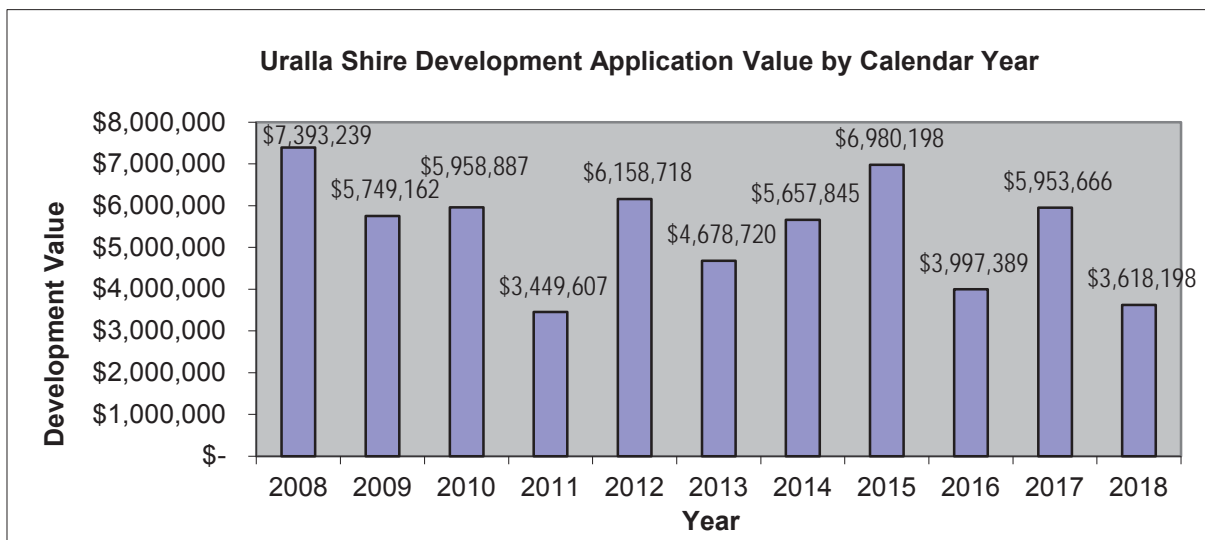
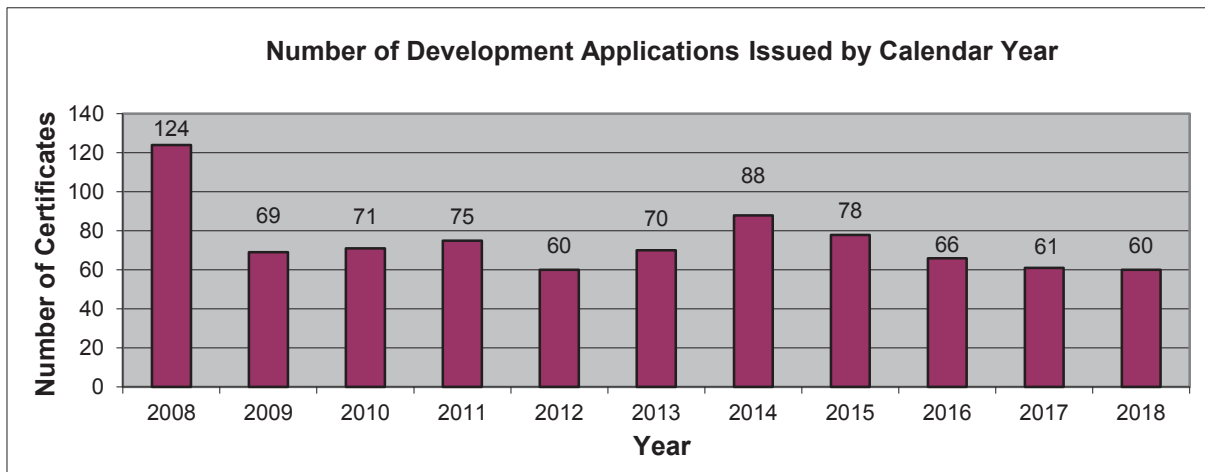


Uralla Shire Council
Council Business Paper – 26 February 2019

Development Applications

Calendar Year			Financial Year		
	Number of Applications	Value of Application		Number of Applications	Value of Application
2008	124	\$ 7,393,239	2008/2009	69	\$ 4,588,050
2009	69	\$ 5,749,162	2009/2010	81	\$ 7,121,590
2010	71	\$ 5,958,887	2010/2011	67	\$ 5,023,347
2011	75	\$ 3,449,607	2011/2012	68	\$ 3,667,764
2012	60	\$ 6,158,718	2012/2013	67	\$ 6,100,857
2013	70	\$ 4,678,720	2013/2014	71	\$ 4,697,885
2014	88	\$ 5,657,845	2014/2015	89	\$ 6,392,260
2015	78	\$ 6,980,198	2015/2016	73	\$ 6,393,433
2016	66	\$ 3,997,389	2016/2017	61	\$ 4,186,513
2017	61	\$ 5,953,666	2017/2018	69	\$ 6,057,412
2018	60	\$ 3,618,198	2018/2019	25	\$ 1,061,155

Please note, the current financial year details only contain six months of records.

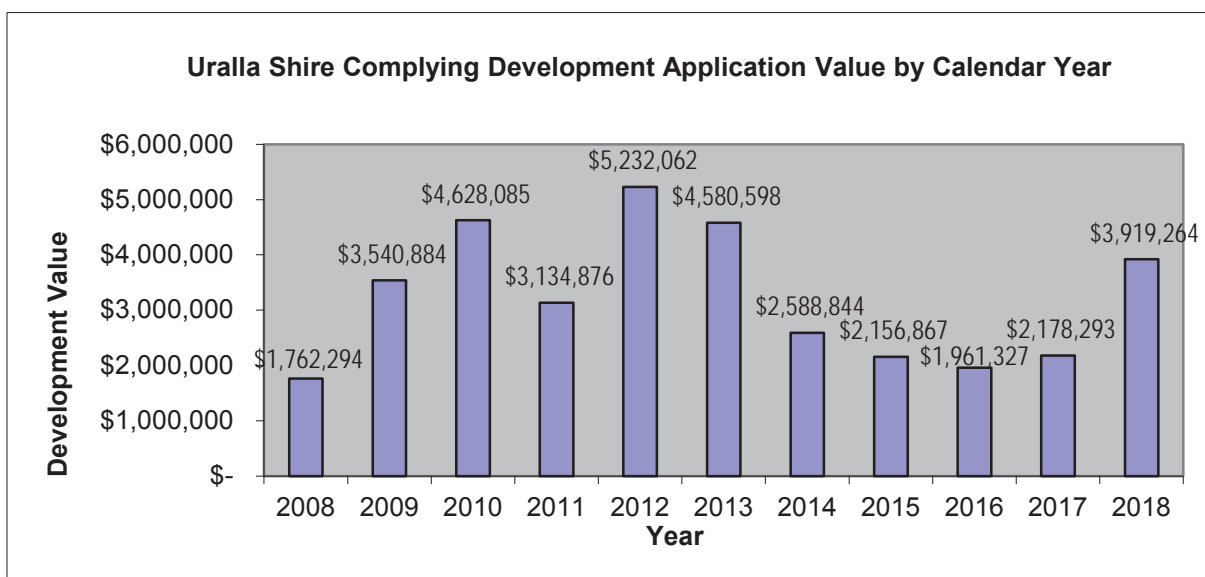
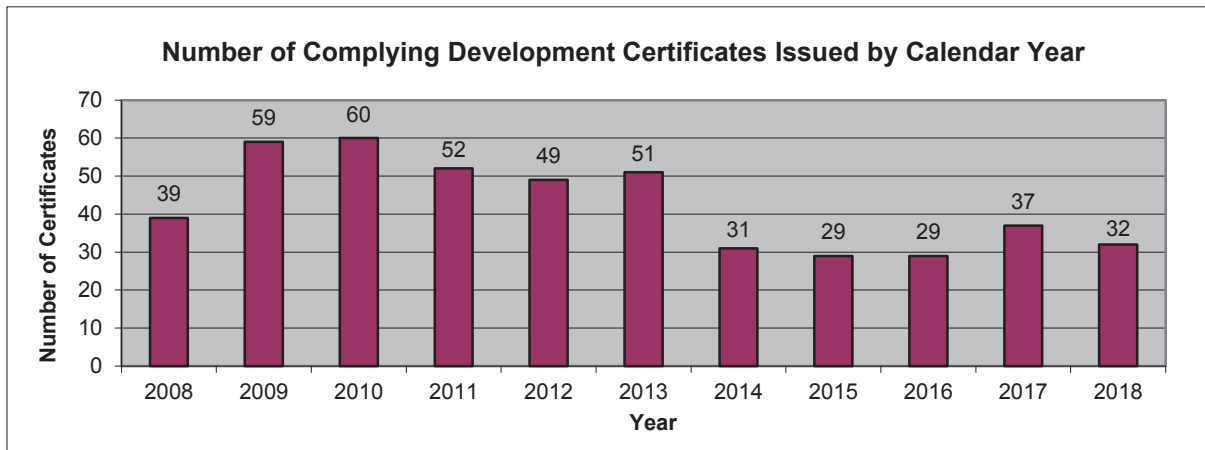


Uralla Shire Council
Council Business Paper – 26 February 2019

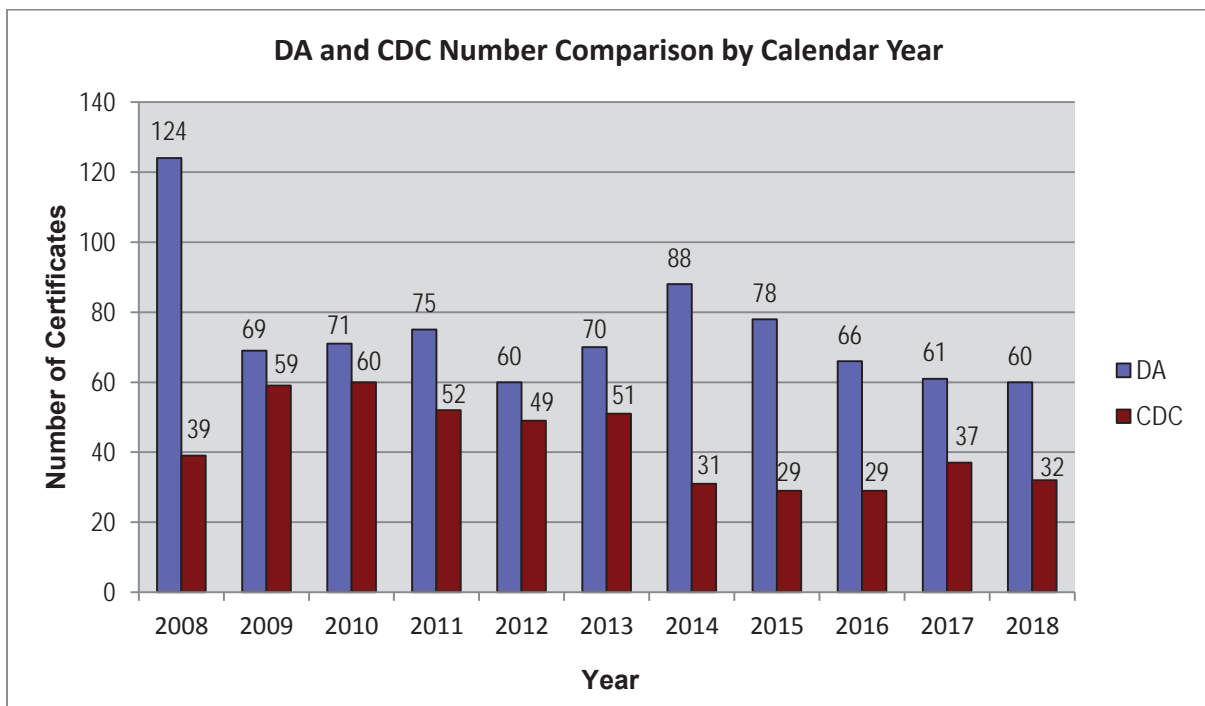
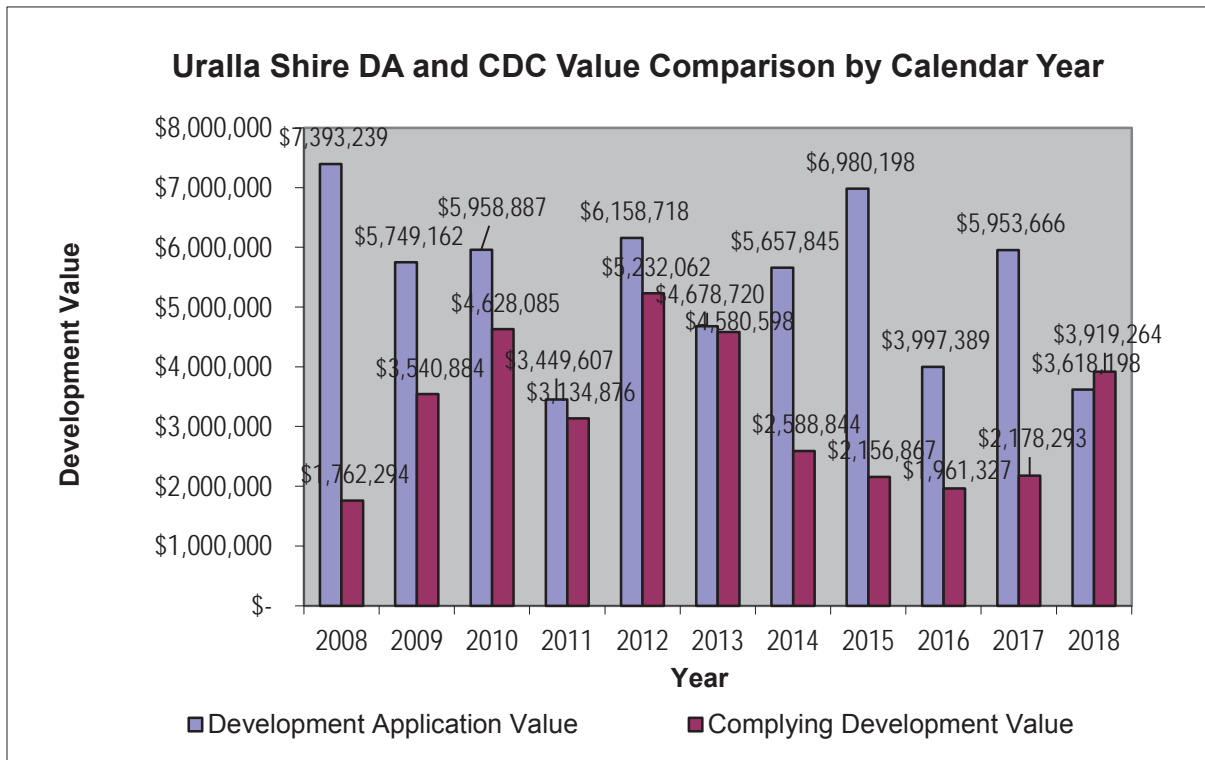
Complying Development Applications

	Calendar Year			Financial Year	
	Number of Applications	Value of Application		Number of Applications	Value of Application
2008	39	\$ 1,762,294	2008/2009	63	\$ 3,507,762
2009	59	\$ 3,540,884	2009/2010	79	\$ 5,273,523
2010	60	\$ 4,628,085	2010/2011	44	\$ 3,189,153
2011	52	\$ 3,134,876	2011/2012	44	\$ 2,318,566
2012	49	\$ 5,232,062	2012/2013	54	\$ 6,239,139
2013	51	\$ 4,580,598	2013/2014	38	\$ 3,094,026
2014	31	\$ 2,588,844	2014/2015	35	\$ 3,387,274
2015	29	\$ 2,156,867	2015/2016	26	\$ 1,166,830
2016	29	\$ 1,961,327	2016/2017	35	\$ 2,357,574
2017	37	\$ 2,178,293	2017/2018	35	\$ 3,016,093
2018	32	\$ 3,919,264	2018/2019	15	\$ 2,133,454

Please note, the current financial year details only contain six months of records.



