



## **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 November 2019**

David Aber  
**ACTING GENERAL MANAGER**



Uralla Shire Council  
Council Business Paper – 26 November 2019

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

- 1. Opening & Welcome**
- 2. Prayer**
- 3. Acknowledgement of Country**
- 4. Apologies and Requests for Leave of Absence by Councillors**
- 5. Disclosures & Declaration of Interests**
- 6. Confirmation of Minutes**
- 7. Urgent, Supplementary & Late Items of Business**
- 8. Written Reports from Delegates**
- 9. Mayoral Minute**
- 10. Reports of Committees**
  - Report 1 Report of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019
- 11. Reports to Council**
  - Report 1 - Cash at Bank and Investments
  - Report 2 - 2019/20 – 1st Quarter Budget Review Statements
  - Report 3 - Monthly Report - Library
  - Report 4 - Monthly Report - Visitor Information Centre
  - Report 5 - Schedule of Actions as at 26 November 2019
  - Report 6 - Heritage Advisory Services Summary for November 2019
  - Report 7 - Works Progress Report as at 31 October 2019
  - Report 8 - Development Approvals and Refusals for October 2019
  - Report 9 - Transfer ownership of a section of Mount Butler Lane from Department of Industry Crown Lands and Water Division to Uralla Shire Council
  - Report 10 - Amended Uralla Development Control Plan 2011 Amendment No 5
  - Report 11 - DIVISION DECISION – Development Application 63/2019 – Warehouse – 296 Noalimba Avenue, Kentucky
- 12. Motions on Notice/Questions with Notice**
  - Notice of Motion 1 - Council Position on A New Risk Management and Internal Audit Framework for Local Councils
  - Notice of Motion 2 - Munday Lane Community Group
  - Notice of Motion 3 - Water motion sewage treatment options
  - Notice of Motion 4 - Water Supply to Rural Residential Subdivision
- 13. Confidential Matters**
- 14. Communication of Council Decisions**
- 15. Conclusion of the meeting**

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1. **OPENING & WELCOME**
2. **PRAYER**
3. **ACKNOWLEDGEMENT OF COUNTRY**
4. **APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
5. **DISCLOSURES & DECLARATIONS OF INTEREST**

To be tabled at the Meeting.

6. **CONFIRMATION OF MINUTES**

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

- Ordinary Meeting of Council held 22 October (copy enclosed)
- Extraordinary Meeting of Council held 12 November (copy enclosed)

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

- Budget Review and Finance Committee Meeting held 12 November (copy enclosed)
- Friends of McMaugh Gardens Meeting held 14 October (copy enclosed)
- Australia Day Committee Meeting held 9 October (copy enclosed)
- Country Mayors Association Meeting held 1 November (copy enclosed)





## ORDINARY MEETING OF COUNCIL

Held at 12:30pm  
22 October 2019

### ROLL CALL

#### Councillors:

Cr M Pearce (Mayor)  
Cr R Crouch (Deputy Mayor)  
Cr R Bell  
Cr M Dusting  
Cr N Ledger  
Cr T O'Connor  
Cr L Sampson  
Cr I Strutt  
Cr T Toomey

#### Staff:

Mr D Aber, Acting General Manager  
Mr T Seymour, Director Infrastructure & Development  
Ms S Glasson, Executive Manager Corporate Services  
Mr S Paul, Chief Financial Officer  
Minute Clerk

# MINUTES

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## ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, T Toomey, Acting General Manager (Mr S Paul), Director Infrastructure and Development (Mr T Seymour), Minute Clerk (G Stratton).

### 1. OPENING & WELCOME

*The Chair declared the meeting opened at 12:31pm.*

### 2. PRAYER

*The Chair recited the Uralla Shire Council prayer.*

### 3. ACKNOWLEDGEMENT TO COUNTRY

*The Uralla Shire Council recognises the traditional custodians of the land on which this meeting is being held and acknowledge Aboriginal Elders past and present and we pay respect to them and their heritage.*

### 4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

*The Chair advised receipt of an apology from the Acting General Manager, David Aber, and the Executive Manager Corporate Services, Susie Glasson.*

#### **MOTION (Crs M Dusting / I Strutt)**

That;

Council accept the apologies from the Acting General Manager, David Aber, and the Executive Manager Corporate Services, Susie Glasson for the ordinary meeting held 22 October 2019.