Comparison of Development and Complying Development Applications



Uralla Shire Council
Council Business Paper – 26 February 2019

Section 96 Applications

Note: Being Development Application Amendments

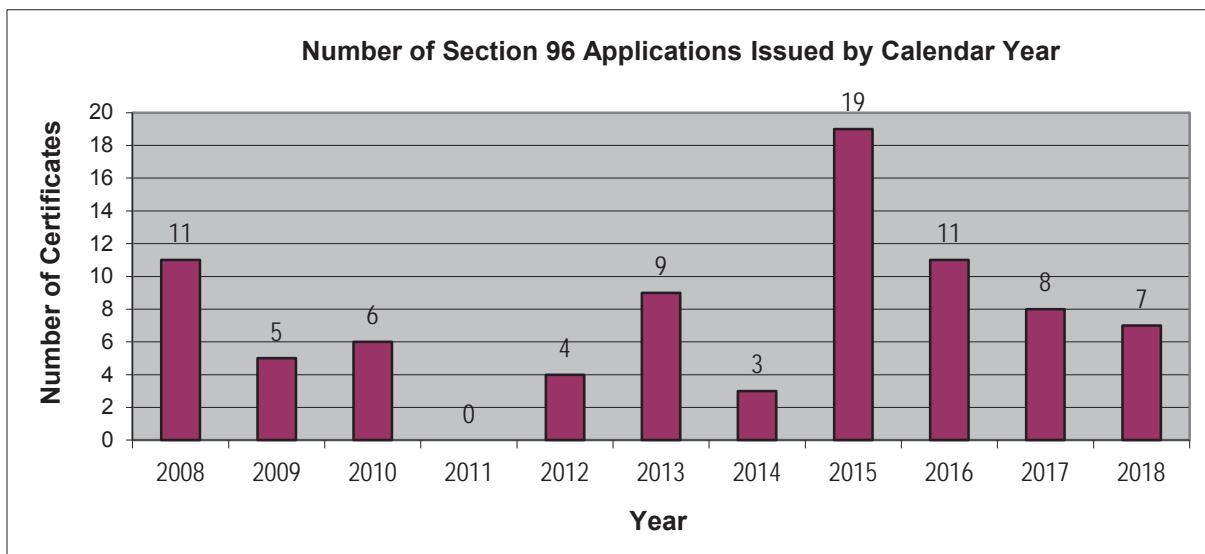
Financial Year Totals

	Number of Applications
2008/2009	7
2009/2010	4
2010/2011	4
2011/2012	0
2012/2013	8
2013/2014	7
2014/2015	4
2015/2016	21
2016/2017	13
2017/2018	7
2018/2019	1

Calendar Year Totals

	Number of Applications
2008	11
2009	5
2010	6
2011	0
2012	4
2013	9
2014	3
2015	19
2016	11
2017	8
2018	7

Please note, the current financial year details only contain six months of records.



Construction Certificates

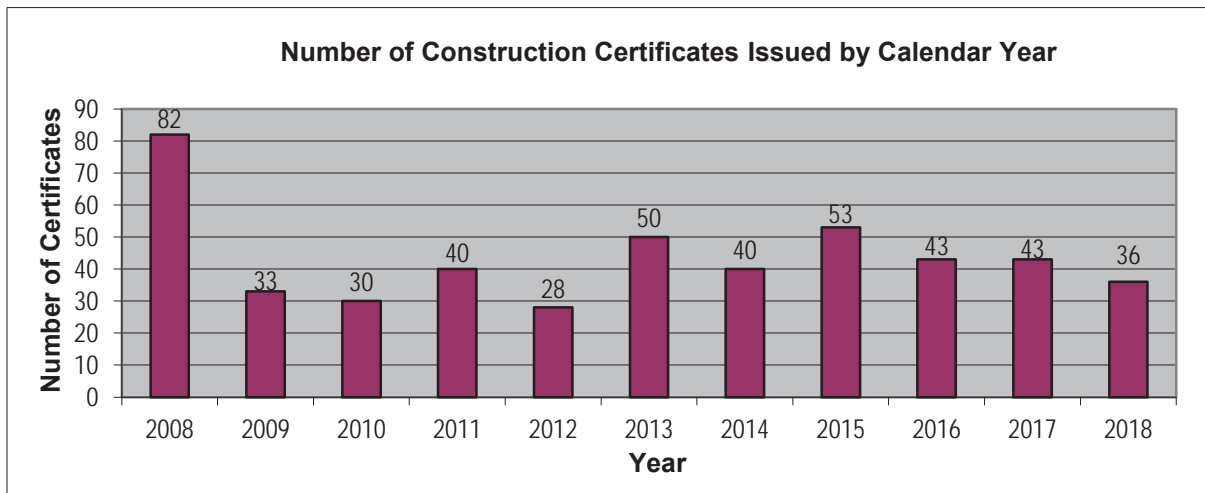
Financial Year Totals

	Number of Applications
2008/2009	35
2009/2010	38
2010/2011	41
2011/2012	27
2012/2013	38
2013/2014	42
2014/2015	44
2015/2016	53
2016/2017	49
2017/2018	38
2018/2019	16

Calender Year Totals

	Number of Applications
2008	82
2009	33
2010	30
2011	40
2012	28
2013	50
2014	40
2015	53
2016	43
2017	43
2018	36

Please note, the current financial year details only contain six months of records.



Occupation Certificates

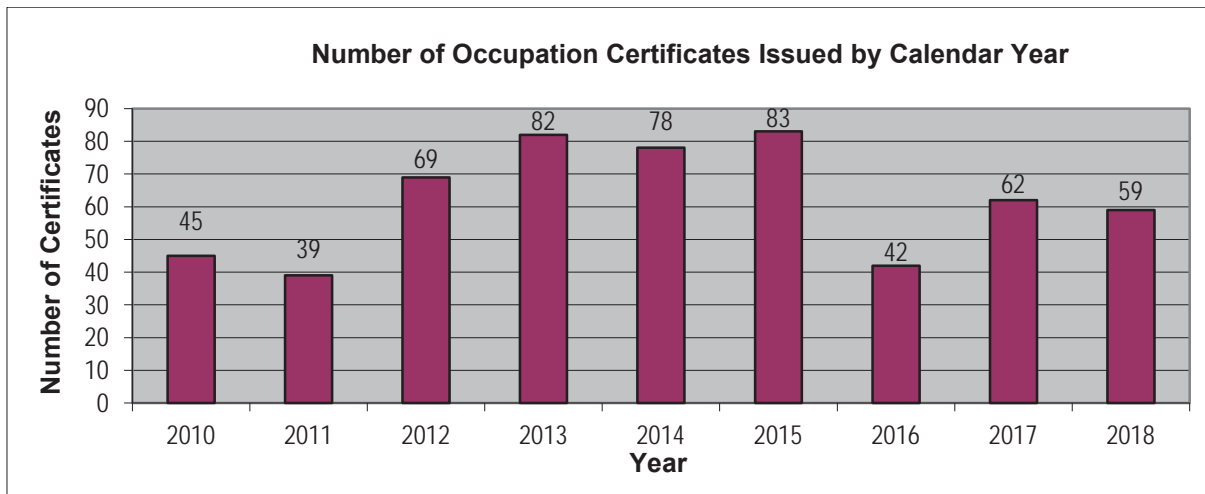
Financial Year Totals

	Number of Applications
2009/2010	27
2010/2011	48
2011/2012	57
2012/2013	63
2013/2014	86
2014/2015	96
2015/2016	50
2016/2017	47
2017/2018	65
2018/2019	30

Calendar Year Totals

	Number of Applications
2009	10
2010	45
2011	39
2012	69
2013	82
2014	78
2015	83
2016	42
2017	62
2018	59

Please note, the current financial year details only contain six months of records.



Uralla Shire Council
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Section 68 Certificates

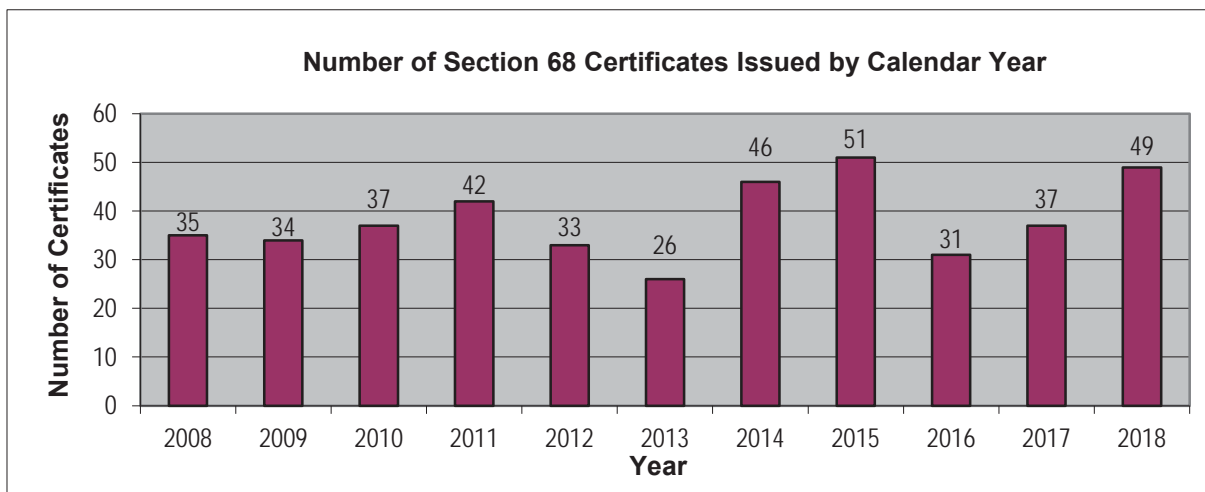
Financial Year Totals

	Number of Applications
2008/2009	18
2009/2010	45
2010/2011	42
2011/2012	25
2012/2013	39
2013/2014	29
2014/2015	51
2015/2016	43
2016/2017	33
2017/2018	44
2018/2019	27

Calendar Year Totals

	Number of Applications
2008	35
2009	34
2010	37
2011	42
2012	33
2013	26
2014	46
2015	51
2016	31
2017	37
2018	49

Please note, the current financial year details only contain six months of records.

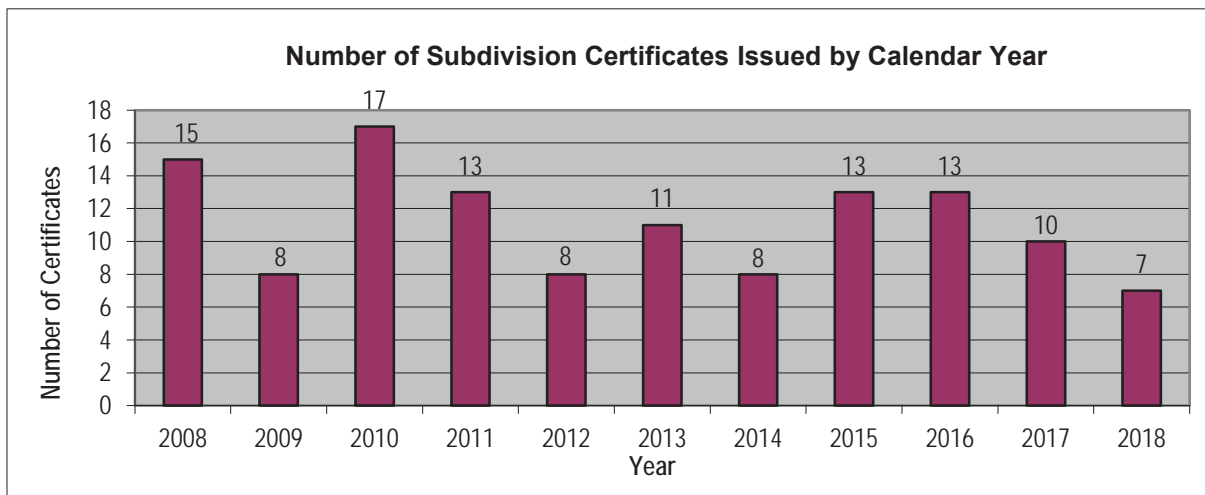


Subdivision Certificates

Financial Year Totals	
	Number of Applications
2008/2009	13
2009/2010	11
2010/2011	18
2011/2012	10
2012/2013	8
2013/2014	9
2014/2015	10
2015/2016	14
2016/2017	12
2017/2018	9
2018/2019	3

Calendar Year Totals	
	Number of Applications
2008	15
2009	8
2010	17
2011	13
2012	8
2013	11
2014	8
2015	13
2016	13
2017	10
2018	7

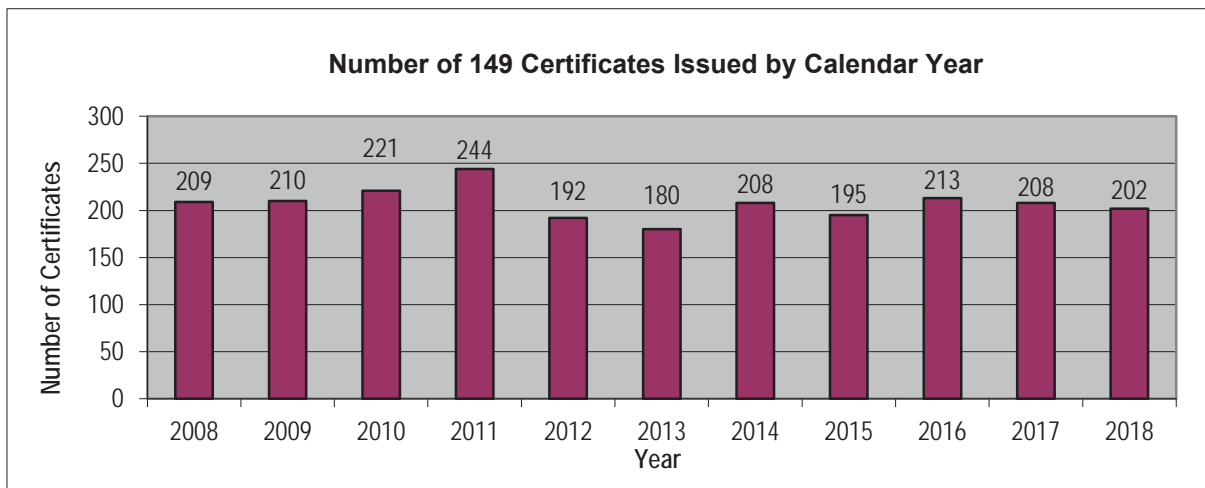
Please note, the current financial year details only contain six months of records.