**01.10/19**

#### **CARRIED**

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

### 5. DISCLOSURES & DECLARATION OF INTERESTS

*The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 22 October 2019 Meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr T Toomey	Late Report – Notice of Motion 2	Pecuniary	Sponsor and supporter of event
Cr R Crouch	Item 12, Notice of Motion 1	Non-pecuniary	On the Z-Net Executive Committee, whose objectives relate to this item
Cr T O'Connor	Item 12, Notice of Motion 1	Non-pecuniary	Treasurer of the Z-Net Uralla that promotes alternative electricity generation permitted by this Notice of Motion

## 6. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 22 October 2019 Meeting:

- Minutes of Ordinary Meeting held 24 September 2019 (to be confirmed)
- Minutes of Extraordinary Meeting of Council held 8 October 2019 (to be confirmed)

### AMENDMENTS

*The Chair referred Councillors to the Minutes of the Ordinary Meeting held 24 September 2019 and called for any amendments.*

*There were no amendments requested by Councillors.*

### **MOTION (Crs T O'Connor / I Strutt)**

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 24 September 2019.

**02.10/19**

**CARRIED**

### AMENDMENTS

*The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 8 October 2019 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 Extraordinary Meeting held 8 October 2019.

**03.10/19**

**CARRIED**

Minutes to be received and noted at the 22 October 2019 Meeting:

- Friends of McMaugh Gardens meeting held 9 September 2019
- Australia Day Committee meeting held 14 January 2019

### **MOTION (Crs L Sampson / R Crouch)**

That;

Council receive and note the Minutes of the Friends of McMaugh Gardens meeting held 9 September 2019 and the Minutes of the Australia Day Committee meeting held 14 January 2019.

**04.10/19**

**CARRIED**

## 7. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS

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

Late Reports to Council:

- Late Notice of Motion 2 - Provision of portable Grandstands for the Australian Medieval Combat Federation Tournament

### **PROCEDURAL MOTION (Crs T O'Connor / L Sampson)**

**To hear Late Items of Business as additions to the Meeting Agenda.**

That;

The late items of business be heard under item number 12 following Notice of Motion 1 in the Meeting Agenda as;

- Notice of Motion 2 - Provision of portable Grandstands for the Australian Medieval Combat Federation Tournament

**05.10/19**

**CARRIED**

## 8. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

<b>COUNCILLOR NAME:</b>	Mark Dusting	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
24/9/2019	Ordinary Meeting of Council	Uralla
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
10/10/2019	New England Weeds Authority	Armidale
13/10/2019 - 16/10/2019	Local Government NSW Conference	Warwick Farm

<b>COUNCILLOR NAME:</b>	Bob Crouch	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
10/10/2019	General Manager Shortlist meeting	Uralla
15/10/2019	Audit, Risk and Improvement Committee meeting	Uralla
21/10/2019	Selection Panel regarding recruitment for General Manager	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Levi Sampson	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
8/10/2019	Uralla Township & Environs Committee	Uralla
9/10/2019	Australia Day Committee	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Natasha Ledger	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
9/10/2019	Australia Day Committee	Uralla
8/10/2019	Uralla Township and Environs Committee	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Tara Toomey	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
10/10/2019	GM Selection Panel	Uralla
15/10/2019	Audit, Risk and Improvement Committee meeting	Uralla
17/10/2019	Audit, Risk and Improvement Committee training	Sydney
21/10/2019	Selection Panel regarding recruitment for General Manager	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Rob Bell	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Tom O'Connor	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Isabel Strutt	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8/10/2019	Extraordinary Meeting of Council	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
8/10/2019	Uralla Township and Environs Committee	Uralla
10/10/2019	Recruitment Panel Meeting	Uralla
15/10/2019	Audit, Risk and Improvement Committee meeting	Uralla
21/10/2019	Selection Panel regarding recruitment for General Manager	Uralla
22/10/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Michael Pearce	
<b>COUNCIL MEETING DATE:</b>	22 October 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
25/9/2019	Mayor's Office – Admin	Uralla
26/9/2019	Mayor's Office – Admin	Uralla
26/9/2019	Uralla RSL sub-branch meeting	Uralla
27/9/2019	National Police Remembrance Day Service	Armidale
30/9/2019	Mayor's Office – Admin	Uralla
1/10/2019	Mayor's Office – Admin	Uralla
2/10/2019	Mayor's Office – Admin 2AD interview	Uralla
2/10/2019	Dinner with Barnaby Joyce, Mayors and Federal Ministers	Inverell
3/10/2019	Mayor's Office – Admin	Uralla
8/10/2019	Mayor's Office – Admin	Uralla
8/10/2019	Extraordinary Council Meeting	Uralla
8/10/2019	Councillor Strategic Planning Workshop	Uralla
9/10/2019	Mayor's Office – Admin	Uralla
10/10/2019	Mayor's Office – Admin	Uralla
11/10/2019	Garage Sale Trail Launch, Golden Guitar, Tamworth. Representing Northern Inland Regional Waste	Tamworth
14/10/2019 - 16/10/2019	Local Government NSW Annual Conference	Sydney
21/10/2019	Selection Panel regarding recruitment for General Manager	Uralla
22/10/2019	Mayor's Office – Admin	Uralla
22/10/2019	October Council Meeting	Uralla

## 9. MAYORAL MINUTE

There was no Mayoral Minute to the 22 October Meeting.

## 10. REPORTS OF COMMITTEES

Department: **Infrastructure and Development**  
Submitted by: *Manager Development and Planning*  
Reference/Subject: Report of Committee 1 – Recommendations of Uralla Township and Environs Committee August and September 2019 meetings

### COMMITTEE'S RECOMMENDATION:

*That Council resolve to:*

1. *Receive and note the minutes of the 13<sup>th</sup> August and 10<sup>th</sup> September 2019 meetings of the Uralla Township and Environs Committee, and*
2. *Endorse the officer's recommendations that:*
  - a) *Council take no further action regarding the war memorials in Alma Park;*
  - b) *UTEC recommendations regarding the Bridge Street High Pedestrian Activity Concept Plan be considered in the development of the detailed design;*
  - c) *That the existing established conifers in Hill Street be retained;*
  - d) *Council supply and install a suitably worded plaque acknowledging the work of Reg Rutten; and*
  - e) *That the current design for the tower for the Visitor Information Centre Upgrade should be considered as part of the project review.*

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

**06.10/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

*Cr N Ledger left the meeting at 1:03pm.*

*Cr N Ledger returned to the meeting at 1:04pm.*

**PROCEDURAL MOTION (Crs R Crouch / M Dusting)**  
**To resume Standing Orders**

**07.10/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs T O'Connor / T Toomey)**

*That Council:*

1. *Receive and note the minutes of the 13<sup>th</sup> August and 10<sup>th</sup> September 2019 meetings of the Uralla Township and Environs Committee, and*
2. *Endorse the officer's recommendations that:*
  - a) *Council take no further action regarding the war memorials in Alma Park;*
  - b) *That the existing established conifers in Hill Street be retained; and*
  - c) *Council supply and install a suitably worded plaque acknowledging the work of Reg Rutten.*
3. *Remove the current design for the tower for the Visitor Information Centre Upgrade and consider alternatives as part of the project review which are consistent with the Uralla Shire Council Development Control Plan; and*
4. *Consider the UTEC recommendations regarding Bridge and Hill Streets in the development of the detailed design.*

**08.10/19 CARRIED**

## 11. 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;

1. Council note the cash position as at 30 September, 2019 consisting of cash and overnight funds of \$2,203,675, term deposits of \$14,500,000 totalling \$16,703,675 of readily convertible funds.
2. Council note the loan position as at 30 September, 2019 totalling \$2,358,713.

### **MOTION (Crs M Dusting / T O'Connor)**

That;

1. Council note the cash position as at 30 September, 2019 consisting of cash and overnight funds of \$2,203,675, term deposits of \$14,500,000 totalling \$16,703,675 of readily convertible funds.
2. Council note the loan position as at 30 September, 2019 totalling \$2,358,713.