Section 149 Certificates

Financial Year Totals		Calendar Year Totals	
	Number of Applications		Number of Applications
2008/2009	176	2008	209
2009/2010	219	2009	210
2010/2011	244	2010	221
2011/2012	204	2011	244
2012/2013	192	2012	192
2013/2014	208	2013	180
2014/2015	189	2014	208
2015/2016	207	2015	195
2016/2017	206	2016	213
2017/2018	215	2017	208
2018/2019	99	2018	202

Please note, the current financial year details only contain six months of records.



Drainage Diagrams

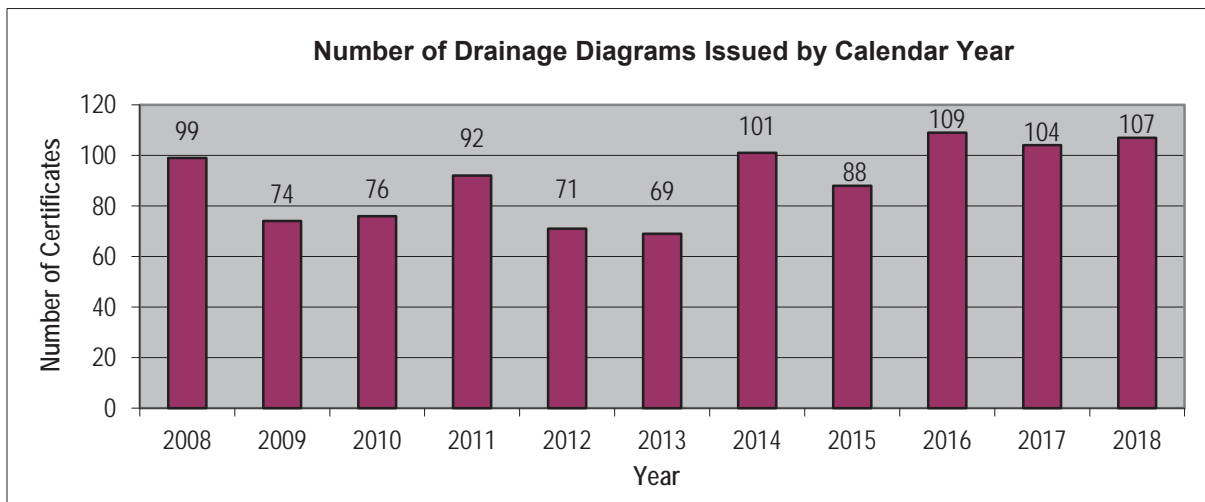
Financial Year Totals

	Number of Applications
2008/2009	78
2009/2010	70
2010/2011	88
2011/2012	82
2012/2013	70
2013/2014	94
2014/2015	90
2015/2016	96
2016/2017	98
2017/2018	120
2018/2019	48

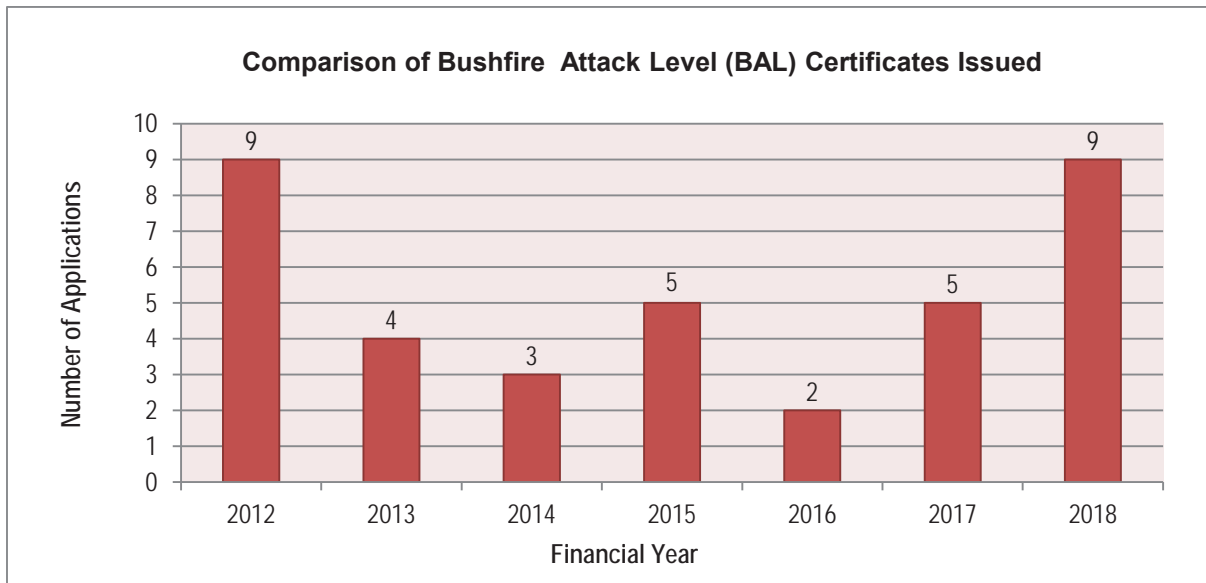
Calendar Year Totals

	Number of Applications
2008	99
2009	74
2010	76
2011	92
2012	71
2013	69
2014	101
2015	88
2016	109
2017	104
2018	107

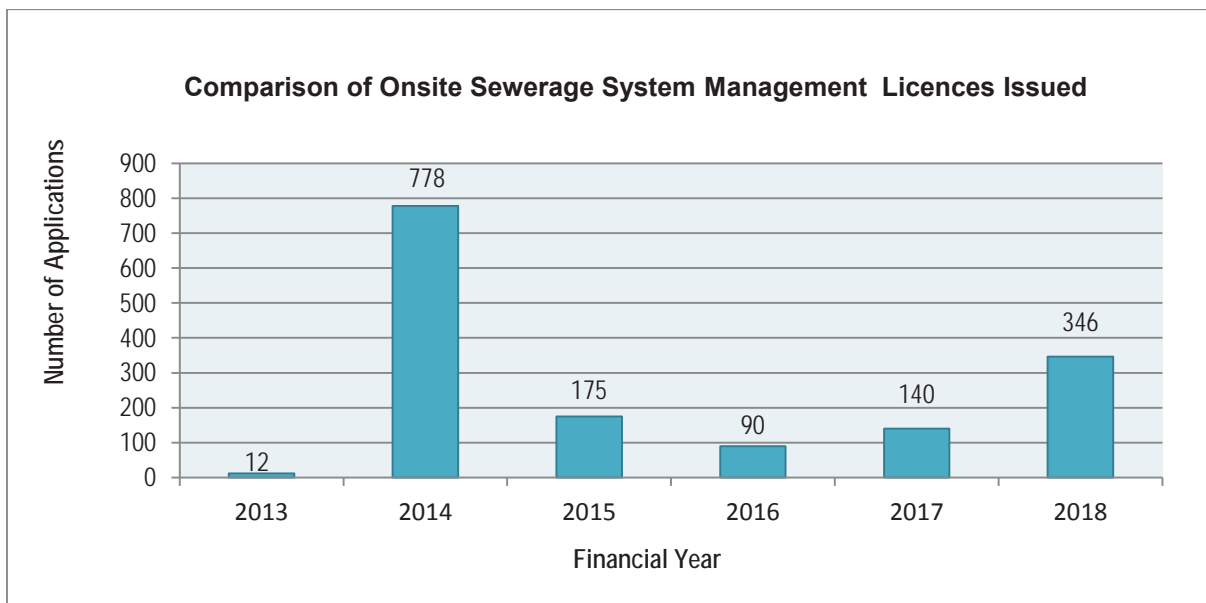
Please note, the current financial year details only contain six months of records.



Bushfire Attack Level (BAL) Certificates



Onsite Sewerage Management Licences Issued



Uralla Shire Council
Council Business Paper – 26 February 2019

KEY ISSUES:

Please note: These figures are calendar year 2017 only. Any increases or decreases relate to the 2016 year. The term processed means either approved or refused. Applications not determined have not been accounted for.

- Total Number of Applications Issued – 914 – a 27.65% increase
- Total Development Value – \$7,537,462 – a 7.31% decrease
- Average Total Development Value – \$81,929 – a 1.27% decrease
- Number of Development Applications Processed – 60 – a 1.64% decrease
- Total Development Application Value – \$3,618,198 – a 39.23% decrease
- Number of Complying Development Certificates Processed (including Private Certifier Applications) – 32 – a 13.51% decrease
- Total Complying Development Certificate Value – \$3,919,264 – a 79.92% increase
- Number of Section 96 Applications Processed – 7 – a 12.50% decrease
- Number of Construction Certificates Processed (including Private Certifier Certificates) – 36 – a 16.28% decrease
- Number of Occupation Certificates Processed – 59 – a 4.84% decrease
- Number of Section 68 Certificates Processed – 49 – a 32.43% increase
- Number of Subdivision Certificates Processed – 7 – a 30% decrease
- Number of Section 10.7(2) & 10.7(5) Certificates Processed – 202 – a 2.88% decrease
- Number of Drainage Diagram Requests Processed – 107 – a 2.88% increase
- Number of Bushfire Attack Level Certificates Processed – 9 – a 50% increase
- Number of Onsite Sewerage Management System Licences Processed – 346 – a 147.14% increase

Prepared by staff member:	Administration Officer
TRIM Reference Number:	U12/168
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Nil



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director Infrastructure & Development
Reference/Subject:	Report 23 - Heritage Advisory Services Summary for January 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.1	To preserve, protect and renew our beautiful natural environment
Strategy:	3.1.2	Protect the shire's historic buildings and sites, recognising their value to the community
Activity:	3.1.2.1	Provide heritage services and support
Action:	3.1.2.1.1	Facilitate a Heritage Advisory Service and Local heritage Assistance Fund

SUMMARY:

This report summarises the activities undertaken by Mitch McKay, Council's Heritage Advisor, on his monthly visit undertaken for January 2019. His next visit will be Tuesday, 5 February 2019.

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary for January 2019 be received and noted by Council.

BACKGROUND:

The Heritage Advisory Services Summary is provided to Council for information purposes each month. The Heritage Advisor's services are offered free to all residents of Uralla Shire so as to facilitate discussion of heritage conservation within the Shire.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy):**
Provide heritage advisory services to the community to recognise and promote the value of Uralla Shire's heritage.
- 2. Policy and Regulation:**
Privacy and Personal Information Protection Act 1998
OLG Model Policy – Private and Confidential Information
- 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:	Matt Clarkson, Manager Development & Planning
TRIM Reference Number:	U12/6279-02
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Heritage Advisor Summary



Heritage

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HERITAGE ADVISORY MEMO

No. 65

date: 8 January 2019

ITEM 1: Rocky River Goldfields, Uralla

Continued researching history and developing possible wording for interpretive signage panels.

ITEM 2: Heritage Colours, Uralla

Reviewed and collated colour swatches available for a colour board.

ITEM 3: Next Heritage Advisor visit

It is proposed that the Heritage Advisor's next visit will be 5 February 2019.

M. McKay



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Director Infrastructure & Development
Reference/Subject:	Report 24 - Heritage Advisory Services Summary for February 2019

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.1	To preserve, protect and renew our beautiful natural environment
Strategy:	3.1.2	Protect the shires historic buildings and sites, recognising their value to the community
Activity:	3.1.2.1	Provide heritage services and support
Action:	3.1.2.1.1	Facilitate a Heritage Advisory Service and Local heritage Assistance Fund

SUMMARY:

This report summarises the activities undertaken by Mitch McKay, Council's Heritage Advisor, on his monthly visit undertaken for February 2019. His next visit will be Tuesday, 12 March 2019.

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary for February 2019 be received and noted by Council.

BACKGROUND:

The Heritage Advisory Services Summary is provided to Council for information purposes each month. The Heritage Advisor's services are offered free to all residents of Uralla Shire so as to facilitate discussion of heritage conservation within the Shire.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy):**
Provide heritage advisory services to the community to recognise and promote the value of Uralla Shire's heritage.
- 2. Policy and Regulation:**
Privacy and Personal Information Protection Act 1998
OLG Model Policy – Private and Confidential Information
- 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:	Matt Clarkson, Manager Development & Planning
TRIM Reference Number:	U12/6279-02
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Edited Heritage Advisor Summary Confidential Heritage Advisor Summary



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HERITAGE ADVISORY MEMO

No. 66

date: 5 February 2019

ITEM 1: Rocky River Goldfields, Uralla

Continued researching history and developing text for interpretive panels.

At this stage it is envisaged that the panels could take the form of a large panel consisting of two sections - factual historical information and of extracts from newspapers from the period.

Below is a sample of wording – *I say sample because the amount of words would need to be reduced to retain the reader's interest* - for an interpretive panel with the title:

Law + order

Crime was evident in the Rocky. In 1853 a store was robbed and several miners were bailed up in their tents and robbed – but these robberies were the work not of miners, but of four or five bushrangers. In August 1853 there was a particularly brutal murder, a murder which, according to one report made “necessity of increasing the force (police) at the Rocky quite evident” and although another report in October stressed for a stronger force it also admitted that the diggers had so far “conducted themselves with a degree of order, quietness and propriety” which entitled them “to the highest praise”.

Crimes committed by the miners themselves were rare before 1856.

In mid-1856, with the large and rapid increase in population, and no increase in the size of the police force, there was a different tale to tell. Throughout June and July crime grew and little was done about it. Robberies, interference with shaft-ropes and gambling increased to such an extent in June a public meeting was held to discuss the prevalence of crime.