**09.10/19 CARRIED**

Department: **Finance**  
Submitted by: *Chief Financial Officer*  
Reference/Subject: Report 2 – Annual Financial Statements 2018/19

### OFFICER'S RECOMMENDATION:

1. That Council adopt the Financial Statements for the year ended 30 June 2019 incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules;
2. That Council approve the signing of the Statement by Councillors and Management included in the General Purpose Financial Statements as required under section 413 (2) (c) of the Local Government Act;
3. That Council approve the signing of the Statement by Councillors and Management included in the Special Purpose Financial Statements as required by the Local Government Code of Accounting Practice and Financial Reporting;
4. That Council exhibit the Financial Statements and Auditor's Report and call for public submissions on those documents with submissions closing on 3 December 2019 in accordance with section 420 of the Local Government Act 1993; and
5. That the Audited Financial Statements and Auditor's Report be presented to the public at the Ordinary Meeting of Council scheduled for 26 November 2019 in accordance with Section 418(1) of the Local Government Act 1993.

### **PROCEDURAL MOTION (Crs T O'Connor / T Toomey)**

**To move to Committee of the Whole**

**10.10/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

### **PROCEDURAL MOTION (Crs I Strutt / R Bell)**

**To resume Standing Orders**

**11.10/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*



**MOTION (Crs R Bell / N Ledger)**

1. That Council adopt the Financial Statements for the year ended 30 June 2019 incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules;
2. That Council approve the signing of the Statement by Councillors and Management included in the General Purpose Financial Statements as required under section 413 (2) (c) of the Local Government Act;
3. That Council approve the signing of the Statement by Councillors and Management included in the Special Purpose Financial Statements as required by the Local Government Code of Accounting Practice and Financial Reporting;
4. That Council exhibit the Financial Statements and Auditor's Report and call for public submissions on those documents with submissions closing on 3 December 2019 in accordance with section 420 of the Local Government Act 1993; and
5. That the Audited Financial Statements and Auditor's Report be presented to the public at the Ordinary Meeting of Council scheduled for 26 November 2019 in accordance with Section 418(1) of the Local Government Act 1993.

**12.10/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Executive Manager Corporate Services*  
Reference/Subject: Report 3 – 2019-20 Operational Plan Progress Report at 30 September 2019

**OFFICER'S RECOMMENDATION:**

That Council receive and note the 2019-20 Operational Plan Progress Report at 30 September 2019.

**PROCEDURAL MOTION (Crs T O'Connor / M Dusting)**  
**To move to Committee of the Whole**

**13.10/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

*Cr R Bell left the meeting at 2:15pm.*

*Cr R Bell returned to the meeting at 2:18pm.*

**PROCEDURAL MOTION (Crs T O'Connor / T Toomey)**  
**To resume Standing Orders**

**14.10/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs T O'Connor / I Strutt)**

That Council receive and note the 2019-20 Operational Plan Progress Report at 30 September 2019.

**15.10/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Executive Manager Corporate Services*  
Reference/Subject: Report 4 – Model Code of Conduct Consultation - Gifts and Benefits

**OFFICER'S RECOMMENDATION:**

That Council:

1. Make a determination in relation to the questions posed by the Minister for Local Government (the Minister); and
2. Provide the Office of Local Government with a submission based on the determination.

**PROCEDURAL MOTION (Crs T O'Connor / M Dusting)**  
**To move to Committee of the Whole**

**16.10/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

**PROCEDURAL MOTION (Crs R Crouch / T Toomey)**  
**To resume Standing Orders**

**17.10/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs T O'Connor / I Strutt)**

That Council:

1. Determine the following in relation to the questions posed by the Minister for Local Government (the Minister):
  - a. *That \$50 is an appropriate monetary value for the cap on the value of gifts that may be accepted by councillors.*
  - b. *If the \$50 cap on the value of gifts that may be accepted by councillors is not appropriate, at what value should it be set? – Not applicable*
  - c. *Not applicable, but if it is suggested that the cap on the value of gifts that may be accepted should be raised, it should be raised uniformly for all council officials.*
  - d. *If it is suggested that the cap on the value of gifts that may be accepted should be raised for councillors and not for other council officials such as council staff, why does your council believe that councillors should be subject to a different standard than the one that applies to other classes of council officials in relation to the acceptance of gifts. – Not applicable.*
2. Provide the Office of Local Government with a submission based on the determination at point 1 above.

**18.10/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Executive Manager Corporate Services*  
Reference/Subject: **Report 5 – Tabling of Interest Disclosure Returns**

**OFFICER'S RECOMMENDATION:**

That Council:

1. Note the tabling of the Disclosure of Interest Returns as required by the Uralla Shire Council Code of Conduct 2019; and
2. Publish returns of interest made by councillors and designated persons to the Uralla Shire Council website after redacting any information that applies the public interest test factors listed in the Table in section 14 of the Government Information (Public Access) Act 2009.

**MOTION (Crs R Bell / M Dusting)**

That Council:

1. Note the tabling of the Disclosure of Interest Returns as required by the Uralla Shire Council Code of Conduct 2019; and
2. Publish returns of interest made by councillors and designated persons to the Uralla Shire Council website after redacting any information that applies the public interest test factors listed in the Table in section 14 of the Government Information (Public Access) Act 2009.

**19.10/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Executive Manager Corporate Services*  
Reference/Subject: Report 6 – Monthly Report - Library

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

**MOTION (Crs I Strutt / T O'Connor)**  
That the report be received and noted.

**20.10/19 CARRIED**

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

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

**MOTION (Crs I Strutt / T Toomey)**  
That the report be received and noted.

**21.10/19 CARRIED**

Department: **General Manager's Office**  
Submitted by: *Acting Senior Executive Officer*  
Reference/Subject: Report 8 – Schedule of Actions as at 22 October 2019

OFFICER'S RECOMMENDATION:  
That Council receive and note the Schedule of Actions as at 22 October 2019.

**MOTION (Crs T Toomey / T O'Connor)**  
That Council receive and note the Schedule of Actions as at 22 October 2019.

**22.10/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 9 – Heritage Advisory Services Summary for October 2019

OFFICER'S RECOMMENDATION:  
That the Heritage Advisory Services Summary for October 2019 be received and noted by Council.

**MOTION (Crs M Disting / R Crouch)**  
That the Heritage Advisory Services Summary for October 2019 be received and noted by Council.

**23.10/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 10 – Works Progress Report as at 30 September 2019

OFFICER'S RECOMMENDATION:  
That the report be received and noted for the works completed or progressed during September 2019, and works programmed for October 2019.

**MOTION (Crs R Bell / T O'Connor)**

That:

1. The report be received and noted for the works completed or progressed during September 2019, and works programmed for October 2019; and
2. That the Local Roads to Recovery Construction Projects be provided to the next ordinary Council meeting.

**24.10/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 11 – Development Approvals and Refusals for September 2019

**OFFICER'S RECOMMENDATION:**

That Council receive and note the development approvals and refusals for September 2019.

**MOTION (Crs T O'Connor / N Ledger)**

That Council receive and note the development approvals and refusals for September 2019.

**25.10/19 CARRIED**

Department: **Infrastructure and Development**  
Submitted by: Manager Planning and Development  
Reference/Subject: Report 12 – DIVISION DECISION - Development Application 60/2019 - Dwelling  
- 36 Uralla Street, Uralla

*Cr M Dusting left the meeting at 2:44pm.*

*Cr M Dusting returned to the meeting at 2:45pm.*

**OFFICER'S RECOMMENDATION:**

That Council approve the Development Application 60/2019 for a dwelling at 36 Uralla Street, Uralla (Lot 1 DP 1255554) subject to the following conditions of consent:

***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*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

### **Erection of signs**

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3. 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.
4. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

### **Notification of *Home Building Act 1989* requirements**

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

### **GENERAL CONDITIONS**

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

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

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

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

9. The dwelling is to be inspected at the following stages of construction:
- before the pouring of footings\*\*
  - before covering drainage (under hydrostatic test)
  - before pouring any reinforced concrete structure \*\*
  - before covering the framework for any wall, roof or other building element \*\*
  - before covering waterproofing in any wet area\*\*
  - before covering any stormwater drainage connections
  - when the building work is completed and all conditions of consent have been addressed\*\*
  - in the case of a swimming pool, after the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992) has been erected and before the pool is filled with water,

\*\* denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a \*development where a critical stage or other nominated inspection has not been carried out.

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

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

*Reason: To ensure compliance with appropriate standards.*

10. 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.*

11. Occupancy of the building 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.*

12. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:

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

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

13. 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.*

14. The driveway must be concrete or bitumen sealed to a minimum width of three metres from the property boundary to the seal of Uralla Street. Splays to the Uralla Street seal must also be provided.