Crime continued in the ensuing months: robberies including horse stealing, damage to property and claims, bushranging had not been curbed and assault. The two criticisms that had been made in July - that there were not enough police and that those who were on the Rocky were stationed too far away from the main diggings – were often reiterated in the last four months of 1856.

Added to this was the “collision” between Chinese and Europeans over alleged infringements of claims and tensions between Irish and Germans.

The lack of local courts was a constant grievance at the Rocky. Despite the gold discoveries and the consequent increase of population, there was no court between Maitland and Brisbane in 1854. While a small debts court and a police court had been established in Armidale in 1856 it was until 1860 that a court was established there but this by no means satisfied the Rockyites who complained of the expense and loss of time involved in travelling to Armidale, especially for trivial cases.

A shortage of magistrates in Armidale in 1857 often saw only one magistrate of four of the Armidale magistrates usually available and sometimes miners were put to the expense of going to Armidale, only to find no magistrates to deal with their cases.

A rumour was in circulation at the Rocky in August, 1856, that a courthouse and lock-up were to be established. In December of that year the Government voted a sum for a lock-up, but apparent not for a courthouse. A month later a courthouse and lock-up were being built near the Commissioner's camp, but this did not mean that permission had been given for local courts to be held. Such permission was thought to have been granted under the Gold Fields Act, and the miners looked forward to the holding of courts. Late in April 1857 there was still no word of permission being granted, and in May of that year it was announced that although diggers had their miners' rights they could not apply for a local court until they were three months in possession of them.

Miners were still agitating for local courts not only in 1858, but as late as 1866.

But the still unanswered plea for additional police was reinforced in 1867 by outbreaks of cattle stealing and pet thieving.

Life at Rocky River was disturbed during the boom years by criminal and anti-social behaviour of many kinds: thefts of money, gold, washing stuff, mining equipment, horses, cattle and stores from the diggings; bushranging; fraud; interference with shafts, dams and races; assault, sometimes armed assault; brawls and occasionally murder.

However, crime and anti-social behaviour was exceptional rather than general, and the great bulk of the Rocky's miners passed the great bulk of their time in a peaceable, orderly and law-abiding fashion.

The necessity for increased police protection here is becoming very apparent. About a fortnight ago a person, while standing at his tent door, was fired at by some scoundrel. The charge, which took effect in the face, appears to have been small gravel. The individual who had such a narrow escape of losing his life was confined to his bed for several days, but I am happy to state that he is recovering. One side of his face is very much scarred. The police barracks ought to be removed to the new diggings, where the great bulk of the population is concentrated. Robberies are becoming so frequent, also, that if the Government wish to protect life and property at these diggings they should immediately send more police.

(From our own correspondent)

Rocky River, June 4

Armidale Express and New England General Advertiser

7 June, 1856

Bailing-up seems to be reviving again. A short time ago, a young man who had "a wee drap in his ee' " was led into the bush by two men, upon pretence of showing him his way home; suddenly one of pretended friends knocked him down, while the other rifled his pockets of all his money. Not content with that they helped themselves to a pair of long boots with red tops from off his feet. Another man, who felt his head get rather top heavy, left the public-house to have a refreshing nap behind a fence, and was lightened of £12; he also was relieved of his boots, but I did not hear if they had red tops.

(From our special correspondent)

Armidale Express

23 May, 1857



Heritage

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HERITAGE ADVISORY MEMO

No. 66

date: 5 February 2019

ITEM 2: Heritage Colours, Uralla

Reviewed and collated additional colour swatches, supplied by Dulux, available for a colour board.

There remains 16 colours where swatches are still required.

M. McKay



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HERITAGE ADVISORY MEMO

No. 66

date: 5 February 2019

ITEM 3: Development Application

Reviewed a Development Application (DA) for proposed restoration and extensions building that was substantially damaged by fire.

The property was not listed as a heritage item within Uralla LEP 2012 nor was it within any Conservation Area. However, the property had been identified for inclusion as a heritage item in the Uralla Community Based Heritage Study (Stage 2) 2012, and the owner had received funding under Council's Heritage Assistance Fund for conservation work to the front verandah.

I had met with the owner on site, on 7 August, 2018 and had a pre-lodgement meeting with his architect 9 October, 2018. The purpose of the meeting with the architect was to discuss concept plans he had prepared for the reconstruction of the building including possible alterations and additions and material selection.

At the meeting with the architect I suggested an alternative to the loft shown in the concept plans. The alternative was to construct a separate single storey pavilion at the rear of the existing cottage the pavilion being connected by a glass atrium and of the same floor space as the loft and that of the additions shown in the concept plan. This separate pavilion would then allow the reconstructed cottage to retain its original street frontage appearance.


While the plans submitted with the DA generally retain the footprint of the fire damaged building the proposal will substantially alter the original street frontage appearance and change the character of the streetscape with the addition of the loft effectively turning a single storey building into a two storey building.

Should Council approve the DA, then, on the basis that a substantial amount of the original fabric was destroyed in the fire and the addition of the loft will substantially alter the original street frontage appearance, it is suggested that Council consider the removal of the property as a heritage item from the Uralla Community Based Heritage Study (Stage 2).

date: 5 February 2019

ITEM 4: Next Heritage Advisor visit

The Heritage Advisor's next visit will be 12 March, 2019.



M. McKay



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Manager Development and Planning
Reference/Subject:	Report 25 - Recommendations of Uralla Township and Environs Committee November and December 2018 meetings

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.1	A proud, unique and inviting community
Strategy:	1.1.2	Embellish our community with parks, paths, cycleways, facilities and meeting places
Activity:	1.1.2.1	Prepare open space strategy
Action:	1.1.2.1.1	Engage with the community and key stakeholders in developing the Open Spaces Strategy

OFFICER'S RECOMMENDATION:

That Council resolve to:

- 1. Receive and note the minutes of the November 2018 meeting of the Uralla Township and Environs Committee.*

BACKGROUND:

Uralla Township and Environs Committee (UTEC) have provided Council with recommendations for tourism and recreation areas from their November and December 2018 meeting minutes.

REPORT:

- UTEC met on the 13 November 2018. A copy of the minutes is attached.
- UTEC met on 11 December 2018, however with only five (5) committee members attending, a quorum was not established. As no quorum was attained, the points identified in the meeting notes as recommendations have not been considered in this report.

KEY ISSUES: RECOMMENDATIONS ANALYSIS

Meeting of 13 November 2018

- Recommendation: *USC install Historic Uralla Castle signs on the four main entrances to Uralla.*

Following discussions with Council's heritage advisor, the Manager of Development and Planning has advised UTEC that the Uralla Historical Society should prepare a proposal for submission to Roads and Maritime Services and request a letter of support from Council.

Uralla Shire Council
Council Business Paper – 26 February 2019

- Recommendation: USC develop a holistic signage scheme with uniformity in design, which includes investigating the design suggested in 'rationalisation of informational signs' document (attachment 2 in minutes). Park signs: adoption of a uniform, "distinctive to Uralla" design, colour scheme and font.

If Council wishes to design, construct and install new signage throughout Uralla, this would need to be provided for in the 2019-2020 budget.

- Recommendation: USC demolish the (vandalised) Street Stall and concrete pots in Fuller Memorial Park.

This is not recommended at this time as there is currently no budget provision to redevelop the park. Further investigations are warranted to determine if the street stall is being utilised as a bus shelter and to confirm the amenity provided by the plantings in the pots by local residents. The UTEC proposed actions should be considered as part of the development of the open spaces strategy and any future associated works to remodel the park.

CONCLUSION:

It is appropriate that Council consider the recommendations of the Uralla Township and Environs Committee in the development of the Open Spaces Strategy and the management of open spaces generally.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Nil
- 2. Policy and Regulation**
Nil
- 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:	Matt Clarkson, Manager Development & Planning
TRIM Reference Number:	UJNT/19/1115
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	1 - UTEC minutes – 13 November 2018 2 - UTEC meeting notes – 11 December 2018

URALLA TOWNSHIP & ENVIRONS COMMITTEE

Tuesday 13 November 2018, 6pm Eastern Daylight Savings Time (5pm Qld time), Council Chambers

Minutes

Meeting opened: 6pm

Present:

Andrea Wallace (AW), Carl Merten (CM), Shaun Platford (SP), Ariella Van Luyn (AvL), Colin Hull (CH), Nolene Porter (NP), Jim Sinclair (via phone for a brief time but experienced sound quality problems)

Cr Isabelle Strutt (IS), Cr Levi Sampson (LS), Cr Natasha Ledger (NL), GM Andrew Hopkins (AH), observers

Apologies:

Philip Smith (late apology)

John Kurko, who also tendered his resignation from the committee because of work commitments

Correspondence:

Inward:

Uralla Shire Council, letter regarding Council Resolution re Recommendations of UTEC from July & August meetings, 10 October (circulated with agenda)

Kaye Sutton, Letter regarding historic town signs, 17 October (see attachment 1)

Outward:

Minutes of UTEC 9 October meeting to Uralla Shire Council, 13 October

Motion that previous minutes were correct as read:

Moved: NP, Seconded: KM, carried

Business arising from previous meeting

1. Re-classification of land of caravan park, Queen St

NP reported that council is seeking to re-classify the land from community to operational for the business of the caravan park. This information has been re-advertised and is back on public display. See: http://uralla.nsw.gov.au/index.cfm?page_id=1390. There is a public meeting about this matter 12 Dec

General Business

1. **The committee requests council to advertise another position on UTEC to replace John Kurko**
2. **Jo Fletcher from the Neighbour Centre re: Community Garden**

Notes provided by Jo Fletcher:

- Community Garden went to a Council meeting on the 30/8/2010. Land in Wood Street (next door to the pool) was approved and granted for such usage
- Robert Bell came to the site and viewed the proposed layout.
- Council supported the garden by donating a startup amount of \$3500
- Incredible Edible raised \$1000 for the garden through fundraising which helped purchase tools and gloves
- Original “driving force” for the garden was a team lead by Deni McKenzie, followed by the leadership of Sue Dyer
- At the end of 2012 the Community Garden asked to come under the banner of the Uralla Neighbourhood Centre. This helped with insurance costing and grant applications
- In 2013-2014 a new site plan was undertaken with a team of new young members.
- In 2014 this plan was discussed with council. The idea of a fence was found to be a restriction to the openness of the area and discouraged the idea of community and connectedness. The group then registered as an incorporated body.
- Ground breaking ceremony was held in 2014 and Mayor Pearce turned the first spade on the land
- In 2015 with the help of Council and Uralla Neighbourhood Centre, the garden group lead by David Ryan was able to secure a grant from the Royal Agricultural Society of NSW.
- In 2015 the idea of a pond had to be changed as there were many restrictions due to open areas and water courses
- In 2017 the Uralla Community Garden once again came back under the banner of the Uralla Neighbourhood Centre. This was because the committee could not maintain the numbers as required for an incorporated body. By de registering as an incorporated body and coming back under the Uralla Neighbourhood Centre we could offer a volunteer’s insurance cover and associated coverages.
- The Community Garden is maintained by volunteers and members associated with the Uralla Neighbourhood Centre and is open to all community members.
- The Community Garden helps community members feel connected via volunteering. It is a learning opportunity for many and for others it is an opportunity to share information and resources. It helps support those in our community overcome and maintain social isolation, mental health wellbeing, work for the dole commitments and work and development orders.
- The Community Garden is one of the primary producers for the food pantry that services members of the community that are under growing economic stress. And easy way for people to access fresh produce without asking for help. The stigma and

confidence reducing situation of asking for help is lowered as they can help themselves to garden produce while giving something back to the community.

- The current planting plan for the garden includes shade trees, fruit trees, shrubs, natives, legumes, strawberries, herbs, leeks, carrots, onions, zucchini, silver beet, kale, asparagus, tomatoes, potatoes, pumpkins, perpetual spinach, lettuce and rocket. Many are already established, and others need to be re sown. The vision in recent times is to move toward a garden that requires low watering maintenance and low labor-intensive plantings. We are also are looking at produce that has longevity in shelf life.
- An example of a community learning opportunity is the Chook Day to be held on the 24th November 2018

Q&A:

- Anyone can be involved in the garden by contacting the Neighborhood Centre or ringing Ladybird Nursery
- The garden is a sub-group of the neighbour centre
- 7-8 regulars are for the garden
- Neighbourhood is funded by but this funding does not cover the garden, so the Centre fundraises is for community garden and other projects
- Julie Hicks from Ladybird Nursey is supplying plants
- Plant donations can be made to Julie and monetary donations to the Neighbourhood Centre

3. "Historic Uralla " Castle signs

The committee suggests use of a sign with a castle icon, which is an internationally-recognised symbol for a historic town.

- See Correspondence from UHS, attachment 1
- Originally requested by the Creative Village Committee (CVC), but never implemented by USC.

Recommendation: USC install Historic Uralla Castle signs on the four main entrances to Uralla

Moved LVE, CH, carried unanimously

4. Signage

- Refer to attachment 2, from the U-Watch Document, which provides a suggested design and site of the signs
- Originally recommended by the CVC.

Recommendation: USC develop design and costings for improved signage

Additional recommendation:

- **USC develop a holistic signage scheme with uniformity in design, which**
 - Includes investigating the design suggested in 'rationalisation of informational signs' document (attachment 2)
 - **Park signs: adoption of a uniform, "distinctive to Uralla" design, colour scheme and font.**

Moved CH, Seconded SP, Carried unanimously

LvE: It will be important that such sign designs can be extended and changed

CH: There is a case to improve signage, especially for the carpark behind the main street, which currently only has a small P sign

SP: suggested a fifth on Kingstown Rd and Thunderbolt's Way near Bowl's club, cnr of Hill and Queen St?

LS: Need to improve signage and enhance entries to the town

- Entry to Uralla signs

Recommendation: USC amend the "Altitude 1km" to "Elevation 1012 m"

LvE: accuracy and national standards should be consulted prior to making a decision on this matter.

Committee to make no recommendations on this matter as it is a minor change

- Warning Signs in Parks.

The GM previously advised UTEC that the signs were installed for "legal" reasons.

AW: suggested re-writing of this item to be less wordy. For example, 'consider changing signs to something less obtrusive and conform to the uniform design policy suggested above.'

Draft Recommendation: USC seek clarification from the relevant authority, and point out the reasons for seeking exemption.

Committee to make no recommendations on this matter as it was felt that these signs were necessary in a litigious society.

5. Fuller Memorial Park

Recommendation: USC demolish the (vandalised) Street Stall and concrete pots

Moved: CM

Seconded: CH

Carried 6:1

It was noted that previous UTEC committee minutes (11 Sept) requested that a Heritage Officer investigate what the park looked like in the past.

It was also noted that previous UTEC committee minutes had recommended removal of pots (12 June). Therefore, it was felt this recommendation should not need to be discussed again.

It was noted visual aides provided by the heritage officer would be useful to help guide redevelopment of the park.

6. Uralla 2358 Park

Currently known as Pioneer Park. A delegation of committee members had agreed to see Adam Marshall and a late November meeting has been booked with his office.

LS: 'Grant guru' is worth looking into.

Action: AVL will subscribe to grant guru and share with committee

NL: wished to note that Long neck turtle mentioned in 'rationalisation of street signage' (attachment 2) is unique to the area

Meeting closed: 7.06pm

Next Meeting

Tuesday 11 December, 6-7pm, Council Chambers

Attachment 1: E-mail from Kaye Sutton on behalf of Uralla Historical Society

26 July 2018

Mr Andrew Hopkins
General Manager
Uralla Shire Council

Dear Mr Hopkins,

Re: Historic Town signs:

<http://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-manuals/touristsignsv4.pdf>

Some years ago and on several occasions, the then Creative Village Committee asked Council to install the standard tourist Historic Uralla 'Castle' signs at the four entrances to Uralla.

Unfortunately the Senior Council Officer who was delegated that responsibility 'didn't get around to it'.

Uralla has become a destination for cultural tourism, which benefits the whole community and the signage can only enhance Uralla's reputation.

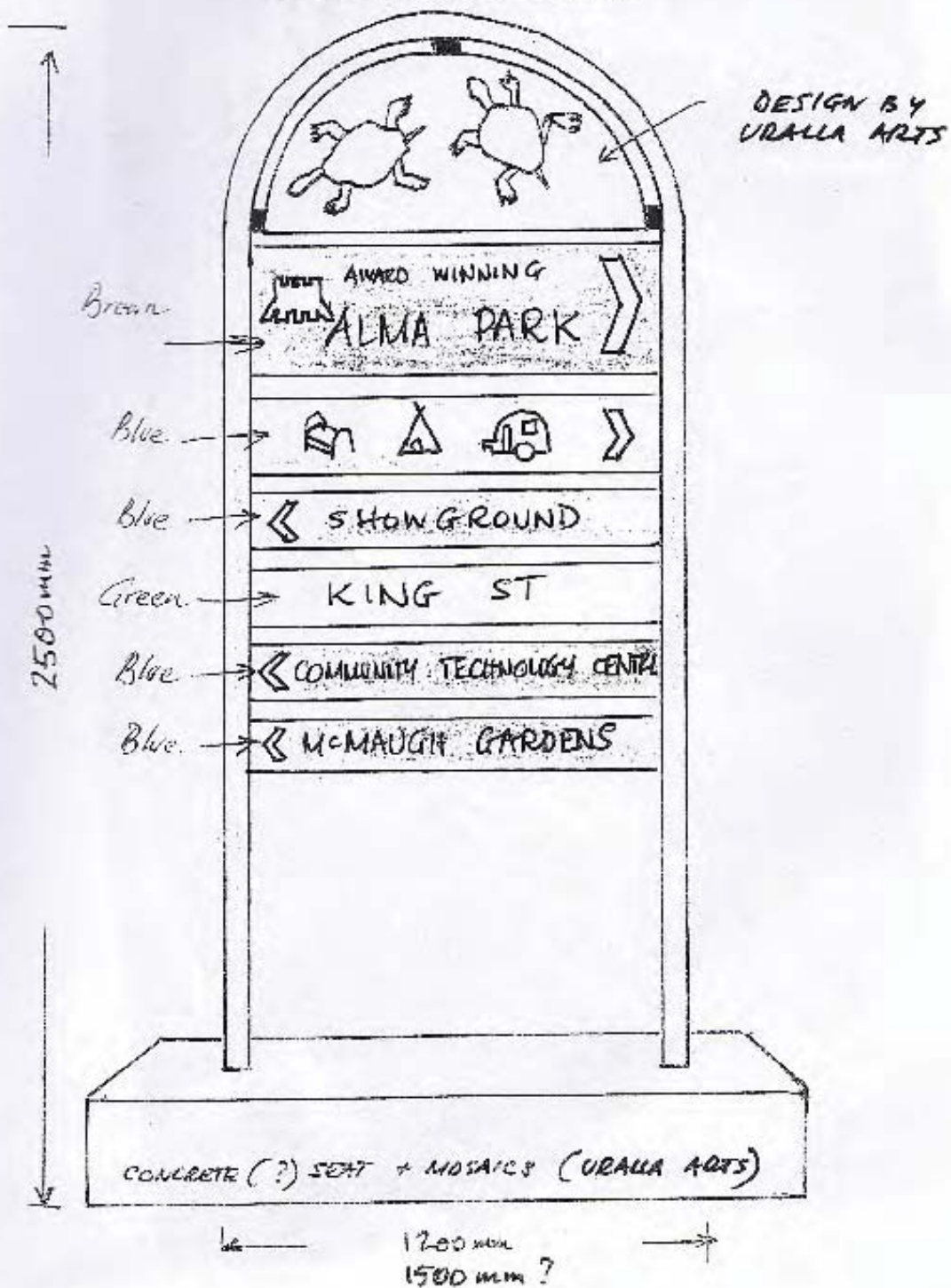
We'd be grateful if you'd arrange for the placement of these signs.

Yours sincerely,

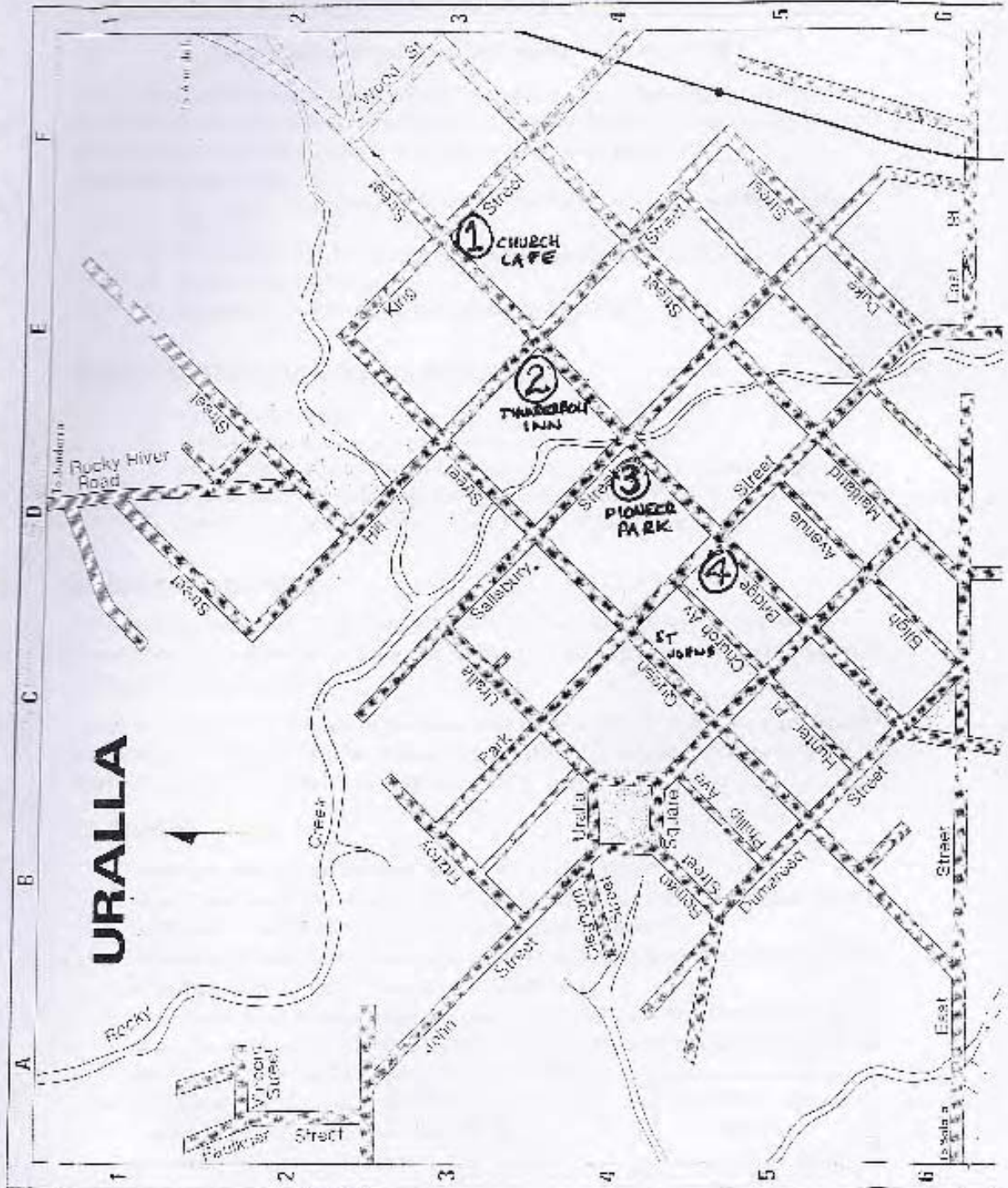
Best wishes,

(Ms) Kaye Sutton
Honorary Assistant Secretary
Uralla Historical Society
McCrossin's Mill Museum

3. RATIONALISATION OF SIGNAGE SUGGESTED DESIGN



RATIONALISATION OF STREET SIGNAGE - SITES



UTEC Meeting 11/12/18

Meeting opened at 6.05pm.

Present: Anne Mayo, Kent Mayo, Noeline Porter, Phil Smith, Andrea Wallace, Cr. Levi Sampson, Cr. Isabel Strutt, Matt Clarkson.

Apologies: Louis van Ekert.

Minutes of the Meeting 18/11/18: Moved: Andrea Wallace. Seconded: Noeline Porter.

General Business:

1. UTEC Vision: Discussion of matters raised by Ariella van Luyn deferred until February 2019 meeting.
2. Recommendation: Council to provide clear parameters for UTEC.
Moved: A. Wallace. *Seconded* P. Smith.
(Cr. Strutt to provide results of ‘Open Space Strategy’ public consultation).
3. Recommendation: UTEC request that Council provide details of Council decisions relevant to UTEC as soon as possible after each Council meeting.
Moved: N. Porter. *Seconded:* A. Wallace.
4. Recommendation: Uralla Shire Council supports the concept of Uralla 2358 Fibonacci Discovery Park and seeks avenues of funding. *Moved:* K. Mayo. *Seconded* A. Mayo.

(K. Mayo stressed the importance of considering this development in a holistic manner, as suggested by Cr. Levi Sampson during a site visit earlier in the year. i.e. Fibonacci Park, Pedestrian highway underpass, and VIC.)
5. Recommendation: Uralla Shire Council liaise with Uralla Garden Club to revisit the ‘Seven Entrances to Uralla’ Tree Planting, a Creative Village Committee proposal.

Meeting Closed: 6.55pm.



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Director of Infrastructure and Development
Reference/Subject:	Report 26 - Recommendation to fill the member vacancies on the Uralla Township and Environs Committee

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.1	A proud, unique and inviting community
Strategy:	1.1.2	Embellish our community with parks, paths, cycleways, facilities and meeting places
Activity:	1.1.2.1	Prepare open space strategy
Action:	1.1.2.1.1	Engage with the community and key stakeholders in developing the Open Spaces Strategy

SUMMARY:

The constitution for the Uralla Township and Environs Committee S355 Committee (the Committee), as approved by Council, states “The member of the Committee will comprise at least six, and not more than 12, external members appointed by the council in accordance with this constitution”.

Currently, the committee membership consists of 8 persons due to resignations.

Recent public notification for additional members has returned 6 (six) expressions of interest to serve as members of the Committee.

OFFICER’S RECOMMENDATION:

That Council appoint (select four of the applicants) to the Uralla Township and Environs Committee for the term of this Committee and in accordance with the Uralla Township and Environs Committee Constitution.

BACKGROUND:

At the December 2018 Council Meeting, Council resolved to advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of John Kurko. Since that time there have been a further three resignations: Ariela Van Luyn, Andrea Wallace and Carl Merten.

In January 2019, Council via advertisement in the Council newsletter, called for Expressions of Interest from members of the community to serve on the committee. Expressions of Interest were to be received by 5:00pm on Friday, 8 February 2019.

6 expression of interests have been received.

REPORT:

Membership of the committee currently stands at 8.

Public notification seeking expressions of interest from members of the community to serve on the committee was placed in the Council Newsletter.

Six (6) expressions of interest have been received.

The relevant sections of the Committee's Constitution state:

5. Membership of the Committee

5.3 Casual vacancies may be filled in accordance with clause 6.4 of this Constitution.

6. Appointment of members

6.4 Should a casual vacancy arise, the Committee Secretary should promptly advise Council. Council will invite nominations from members of the public interested in being a member of the Committee and shall fill the vacancy from the nominations received.

The expressions of interest to serve on the Committee are now put forward for Council's consideration.

KEY ISSUES

The Uralla Township and Environs Committee s355 Committee's constitution requires a minimum of 6 and a maximum of 12 community members. Currently, committee membership stands at 8.

Prepared by staff member:	Matt Clarkson, Manager Development & Planning
TRIM Reference Number:	U18/7402
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Confidential attachment 1 - Expressions of Interest Confidential attachment 2 - Correspondence from the chairman of UTEC advising of the vacancies on the committee

17. MOTIONS ON NOTICE



NOTICE OF MOTION

Submitted by:	Cr Tara Toomey
Subject:	Notice of Motion 1 - Uralla VIC

SUMMARY:

Goal: 2.1 An attractive environment for business, tourism and industry
Strategy: 2.1.1 Promote Uralla Shire and the region as a place to live, work, visit and invest
Activity: 2.1.1.1 Promote Uralla Shire through the visitor information centre
Action: 2.1.1.1.2 Finalise costs and timeframes for the Visitor Information Centre improvement project and commence implementation, in consultation with the community, subject to funding allocation by Council resolution

BACKGROUND

At the 30th October 2018 Council Meeting, Item 35.10/18, Council resolved to

1. Resolve to place the works identified by the plans for internal construction (Option 1), garden and tower on public display for a period of 28 days including on Council's website and social media accounts;
2. Note that these works have been estimated at \$273,529, plus an additional \$33,059 being for Detail design development and approval (\$3,287), Development/Construction Certificate Application Consent and Certification (\$18,886), Tender process and construction contract administration (\$7,386) and QS pre-tender construction cost estimates (\$3,500);
3. Consider the feedback from the public display period before commencing any works;
4. Note that the VIC Restricted Fund contains \$283,775.48;
5. Not support any additional staffing until analysis has been undertaken and a business case presented to Council;
6. Thank the members of the business community who have offered support to Council in developing a cost effective point of sale system for use in the refurbished VIC

With no submissions received during the period, there is no community feedback to be considered in relation to point 3.