*Reason: To ensure an appropriate standard of access..*

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

15. 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*

#### **CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

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

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

17. 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.*

18. 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.*

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

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

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

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

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

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

22. 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.*

23. Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- (a) divert uncontaminated run-off around cleared or disturbed areas,
  - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
  - (c) prevent tracking of sediment by vehicles onto roads,
  - (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

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

### **ADVISORY NOTES – GENERAL**

24. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
25. 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.
26. 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](http://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.
27. 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.
28. 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.
29. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.



**MOTION (Crs R Bell / T O'Connor)**

That Council approve the Development Application 60/2019 for a dwelling at 36 Uralla Street, Uralla (Lot 1 DP 1255554) subject to the following conditions of consent:

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

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- (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

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

#### **ADVISORY NOTES – GENERAL**

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

25. 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.

26. 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](http://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.
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29. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

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

**FOR:** Cr M Pearce, Cr R Bell, Cr T Toomey, Cr T O'Connor, Cr I Strutt, Cr M Dusing, Cr B Crouch, Cr L Sampson, Cr N Ledger

**AGAINST:** Nil

**ABSENT:** Nil

**26.10/19 CARRIED**

## **12. MOTIONS ON NOTICE / QUESTIONS WITH NOTICE**

Submitted by: **Cr Robert Bell**  
 Reference/Subject: Notice of Motion 1 – Electricity and telecommunications supply to rural residential Subdivision/Development

*Crs T O'Connor and R Crouch, having previously declared a conflict of interest, left the meeting at 2:47pm.*

### **NOTICE of MOTION**

That Council include alternate methods of providing telecommunications and electricity for new subdivisions/developments in its Development Control Plan.

**PROCEDURAL MOTION (Crs R Bell / T Toomey)**

**That the item be raised from the table.**

**27.10/19 CARRIED**

**PROCEDURAL MOTION (Crs I Strutt / N Ledger)**  
**To move into Committee.**

**28.10/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

*Cr L Sampson left the meeting at 2:54pm.*

*Cr L Sampson returned to the meeting at 2:56pm.*

**PROCEDURAL MOTION (Crs T Toomey / M Dusting)**  
**To resume Standing Orders**

**29.10/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**FORESHADOWED MOTION (Cr R Bell / )**

Power

1. Council will also consider alternative methods of providing power if:
  - a. It is provided in accordance with relevant Australian Standards;
  - b. It can be demonstrated that it will be sufficient to meet the needs of the proposed use of the land; and
  - c. Where power supply is to serve more than one lot, appropriate measures or agreements will be put in place to ensure ongoing provision and maintenance.

Telecommunications

2. Council will also consider the provision of wireless telecommunications provided the developer provides written evidence that a wireless connection is compatible with the NBN.

**MOTION (Crs R Bell / I Strutt)**

That the Notice of Motion regarding alternate methods of providing telecommunications and electricity for new subdivisions/developments be received as a submission to the current review of the DCP, and be referred to the Manager of Development and Planning for review and report back to council.

**30.10/19 CARRIED**

*Cr R Crouch and T O'Connor were absent at the time of voting.*

*Cr R Crouch and T O'Connor returned to the meeting at 3:08pm.*

Submitted by:

**Cr Bob Crouch**

Reference/Subject:

Notice of Motion 2 – Provision of portable Grandstands for the Australian Medieval Combat Federation Tournament

*Cr T Toomey, having previously declared a conflict of interest, left the meeting at 3:07pm.*

**NOTICE of MOTION**

That Council:

1. Waive the rental charge and bond for the hire of the three grandstands for the weekend of 26-27 October by the Australian Medieval Combat Foundation; and
2. Either permit the Australian Medieval Combat Foundation to transport the grandstands or fund from the General Fund the cost of administration and transport relating to the relocation of the three portable grandstands to the combat site near the Bowling Club for the medieval combat tournament and the return of the grandstands to the sporting complex (quote \$1,318.01).

**MOTION (Crs R Crouch / R Bell)**

That Council:

1. Set the fee for the hire of the three grandstands for the weekend of 26-27 October by the Australian Medieval Combat Federation at no charge;
2. Permit the Australian Medieval Combat Federation to transport the grandstands to the site of Combat with the proviso that they are returned to their current location on the Monday after the event;
3. The Australian Medieval Combat Federation be liable to repair any damage to the grandstand as a result of their movement;
4. That this be treated as a one off and that any further use of the stands be subject to a policy determined by the Council within the next three months; and
5. That Uralla Shire Council be acknowledged as a supporter during the event.