It is now appropriate for Council to progress the redevelopment of the VIC in keeping with the various commitments made to the community in relation to the Uralla VIC.

COUNCILLOR'S MOTION:

That Council:

- 1) Resolve to progress the redevelopment of the VIC in accordance with the plans put on display;
- 2) Draw on the VIC Restricted Funds to meet the costs;
- 3) Prioritise the VIC building refurbishment ahead of the Tower if funding priorities require a decision in this area; and
- 4) Seek additional funding for any shortfall, including consulting with our local Members of Parliament.



Councillor T Toomey

Supporting Councillors:

NAME OF COUNCILLOR: *ROBERT CROUCH*

SIGNED: 

18. SCHEDULE OF COUNCIL RESOLUTIONS

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
23 March 2015	26.03/15	Land Disposal – Karava Place, Uralla	That Council: 3. Give the General Manager delegation to negotiate payment options; and 4. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.	MTPR/DIR	2/6/15	Negotiations between all parties not yet completed. Lot 103 – No agreement made May 2018: Lot 103 – no agreement with landholder has been reached as landholder is unwilling to negotiate.	B
23 Nov 2015	24.11/15	Bergen Road Land Acquisition and Exchange for Road Works	That the Council approve for the exchange of land associated with the reconstruction of Bergen Road and authorise the General Manager to complete all documentation.	DIR	May 2019	Survey plans completed. Awaiting result of other like applicants. Item to be revisited.	B
25 July 2016	17.07/16	2.18.06.9 Gazetting of Compulsorily Acquired Land for Thunderbolts Way realignment	That Council: 1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) for the purpose of a public road realignment in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991. 2. Make an application to the Minister and the governor for approval to acquire the Land described as Lot 1, 2 and 7 in deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) by compulsory process under Section 177 of the roads Act 1993	DIR	Feb 2019	Gazettal pending for Lots 1, 2 and 3.. Referred to Council's solicitors. June 2018. Application being processed by OLG for Lots 1, 2 and 3. Lot 7 (Crown Land) to be progressed separately with the Lands Department. Sept 18 - OLG have provided approval. Gazettal can be undertaken for Lots 1, 2 and 3. December 2018. Gazettal notice prepared and signed and submitted to Council's solicitor to finalise.	B

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 July 2016	18.07/16	2.18.06.10 Gazetting of Land Acquired for approaches to new Emu Crossing Bridge	<p>That Council:</p> <ol style="list-style-type: none"> Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) for the purpose of a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993. 	DIR	Feb 19	<p>Application has been sent to Office of Local Government by solicitors (Nov 16) for approval.</p> <p>Letter drafted to Local Member regarding delays in processing from OLG.</p> <p>June 2018. Application being processed by OLG.</p> <p>August 2018 – Further delays as OLG has requested extension of Lands Department approval for Lot 110 and updated confirmation of status of land claims.</p> <p>Referred to Council solicitors to progress.</p>	B
25 July 2016	19.07/16	2.18.06.11 Road Closure Request – Lot 32 DP 813093	<p>That Council:</p> <ol style="list-style-type: none"> Subject to the necessary statutory requirements Lot 32 DP 813093 be sold to A & L McLean upon completion of the road closure on the basis that the purchase price is based on the value of the land plus the full cost of the road closure application; and Delegation be given to the General Manager to: <ol style="list-style-type: none"> Complete the road closure, and Undertake any necessary negotiations to complete the sale. Approve the fixing of the Council Seal to all necessary documents. 	DIR	Feb 17	<ol style="list-style-type: none"> Noted Future action once closure has been undertaken Future action once closure has been undertaken June 2018: Approval from crown lands for Road closure. Land Registry services have advised that 	B A A B C

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 February 2017	23.02/17	Dept: I&R Submitted by: Director I & R Reference/Subject: Report 13 - Uralla Local Traffic Committee	That: 1. The minutes of the Uralla Local Traffic Committee held on 6 December 2016 be noted by Council. 2. For the King St and Maitland St intersection, Council prepare a couple of intersection layouts incorporating traffic calming and considering pedestrian continuity for the consideration of the Traffic Committee in response to the recorded accident history. 3. Council drafts a Road Closure policy for review by the LTC. 4. That Council undertake further investigation regarding sight distances and other factors affecting traffic at the Bargibal access from Thunderbolts Way for submission to the next Local Traffic Committee Meeting.	DIR DIR		current survey plan may be used for gazettal. August 2018: closure is currently with Council solicitors. November 2018 –closure complete and valuer engaged to determine price for sale. December 2018 – valuation received. February 2019 – Valuation provided to purchasers. Solicitors requested to undertake conveyancing and progress sale if price acceptable to purchasers.	C C B C
28 February 2017	26.02/17	Dept: I&R Submitted by: DIR I&R Reference/Subject: Report 16 - Rowan Avenue,	That: 1. The open channel on the southern side of Rowan Avenue be piped with funding from the Uralla Stormwater Management Levy subject to sufficient funding being available.	DIR		1. Budgeted for construction in 17/18. Rescheduled to be completed by March 2019. Design commenced.	B

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 July 2017		Stormwater Drainage	<p>2. A low level trash rack/screen be fitted to the stormwater outlet under Rowan Avenue.</p> <p>3. The residents of 21 and 23 Rowan Avenue be advised of councils resolution.</p>	DIR DIR	April 18 Dec 17	<p>2. Installed during December 2017.</p> <p>3. Completed</p>	C C
	22.07/17	Dept: I&R: Submitted by: Dir I&R Reference/Subject: Report 11 - Uralla Sporting Complex	<p>That Council;</p> <p>(a) endorse the proposed upgrades to the Uralla Sports complex including the construction of the canteen facilities and disabled toilets and access,</p> <p>(b) provide additional seating around the perimeters of the fields and oval if residual funding is available, and</p> <p>(c) develop a plan of management for the sharing of the facilities among the user groups,</p> <p>(d) staff investigate relocation and redevelopment of the playground area.</p>	DIR		<p>a) Completed</p> <p>b) No residual funding available. SCCF Round 2 funding has provision for seating.</p> <p>c) Under preparation.</p> <p>d) Playground under construction. Funded under SCC Round 1.</p>	C
22 August 2017	20.08/17	Dept: I&R Submitted by: DIR I&R Reference: Report 13 – Development Application 25/2017 M Smith & L Ducat	<p>That Council;</p> <p>a) Support the Clause 4.6 Development Application 25/2017 being for a variation of minimum lot size on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 under the ownership of PJ & CM Ducat subject to conditions.</p> <p>b) Request concurrence from the Director General of the NSW Office of Planning & Environment.</p> <p>c) Upon receipt of concurrence from the Director General of the NSW Office of Planning & Environment, delegate the General Manager to approve Development Application 25/2017 submitted by M Smith and L Ducat for a staged development being:</p> <ul style="list-style-type: none"> • Stage 1 - Subdivision of two lots being Lots 3 and 4 with building envelopes, and the construction of a dwelling in the E4 zoned land • Stage 2 - Subdivision of two lots being Lot 1 and 2 along the zone boundary with a building envelope on Lot 2 on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 subject to the following conditions 	MTPR MTPR MTPR	Sept 2017 Sept 2017	<p>a) Noted</p> <p>b) Requested from DG</p> <p>c) Pending – developer advised of proposed modification</p>	C B

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 Nov 2017	13.11/17		<p>d) Amend Uralla Local Environmental Plan 2012 to:</p> <ul style="list-style-type: none"> Alter the zone boundary on Lot 13 DP 875212 between the E4 and R5 zone to be 50 metres from the edge of the working face of the quarry, and Amend Clause 4.1A by modifying the wording to reflect the current model clause and one that would better suit the subdivision of split zoned land circumstance and be clearer in its intent. <p>That; That Council review its development control plans to consider setbacks and other issues for RU2 & RU1 zoning.</p>	MTPR	March 2019	d) Stage 1 determination issued. Completed.	C
19 Dec 2017	15.12/17	<p>Dept: Community & Governance Submitted by: Dir C&G Reference/Subject: Report 8 – Report of the Audit and Risk Committee Meeting held on 21 November 2017</p>	<p>That; 1. Council note the minutes of the Audit and Risk Committee Meeting held on 21 November 2017 2. Council adopt the following Committee Recommendation: Report No. 6.2 Audit and Risk Committee Review Committee Recommendation 6.2.1 Council: a) Set the meeting schedule for 2018 as follows: <ul style="list-style-type: none"> 9am Tuesday, 10 April 2018 9am Tuesday, 10 July 2018 9am Tuesday, 16 October 2018 - Draft 2017/18 Financial Statements 9am Tuesday, 27 November 2018 - Presentation 2017/18 Audited Financial Statements, prior to Ordinary Council Meeting held at 12:30pm) b) Note the resignation of independent external Committee member Mr Sean Johnston and thank him for his contribution. c) Call for expressions of interest for a new external Committee member with relevant skills and experience, including accounting and auditing standards in the public sector environment. d) Defer receipt of the Fraud and Corruption Prevention Policy and Plan final drafts, and consider their priority as part of the forward meeting plan, as required by section 6.1 of the Committee Charter.</p> <p>Report No. 6.4 Procurement Policy Final Draft Committee Recommendation 6.4.1: That: a) the draft Procurement Policy be circulated to senior Council staff to review for implementation functionality with feedback to be provided to the Chief Financial Officer; and</p>	RMSO		Noted	C
				RMSO		Noted	C
				RMSO	28/2/18	c) EOI called and reported to March Ordinary Meeting	C
				RMSO	31/1/18	d) Noted for inclusion in 2018 Audit & Risk Committee Forward Plan.	C
				CFO	27/11/17	a) Email sent to senior staff seeking feedback b) Prepare Council paper	C

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
24 April 2018	19.04/18	Dept: C&G Submitted by: RMSO Reference/Subject: Report 4 – Report of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018	<p>b) the Chief Financial Officer make minor amendments as might be identified in the review process to improve functionality, and report the draft Procurement Policy to Council recommending public exhibition for 28 days prior to adoption.</p> <p>3. Council:</p> <p>a) note the Committee's request to receive a report on cash handling procedures and practices at Council's waste facility, including recommendations for improvements identified at 7.1 Cash Handling at Waste Facilities, under Other Business.</p> <p>b) as part of implementing its internal audit program in 2018, prioritise an internal audit of all cash handling and petty cash procedures and practices, and receive a report via the Audit and Risk Committee on the findings and recommendations for improvement.</p> <p>1. That Council note the minutes of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018, Attachment A.</p> <p>2. Report No. 2 Chair's Review of Committee Performance. Committee Recommendation 2.1: That Council receive and note the Audit, Risk and Improvement Committee Chair's Review of Committee Performance Report [Attachment B].</p> <p>3. Report No. 3 Policy Risk Management 2018. Committee Recommendation 3.1: That Council: a. place the draft Policy: Risk Management 2018, as amended by the Committee, on public exhibition for a period of 28 days [Attachment C]. b. adopt the draft Policy: Risk Management 2018 to replace the Risk Management Policy adopted in 2014, subject to no public submissions being received.</p> <p>4. Report No. 4 2018 Internal Audit Program Committee Recommendation 4.1: That Council receive and note the: a. Charter: Internal Audit 2018, as modified by the Committee [Attachment D].</p>	CFO/DCG CFO RMSO RMSO RMSO CGR CGR RMSO	5/1/18 21/11/17 31/1/18 27.04.18 27.04.18 27.04.18	to put policy on public exhibition for 28 days. c) Awaiting draft policy review to include tendering provisions and provisions regarding procurement for TCS as discussed with external auditor Noted. Internal audit completed; draft report provided to ARIC members with final report to go to next ARIC meeting Noted Noted Placed on Exhibition from 27 April to 25 May 2018. No submissions received, added to Policy Register Noted	B C C C C C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<p>b. 2018 Internal Audit Program, as modified by the Committee [Attachment E].</p> <p>5. Report No. 5 Committee Annual Program Committee Recommendation 5.1: <i>That Council receive and note the 2018 Annual Committee Program, as modified by the Committee [Attachment F].</i></p> <p>6. Report No. 6 Policy: Fraud and Corruption Control 2018 and Strategy: Fraud and Corruption Control 2018. Committee Recommendation 6.1: a. <i>That Council:</i> i. <i>place the draft Policy: Fraud and Corruption Prevention 2018 on public exhibition for a period of 28 days [Attachment G].</i> ii. <i>adopt the Policy: Fraud and Corruption Prevention Policy 2018, subject to no public submissions being received.</i></p> <p>b. <i>That Council adopt the Strategy: Fraud and Corruption Control 2018, as modified by the Committee, and note the financial implications for its implementation [Attachment H].</i></p> <p>7. Report No. 7 Risk Management Action Plan 2017-18 Committee Recommendation 7.1: <i>That Council:</i> a. <i>receive and note the four improvement actions plans (footpaths, trees and tree roots, signs as remote supervision, and stormwater management) resulting from Council's insurer's 'Continual Improvement Pathway Workbooks' used to self-assess the integrity of Council's existing systems [Attachment I].</i> b. <i>refer the four improvement action plans (footpaths, trees and tree roots, signs as remote supervision, and stormwater management) to the Director Infrastructure and Regulation for consideration as to funding and resourcing for implementation as part of the 2018/19 Operational Plan and Budget preparation process.</i></p>	RMSO		Noted	C
				RMSO		Noted	C
				CGR		Placed on Exhibition from 27 April to 25 May 2018.	C
				CGR		No submissions received, added to Policy Register.	C
				CGR		Strategy added to Corporate Documents Register following adoption.	C
				DIR		Noted	C
				DIR		Pending.	B
24 April 2018	48.04/18	Submitted by: Cr Crouch Reference/Subject: Notice of Motion 2 – Council support for sustainable energy	That; Council investigate the options for use of sustainable energy throughout the Shire, for lots of greater than 5000m ² to be self-sufficient.	DIR	Ongoing	December 2018 – presentation given to Councillor workshop.	C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
24 April 2018	50.04/18	Dept: I&R Submitted by: DIR Ref/Subject: Late Report 2 – Industrial Land Subdivision	That; Council resolve to: <ul style="list-style-type: none"> Endorse option 2 of the Kehoe Myers report dated 6 April 2018 for the subdivision of the Uralla Industrial Estate, being Lot 14 DP 787477, Rowan Avenue Uralla, Progress detailed design of the subdivision and the construction of Stage 1, Install billboard signage at the property indicating the endorsed layout and undertake additional marketing of the project. 	DIR DIR DIR	Ongoing	Noted Survey and design consultant commissioned. DA to be considered at the Feb 2019 Council meeting. Signage installed. Valuation received. Probity advice received and probity plan developed. February 2019 – DA report prepared for Council consideration.	C B B
24 July 2018	15.07/18	Dept: DIR Submitted by: MTPR Ref/Subject: Report 5 - DIVISION DECISION - Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla	That; Report 5 lay on the table awaiting further information from the applicant.	MTPR		Pending. Applicant has requested and been granted a processing hold on the DA. December 2018 – Amended plans received. February 2019 – DA report prepared for Council consideration.	B
24 July 2018	35.07/18	Dept: DIR Submitted by: MTPR Ref/Subject: Report 14 - Petition for a Primitive Campground at The Glen recreation area.	That; Council consider the proposal detailed in the petition in the preparation of the Uralla Open Spaces Strategy.	DIR		Pending	B

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Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 August 2018	9.08/18	Dept: DIR Submitted by: MTPR Ref/Subject: Report 2 – Design options for the redevelopment of Pioneer Park under the Stronger Country Communities Fund – Round 1	That Council; 1.Place the Option 1 and Option 2 proposals, contained in this Business Paper, on public exhibition for submissions for a period of not less than 14 days. 2.Advise the New South Wales Government that, after receiving community feedback, it wishes to change the location of the approved project from Pioneer Park to Porter Park. 3.Subject to New South Wales Government approval change the location of the approved project from Pioneer Park to Porter Park: a) Endorse the redevelopment works underway, funded through Round 1 of the Stronger Country Communities Fund for all other parks. b) Engage with Council's Uralla Township and Environs Committee to further develop concepts for Pioneer Park. c) Place any concept plans developed with Council's Uralla Township and Environs Committee for Pioneer Park on public exhibition for a period of not less than 14 days. 4.Should New South Wales Government approval to modify the Pioneer Park project not be received, consider the submissions received during the public exhibition period of the Options 1 and 2 proposals, as contained in this Business Paper, at the September Ordinary Meeting and determine the preferred option for implementation.	MTPR	Sep 2018	1. Complete 2. Advised 3. a) Noted b) February 2019 – consultation with community groups done. Minor amendments to plans incorporated. c) Noted. 4. N/A	C C C C C C A C C
28 August 2018	15.08/18	Dept: DCG Submitted by: CGR Ref/Subject: Report 3 – Recommendations of the Audit, Risk and Improvement Committee held on 10 July 2018 laid on the table	That: The following recommendations of the Audit, Risk and Improvement Committee, previously submitted to the Ordinary Meeting of Council held on 24 July 2018 and resolved to be laid on the table, be lifted from the table: a. Report No. 5 Plan: Corporate Governance Improvement Action 2018 That Council: 1. Review the draft Plan: Corporate Governance Improvement Act 2018 [Attachment A] to clarify section 6.11 in relation to (u) Purchasing and Tendering Policy and (v) Disposal of Assets Policy. 2. Place the draft Plan: Corporate Governance Improvement Action 2018, as modified by the Committee, on public exhibition for a period of 28 days. 3. Adopt the draft Plan: Corporate Governance Improvement Action 2018, subject to no public submissions being received. b. Report No. 6 Guide: Agency Information 2018-19 That Council:	CGR	Oct 2018	Plan reviewed and updated as required Placed on public exhibition for 28 days. No submissions and strategy adopted.	C C C
				CGR	Nov 2018		C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<p>1. Amend the draft Guide: Agency Information 2018-19 [Attachment B] at section 4 to reference the relevant section of the Local Government Act 1993 and ensure the dot points reflect the relevant section of the Act regarding the role of the Governing Body.</p> <p>2. Amend the map contained on page 101 of the draft Guide: Agency Information 2018-19 to reflect the correct name of Armidale Regional Council.</p> <p>3. Refer the draft Guide: Agency Information 2018-19, as amended by (1) and (2) above, to Council's Audit, Risk and Improvement Committee for its consideration.</p> <p>c. Report No. 7 Plan: Privacy Management 2018 Committee Recommendation 7.1: That Council:</p> <ol style="list-style-type: none"> 1. Place the draft Plan: Privacy Management 2018 [Attachment C], on public exhibition for a period of 28 days. 2. Adopt the Plan: Privacy Management 2018, subject to no public submissions being received. 3. Repeal the Privacy and Confidentiality Policy 2013 and authorise its removal from Council's Policy Register. <p>d. Report No. 8 Policy: Complaint Handling 2018: That Council:</p> <ol style="list-style-type: none"> 1. Make the following amendments to the draft Policy: Complaint Handling 2018 [Attachment D]: <ol style="list-style-type: none"> a. Modify the first paragraph under Section 4.4 to read: Council has adopted a four-tiered approach to handling standard complaints. b. Insert as a third tier, 'Review by the Governing Body': If the Complainant remains unsatisfied with the outcome, the complaint, will be submitted to the Governing Body of Council. c. Insert as a second paragraph under Section 4.6: Council appreciates complainants are often under a degree of stress when lodging a complaint and Council will take reasonable steps to understand the issues. The decision on whether or not a complainant is behaving unreasonably and/or the complaint is vexatious is the responsibility of the General Manager. All complainants (including those whose complaints 	CGR	Nov 2018	1. Amendments made	C
				CGR	Nov 2018	2. Amendments made	C
				CGR	Oct 2018	3. Referred to Audit, Risk and Improvement Committee on 27/11	C
				CGR	Nov 2018	1. Placed on public exhibition for 28 days. 2. No submissions received, policy adopted 3. Repealed	C
				CGR	Nov 2018	1. Revisions made and referred to ARIC on 27/11/2018	C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 August 2018	17.08/18	Dept: DIR Submitted by: DIR Ref/Subject: Report 6 – Minutes of Uralla Township and Environs Committee	<p><i>are deemed unreasonable or vexatious) will be advised of their right to appeal to the Council Governing Body.</i></p> <p>d. <i>Insert on page 161 at Section 4.5.2 at the end of the second paragraph: The person appointed to be the independent Code of Conduct reviewer or their associate cannot become the investigator if it is determined that an investigation is required.</i></p> <p>2. <i>Refer the draft Policy: Complaint Handling 2018, as amended by (1) above, to Council's Audit, Risk and Improvement Committee for its consideration.</i></p> <p>e. Report No. 9 Repeal of Operational Policies Committee Recommendation 9.1: <i>That Council receive a report on the status of Council policies, an assessment of their priority for review, and the repeal of Management policies previously adopted by Council.</i></p>	CGR	Nov 2018	2. Referred to ARIC on 27/11/2018	C
28 August 2018	40.08/18	Dept: DIR Submitted by: DIR Ref/Subject: Confidential Report 1 – Industrial Land Subdivision	<p>That Council;</p> <p>a) Receive the minutes of the Uralla Township and Environs s355 Committee meetings dated 10 July 2018.</p> <p>b) Consider the recommendations contained within the minutes of the 10 July meeting at the September Councillor Strategic Planning Workshop.</p> <p>c) Endorse the comments in this report in relation to the recommendations from the May and June 2018 meetings.</p> <p>d) Provide a copy of this report and the resolution to the Uralla Town and Environs s355 Committee</p> <p>That;</p> <p>a) Upon receipt of report from valuation consultant, confirm the minimum acceptable price for each Lot;</p> <p>b) Seek advice from a probity adviser on the appropriate way forward in relation to any direct negotiations to conduct the sale or lease of lands within the subdivision;</p> <p>c) Engage with the offeror in accordance with the probity adviser's recommendations.</p>	DIR	Sep 2018	Noted Completed Noted Copy provided	C C C C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 Sept 2018	16.09/18	Dept: CGR Submitted by: CGR Ref/Subject: Report 6 – Annual Code of Conduct Statistical Return 2018	That; the Code of Conduct Annual Statistical Report for the period 1 September 2017 to 31 August 2018 be: a) received and noted, and b) provided to the Office of Local Government by 31 December 2018.	CGR		a) Noted b) Complete	C
25 Sept 2018	22.09/18	Dept: DIR Submitted by: MTPR Ref/Subject: Report 10 – DIVISION DECISION - Planning Proposal, Amendment to the Uralla Local Environment Plan 2012 (ULEP 2012) by the inclusion of site specific enabling clause under Schedule 1 'Additional permitted uses' of the ULEP 2012	That; Council endorse Planning Proposal – Amendment to Schedule 1 of the Uralla LEP 2012, prepared by Bath Stewart Associates Pty Ltd for Kanha Pty Ltd and submit the document to the Department of Planning and Environment for a Gateway Determination.	MTPR		Referred to Department of Planning & Environment November 2018 – Gateway Determination received and public exhibition commenced. December 2018 – Public exhibition completed: no submissions received.	B

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 Sept 2018	30.09/18	Dept: DIR Submitted by: MTPR Ref/Subject: Report 16 – Recommendations of Uralla Township and Environs Committee July and August 2018 meetings	That Council resolve to: 1. Consider readoption of the lapsed slogan, “Find Yourself in Uralla”, and the stylised copperplate “Uralla” logo, in the context of the development of a Destination Marketing Plan 2. Consider installation of “Find Yourself” street banners in Uralla should the slogan be readopted through the future development of a Destination Marketing Plan. 3. Engage with Uralla Arts in relation to their proposal to design a makeover for The Glen recreation area information shelter. 4. Engage with Uralla Arts in relation to their proposal to provide a strategy for the completion of “Constellations of the South” installation at The Glen recreation area. 5. Engage with Uralla Arts in relation to their proposal to provide specifications and cost estimates for walking track works and exercise stations at The Glen recreation area. 6. Incorporate minor “Fibonacci” design components within a prominent existing park or other public area within Uralla to gauge public interest in the concept. 7. Write to the Uralla Township and Environs Committee and advise that no funding is available under the Regional Tourism Product Development Program for upgrading or developing meeting and/or local community facilities—including picnic or playground areas, local parks, barbecues, meeting facilities and regional and town entry features. 8. Advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of Fay Porter. 9. Provide a copy of this report and Council’s resolution to the Uralla Township and Environs Committee.	MTPR		1. Noted 2. Noted 3. Pending 4. Pending 5. Pending 6. Pending	B B B B B B
25 Sept 2018	38.09/18	Submitted by: Cr T Toomey Ref/Subject: Notice of Motion 2 – Drought Relief Financial Assistance	1. That Council give 28-days public notice of the proposed \$3,000 in financial assistance to the Uralla Neighbourhood Centre Incorporated to support the drought relief measures being delivered such as the food pantry, counselling, and one-off relief payments for critical support. 2. That Council, subject to receiving no submissions during the 28-day public notice period, contribute \$3,000.00 in financial assistance to Uralla Neighbourhood Centre Incorporated to support the drought relief measures being delivered.	CCDE	Oct 2018	1. Public Notice in October newsletter. 2. Completed – payment to Neighbourhood House being processed 5 Dec 2018	C C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
30 Oct 2018	14.10/18	Dept: Submitted by: Ref/Subject: Report 8 – Draft Licence Variation EPL 1626 Uralla Sewer October 2018	That Council; 1. Accept the conditions of the Pollution Studies and Reduction Program as proposed on the draft Environmental Protection Licence (EPL 1626) for the Uralla sewer treatment plant and reticulation network, and 2. Note that a budget variation of up to \$40,000 will be required at the time of incurring the expenditure for the consultancy as required by the EPA under Clause 8(U1)U1.1.	MWWSS		1. Completed 2. Noted.	C C
30 Oct 2018	15.10/18	Dept: General Manager's Office Submitted by: SEO Ref/Subject: Report 9 – Minutes of Bundarra School of the Arts Hall s355 Committee	That Council; 1. Note the 19 July 2018 and 5 September 2018 Minutes of the Bundarra School of Arts Hall s355 Committee. 2. Amend the 2018-19 Fees and Charges so that the fee for the Bundarra School of Arts Hall Small Regular Usage hall hire fee is reduced from \$14 per session to \$10 per session; 3. Publicly notify the proposed change in fees for a period of 28 days and authorise the General Manager to change the fee should there be no negative submissions received.	CFO	Nov 2018	1. Noted 2. Amended 3. Publicly notified	C
30 Oct 2018	29.10/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Report 16 – High Pedestrian Activity Area Concept Plan for Bridge Street	That; Council ratify the recommendations of the Traffic Committee as contained in this report.	DIR		Noted and actioned.	C
30 Oct 2018	33.10/18	Dept: Infrastructure and Regulation Submitted by: DIR Ref/Subject: Late Report 1 – Drought Communities Program - Extension	That Council; 1. Participate in the Drought Communities Program with the following list of projects in priority order, noting that the funding is unlikely to extend to all projects: a. Uralla Memorial Hall – upgrades/repairs b. Grace Munro Centre, Bundarra – upgrades/repairs c. The Showgrounds Lands Management Committee projects d. Bundarra Hall – upgrades/repairs e. Kentucky Hall – upgrades/repairs f. Composite project including eg Bird Hide repairs at Dangars Lagoon, shed and concrete pad for Friends of McMaugh Gardens, repainting of the logo frames on the 4 Uralla town entrances. g. Control of roadside weeds and vermin h. Uralla Preschool – upgrades/repairs i. Series of community events	DIR		1. Noted	B