**31.10/19 CARRIED**

*Cr T Toomey was absent at the time of voting.*

*Cr T Toomey returned to the meeting at 3:13pm.*

**13. CONFIDENTIAL MATTERS**

*The Chair advised there were no confidential business items.*

**14. COMMUNICATION OF COUNCIL DECISIONS**

*The Chair advised there were items for communication of council decisions.*

**CLOSURE OF MEETING**

*The meeting was closed at: 3:16pm*

**COUNCIL MINUTES CONFIRMED BY:**

RESOLUTION NUMBER:

DATE:

MAYOR:



## EXTRAORDINARY MEETING OF COUNCIL

Held at 9:00am  
12 November 2019

### ROLL CALL

#### Councillors:

Cr M Pearce (Mayor)  
Cr R Crouch (Deputy Mayor)  
Cr R Bell  
Cr M Dusting  
Cr N Ledger  
Cr T O'Connor  
Cr L Sampson  
Cr I Strutt  
Cr T Toomey

#### Staff:

Mr D Aber, Acting General Manager  
Minute Clerk

# MINUTES



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UNCONFIRMED

## **ATTENDANCE**

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, and T Toomey, Acting General Manager (Mr D Aber), Senior Management Consultant (C Morris) and Minute Clerk (B White)

### **1. OPENING OF EXTRAORDINARY MEETING**

*The Chair declared the meeting opened at 9:02am.*

### **2. PRAYER**

*The Chair recited the Uralla Shire Council prayer.*

### **3. ACKNOWLEDGEMENT OF COUNTRY**

*The Uralla Shire Council recognises the traditional custodians of the land on which this meeting is being held and acknowledge Aboriginal Elders past and present and we pay respect to them and their heritage.*

### **4. APOLOGIES**

*The Chair advised there were no apologies received.*

### **5. DISCLOSURES & DECLARATION OF INTERESTS**

*The Chair advised there were no disclosures or declarations made.*

### **6. REPORTS TO COUNCIL**

#### **PROCEDURAL MOTION (Crs T O'Connor / Cr B Crouch)**

##### **To move into Closed Session of Council**

That;

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

The matters referred to the Closed Session of the 12 November 2019 meeting are received by Council under Section 10A 2 (a) and (d) of the Local Government Act (NSW) 1993.

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

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

**(2) The matters and information are the following:**

- (a) personnel matters concerning particular individuals (other than councillors),**
- (d) commercial information of a confidential nature that would, if disclosed:**
  - (i) prejudice the commercial position of the person who supplied it,**

**X01.11/19 CARRIED**

Department: Mayor's Office  
Submitted by: Councillor Michael Pearce  
Reference/Subject: **Confidential Report 1 – Appointment of General Manager**

#### **MAYOR'S RECOMMENDATION:**

1. That the Mayoral Minute to the Council Meeting on 12 November 2019 in Closed Council in

- relation to the recruitment and appointment of a General Manager be received and noted; and
2. That should there be a preferred candidate selected at the conclusion of the meeting be offered the position of General Manager and the Mayor and Deputy Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:
    - a. A five year performance-based Contract; and
    - b. A total remuneration package of \$(*figure to be inserted*); and
    - c. The contract of employment being in accordance with the standard contract required by the Division of Local Government; and
    - d. That no public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer from the preferred candidate; and
    - e. That the Employment Contract between the Appointee and the Council be executed under the Common Seal of the Council.

*Councillors held a detailed discussion in committee regarding the report.*

*Cr O'Connor left the meeting at 12:09pm*

*Cr O'Connor returned to the meeting at 12:10pm*

**PROCEDURAL MOTION (Crs M Dusting / N Ledger)**  
**To resume Standing Orders**

**X03.11/19 CARRIED**

**PROCEDURAL MOTION (Crs M Dusting / N Ledger)**  
**That the resolution of the closed session becomes the resolution in open session.**

**X04.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs R Bell / I Strutt)**

1. That the Mayoral Minute to the Council Meeting on 12 November 2019 in Closed Council in relation to the recruitment and appointment of a General Manager be received and noted; and
2. Council have resolved to readvertise for the position of General Manager.