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
30 Oct 2018	35.10/18	Submitted by: Cr T Toomey Ref/Subject: Notice of Motion 2 – Uralla VIC	<p>2. Authorise a committee comprising of the Mayor, the Deputy Mayor and the General Manager to determine the amount of funding to be attributed to each project.</p> <p>3. Secure the necessary human resources to:</p> <ol style="list-style-type: none"> Scope the necessary works and pricing to support the funding application(s); Prepare the funding application(s); If successful, procure and coordinate the contractors and materials necessary to deliver the works; and Liaise with the stakeholders of the facilities and/or activities to which the funding will be directed. <p>4. Wherever possible utilise resources, businesses and suppliers from within the Uralla Shire Council area for works and/or activities delivered in accordance with the program.</p>	TPOO	Nov 2018	<p>2. Noted</p> <p>3. a) Scoping completed b) funding application under preparation c) noted d) noted</p> <p>4. Noted</p>	B B B B
30 Oct 2018	38.10/18	Submitted by: Cr R Bell Ref/Subject: Notice of Motion 3 – Council Procurement Procedures	<p>That Council;</p> <ol style="list-style-type: none"> Resolve to place the works identified by the plans for internal construction (Option 1), garden and tower on public display for a period of 28 days including on Council's website and social media accounts; Note that these works have been estimated at \$273,529, plus an additional \$33,059 being for Detail design development and approval (\$3,287), Development/Construction Certificate Application Consent and Certification (\$18,886), Tender process and construction contract administration (\$7,386) and QS pre-tender construction cost estimates (\$3,500); Consider the feedback from the public display period before commencing any works; Note that the VIC Restricted Fund contains \$283,775.48; Not support any additional staffing until analysis has been undertaken and a business case presented to Council; Thank the members of the business community who have offered support to Council in developing a cost effective point of sale system for use in the refurbished VIC. 	RMSO/DIR	19/11/18	<p>1. On exhibition until 5 December 2018, no submissions received.</p> <p>2. Noted</p> <p>3. Noted</p> <p>4. Noted</p> <p>5. Noted</p> <p>6. Letters sent February 2018</p>	C C C C C
30 Oct 2018	38.10/18	Submitted by: Cr R Bell Ref/Subject: Notice of Motion 3 – Council Procurement Procedures	<p>That Council;</p> <ol style="list-style-type: none"> Refer the email from Brown and Krippner dated October 4 2018 to the Audit, Risk and Improvement Committee for advice on whether procurement procedures have been breached, and whether any adjustment to Council's Procurement Procedures is required to ensure Council is receiving best value in purchasing and selling goods and providing services. Advertise on Council's website and social media pages, in local print media and by public notice in the Uralla Shire Council Chambers, all service 	RMSO/DIR	19/11/18	<p>1. Referred</p> <p>2. Noted</p>	C C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
30 Oct 2018	41.10/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Confidential Report 1 – Queen Street Uralla Caravan Park Management Contract	requests, tenders, quotations and proposed sale of goods that would also utilise "Tenderlink" and/or "VendorPanel" and refer the policy to the Audit, Risk and Improvement Committee for future determination. That Council; Accept the submission for the two (2) year management contract from the preferred candidate subject to a satisfactory police check.	DIR		Contract executed.	C
30 Oct 2018	45.10/18	Dept: Infrastructure & Regulation Submitted by: DIR Confidential Report 3 – Industrial Land Subdivision – Sale Price of Lands	That; Council resolve to assign the minimum land sale prices for Stage 1 as per the valuation report.	DIR		Noted	C
13 Nov 2018	X4.11/18	Dept: General Manager's Office Submitted by: GM Ref/Subject: Report #2 – By-election Logistics	That Council; 1. Engage the NSW Electoral Commission to undertake the by-election required as a consequence of the vacancy created by Cr Kevin Ward's resignation. 2. Advise the NSW Electoral Commission that Council concurs with the by-election date being set for Saturday 16th February 2019. 3. Request the Minister for Local Government to approve a 28 day extension, in accordance S293 of the Local Government Act, to the three month election timeframe prescribed by S292(a) of the Act. 4. Vote up to \$40,000 for NSW Electoral Commission costs for the by-election. Costs are to be taken from the following votes within the existing 2018-19 budget and restrictions: <ul style="list-style-type: none"> • \$2,500 from councillor meeting fees. • \$12,500 councillor travel. • \$2,000 SRV consultation materials costs. • \$15,000 NEJO 18-19 membership fee. 5. That the timeframe for the election be added to the Uralla Shire Council website and facebook page.	GM	Nov 2018	1 Complete 2 Complete 3 Complete 4 32 000 2	C C C
28 Nov 2018	21.11.18	Dept: Infrastructure and Regulation Submitted by: MTPR	That Council; 1. Include consideration of the Rocky River Tennis Courts in the Uralla Open Spaces Strategy and provide UTEC with information regarding the tenure of the site, specifically with regard to leasing.	MTPR		1. Pending 2. Pending 3. Pending	A A A

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Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
		Ref/Subject: Report 8 - Recommendations of Uralla Township and Environs Committee September and October 2018 meetings	<p>2. Instruct Council's heritage advisor to investigate the history of Fuller Memorial Park as part of the reference material for the Uralla Open Spaces Strategy.</p> <p>3. Instruct Council's heritage advisor to research the history of the plaque that was removed when Thunderbolt's Grave was enhanced and provide suggestions on options for interpretive signage for the layout of the Pioneer Cemetery.</p> <p>4. Investigate options for suitable visual enhancement of the dump point and toilet at the Pioneer Cemetery.</p> <p>5. Invite the McCrossin's Mill Museum to submit an application for advertising signage at the Pioneer Cemetery directing people to the Museum for further information regarding the history of the cemetery.</p> <p>6. Review the information available on tourist sites within Uralla and possible means of imparting information on significant sites to the travelling public.</p> <p>7. Consult with representatives from community groups once Council has a draft plan for the installation of the new playground equipment in Alma Park which was formerly allocated to Pioneer Park under Round 1 of the Stronger Country Communities Fund.</p>			<p>4. Pending</p> <p>5. Pending</p> <p>6. Pending</p> <p>7. Completed</p>	<p>A</p> <p>A</p> <p>A</p> <p>C</p>
28 Nov 2018	29.11/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Report 15 - Heritage Advisory Services Summary for November 2018	<p>That;</p> <p>1. The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and</p> <p>2. That consideration be given to utilising the bronze plaques prepared for the Old Cemetery in Uralla as part of the Open Spaces Strategy.</p>	DIR/MTPR		<p>1. Complete</p> <p>2. Pending</p>	<p>C</p> <p>B</p>
28 Nov 2018	31.11/18	Submitted by: Cr I Strutt Ref/Subject: Notice of Motion 1 - Impact of Cost Shifting on Local Government in NSW	<p>That Council;</p> <p>a) Note the latest LGNSW report on the Impact of Cost Shifting on Local Government in New South Wales;</p> <p>b) strongly supports the actions of LGNSW in calling on the New South Wales and Federal Governments to end cost shifting and to make a commitment to make no new, increased or transferred responsibilities to local government without a corresponding source of revenue sufficient for the responsibility;</p> <p>c) write to State Member the Hon. Adam Marshall MP and Federal Member Hon. Barnaby Joyce MHR confirming the detrimental effect of cost-shifting for Local Government and stating Council's strong support for the actions of LGNSW to achieve an end to cost shifting;</p>	GM		<p>a) Noted</p> <p>b) Noted</p> <p>c) Complete</p>	<p>C</p> <p>C</p> <p>C</p>

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 Nov 2018	34.11/18	Submitted by: Cr L Sampson Ref/Subject: Notice of Motion 2 - Disclosure of Weekly Works	d) refer this matter to the New England Joint Organisation and the Country Mayors Association seeking support from these organisation for LGNSW actions to bring an end to cost shifting. That selected extracts from the works updates, contained within the 'Weekly Update' from the GM's office be put on public display via regular Facebook posts including photo/video content when applicable, the Council's new Webpage, and the Council Newsletter eg "Monthly Works Column".	CCDE	Dec 2018	d) Pending Noted and media post are now ongoing	B C
18 Dec 2018	06.12/18	Dept: Community & Governance Submitted by: RMSO Ref/Subject: Report 2 - Report of the Audit, Risk and Improvement Committee Meeting held on 27 November 2018	1. That Council receive and note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 27 November 2018 [Attachment A]. 2. Report No. 1 Guide: Agency Information 2018-19 That the Audit, Risk and Improvement Committee recommend that Council: a. Adopt the draft Agency Information Guide 2018-19 [Attachment B]. b. Repeal the Access to Council Documents Policy 2015 and remove it from Council's Corporate Documents Register. 3. Report No. 4 Committee Annual Program That the Audit, Risk and Improvement Committee recommend that Council receive and note the Committee Annual Program 2019 [Attachment C].	RMSO		1. Noted 2. Complete 3. Noted	C
18 Dec 2018	12.12/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Report 6 - Uralla Township & Environs Committee Member Vacancy	That Council advertise the Uralla Township and Environs Committee member vacancies resulting from the resignations of John Kurko and Ariella Van Luyn.	DIR		Advertising undertaken.	C
18 Dec 2018	16.12/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Report 8 - Uralla Bridges Assessment	That; 1. The Uralla Bridges Assessment report be received and noted by Council, 2. Council endorse the opening of these routes to HML B-Double vehicles, and 3. Council continue to liaise with RMS with a view to opening the Lone Pine Bridge in Bundarra to B-Double HML vehicles.	DIR		1. Completed 2. Noted 3. Noted	C C C
18 Dec 2018	21.12/18	Dept: Community and Governance Submitted by: MCC, MMG	1. That Council adopt the recommended strategic options below, provided by Stewart Brown Consulting: a) Tablelands Community Support, Option 1B - Programs and Operations as contained in the Strategic Options Report at Confidential Attachment A,	MCC/MMG		1. Noted	C

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
18 Dec 2018		Ref/Subject: Report 11 - Strategic Business Plans for Community Services Business Units	including combining Tablelands Community Transport and Tablelands Community Support into one Business Unit; and Option 2B - Geographical area as contained in the Strategic Options Report at Attachment A, to focus service in both the Uralla Shire municipal boundaries and wider Armidale Region, and including investment in marketing and promotions to transition the combined service into a provider of choice. b) McMaugh Gardens Aged Care Centre, Option 1B – Refurbishment of the current site as contained in the Strategic Options Report at Confidential Attachment B, including renewal and upgrade of the existing facility as contained within the Asset Maintenance and Renewal Report at Confidential Attachment C. 2. That Stewart Brown Consulting be informed of the adopted strategic options for McMaugh Gardens Aged Care Centre and Tablelands Community Support so that the next stage, being detailed Business Plan development, can be progressed in accordance with Diagram 1.			2. Being progressed.	C
18 Dec 2018	25.12/18	Dept: Infrastructure & Regulation Submitted by: DIR Ref/Subject: Report 13 - Industrial Land Subdivision – Probity Advice for the Sale of Lands	That Council: a) Receive and note the probity advisor’s recommendations; b) Prepare a probity plan to detail the procedures going forward to manage the sales of lots within the subdivision.	DIR		a) Completed b) Probity plan prepared. Under review	C B
18 Dec 2018	28.12/18	Dept: Infrastructure and Regulation Submitted by: Manager Planning and Regulation Ref/Subject: Report 14 - Funding for the Uralla Shire Open Space Strategy Consultancy	That Council: 1. Consider the allocation of \$20,000 as part of the 2019-20 budget preparation, to fund consultancy to undertake the Uralla Shire Open Space Strategy; and 2. Subject to the allocation of funding above, that the consultant consult with and attend at least one Uralla Township and Environs Committee (UTE) meeting.	CFO	4 Feb 2019	Noted for 2019-20 budget	C
18 Dec 2018	31.12/18	Dept: Infrastructure and Regulation Submitted by: MWWSS Ref/Subject: Report 15 - Waste	That Council; 1. Engage the necessary consultancy services to undertake an assessment of the long term waste management options available to Council; 2. Approve a budget variance of up to \$40,000 from the Waste Management Budget for the consultancy;	MWWSS CFO	4 Feb 2019	1. Pending 2. Noted 3. Completed at the Feb BRFC meeting.	B C C

SCHEDULE OF ACTIONS – RESOLUTION REGISTER
Key A: Action B: Being processed C: Completed

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
18 Dec 2018		<p>Management Services Options Evaluation</p> <p>Submitted by: Cr Tara Toomey Ref/Subject: Notice of Motion 1 – Bridge St Design Project</p>	<p>3. Instruct the Budget Review and Finance Committee to receive a draft scope of works for approval prior to engaging the consultant.</p> <p>That; Should funding be received for the High Pedestrian Activity Area-Bridge Street Detailed Design, Council resolve to;</p> <p>1) As part of the community engagement strategy for the project:</p> <p>a) Publicise proposed designs of the project to the Uralla Shire community via Council's newsletter and Facebook page and other print media where relevant.</p> <p>b) Provide relevant additional information to any address where street frontage is impacted by the design.</p> <p>c) Give consideration to suggestions and/or ideas which come from community consultation activities and provide feedback to the community which articulates that consideration.</p> <p>2) Give consideration to the design intent of the Creative Village project and confirm to the design consultant the elements of the Creative Village project Council would like to see incorporated into the detailed design.</p> <p>3) Request the design consultant address the potential for the project to increase traffic on local streets parallel to Bridge Street.</p> <p>4) Refer the draft detailed design to the UTEC committee for comment.</p> <p>5) Review traffic and accident data for local streets parallel to Bridge Street to determine if there has been an increase in traffic numbers and accidents over time.</p> <p>6) Receive advice from the General Manager about the arrangements for the planting and maintenance of those blisters in Bridge Street not currently maintained by the generosity of volunteers.</p> <p>7) Define the impact of any proposed project design on our Long Term Financial Plan and the next annual budget after implementation of the design is commenced.</p>	DIR		Noted	B

Responsibility Matrix

Each of the resolution actions is assigned to a responsible local government officer, who provides progress reports to the Council each month. Set out below is the responsibility legend used throughout this Schedule of Actions document:

• GM	General Manager	General Manager's Office
• CFO	Chief Financial Officer	General Manager's Office
• MHR	Manager Human Resources	General Manager's Office
• DIR	Director Infrastructure and Regulation	Infrastructure and Regulation
• EMC	Environmental Management Coordinator	Infrastructure and Regulation
• MWWSS	Manager Waste, Water and Sewer Services	Infrastructure and Regulation
• MTPR	Manager Town Planning and Regulation	Infrastructure and Regulation
• MIW	Manager Infrastructure and Works	Infrastructure and Regulation
• DCG	Director Community and Governance	Community and Governance
• CCDE	Coordinator Community Development and Engagement	Community and Governance
• CGR	Coordinator Governance and Risk	Community and Governance
• MMG	Manager McMaugh Gardens Aged Care	Community and Governance
• MCC	Manager Community Care	Community and Governance
• CTI	Coordinator Technology and Information	Community and Governance
• TPOO	Tourism Promotion and Operations Officer	Community and Governance
• RMSO	Risk Management and Safety Officer	Community and Governance

19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING



REPORT TO COUNCIL

Department:	Infrastructure and Development
Submitted by:	Director Infrastructure and Development
Reference/Subject:	Response to Questions from December 2018 Ordinary Meeting

OFFICER'S RECOMMENDATION:

That Council note the responses to Cr Ledger's questions from December 2018 Ordinary Meeting.

QUESTION 1: From Cr Ledger

Is it possible to create an initiative to facilitate sales at the VIC during the months from August to November?

RESPONSE:

At the February 2019 ordinary meeting, Council will consider a recommendation from the Finance Committee including that;

Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.

Item 1 referred to above is "Review and increase pricing of stock at the VIC".

The initiative above is not exclusive for the months from August to November.

Prepared by staff member: Director Infrastructure and Development
TRIM Reference Number: U18/273
Approved/Reviewed by Manager: Director Infrastructure and Development
Department: Department Infrastructure and Development
Attachments: NIL

20. QUESTIONS FOR NEXT MEETING

Questions will be received at the Meeting.

21. CONFIDENTIAL BUSINESS

END OF BUSINESS PAPER