**X05.11/19 CARRIED**

**CLOSURE OF MEETING**

*The meeting was closed at: 12:15pm*

COUNCIL MINUTES CONFIRMED BY:	
<b>RESOLUTION NUMBER:</b>	
<b>DATE:</b>	
<b>MAYOR:</b>	



## MINUTES

# Budget Review & Finance Committee

## Meeting 10 September 2019, 12:30pm, Council Chambers

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## **ATTENDANCE**

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, and T Toomey, Acting General Manager (Mr D Aber), Director Infrastructure and Development (Mr T Seymour), Chief Financial Officer (Mr S Paul), Executive Manager Corporate Services (Ms S Glasson) and Minute Clerk.

### **1. OPENING & WELCOME**

*The Chair declared the meeting opened at 12:30pm.*

### **2. PRAYER**

*The Chair recited the Uralla Shire Council prayer.*

### **3. ACKNOWLEDGEMENT OF COUNTRY**

*The Uralla Shire Council recognises the traditional custodians of the land on which this meeting is being held and acknowledge Aboriginal Elders past and present and we pay respect to them and their heritage.*

### **4. APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE**

*The Chair advised there were no apologies received.*

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

### **5. DISCLOSURES & DECLARATION OF INTERESTS**

*There were no disclosures or declarations made.*

### **6. ANNOUNCEMENTS**

*The Chair welcomed the new Executive Manager Corporate Services, Ms Glasson.*

### **7. CONFIRMATION OF MINUTES**

Minutes to be confirmed at the 10 September 2019 Meeting:

- Minutes of the Budget Review and Finance Committee Meeting held 9 July 2019.

*The Chair referred Councillors to the minutes and called for any amendments.*

*There were no amendments requested by Councillors.*

### **MOTION (Crs R Crouch / I Strutt)**

**That the Committee confirm the minutes as a true and accurate record of the Budget Review and Finance Committee meeting held 9 July 2019.**

**BRFC19/19 CARRIED**

**8. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS**

*The Chair advised there were no urgent, supplementary or late items of business.*

**9. REPORTS TO COMMITTEE**

*There were no Reports to Committee to the 10 September Meeting.*

**10. MOTIONS ON NOTICE**

*There were no 'Notices of Motion' addressed to the 10 September Meeting.*

**11. CONFIDENTIAL BUSINESS**

**PROCEDURAL MOTION (Crs M Dusting / I Strutt)**

To move into Closed Session of Committee.

To discuss the unaudited Financial Statements as a confidential document.

**BRFC20/19 CARRIED**

Department: **General Manager's Office**

Submitted by: *Chief Financial Officer*

Reference/Subject: Confidential Report 1 – Draft Financial Statements

**OFFICER'S RECOMMENDATION:**

That the Committee:

1. Note the draft Annual Financial Statements for the year ended 30 June 2019.

**MOTION (Crs T O'Connor / N Ledger)**

That the Committee:

1. Note the draft Annual Financial Statements for the year ended 30 June 2019.

**BRFC21/19 CARRIED**

**PROCEDURAL MOTION (Crs T O'Connor / M Dusting)**

To move into Open Session of Committee.

**BRFC22/19 CARRIED**

**PROCEDURAL MOTION (Crs M Dusting / L Sampson)**

That the resolutions of Closed Session of Committee become the resolutions of Open Session of Committee.

**BRFC23/19 CARRIED**

**12. MEETING CLOSE**

*The meeting closed at 1:23pm.*

## FRIENDS OF McMAUGH GARDENDS INC.

### MINUTES OF GENERAL MONTHLY MEETING OCTOBER 14<sup>TH</sup> 2019

Meeting was opened by Chairperson Sue Wilkinson at 2.00pm. Sue welcomed all members also visitors, Lyn Whybrow and Mary Fulthorpe.

**Present:** S. Wilkinson, R. Reading, M. Carter, B. Glock, G. Baker, L. Whybrow, M. Watson, B. Weiss, S. Weiss, M. Gream, G. McFarlane, C. Howard, M. Hogan, B. Carlon, D. Field, M. Fulthorpe.

**Apologies:** I. Strutt, K. Clack, E. Barwell, R. Jackson, K. Hughes, M. Hedges, M. Pearse.

**Moved:** Murell Carter

**Seconded:** Daphne Field

**Minutes:** Minutes of September 2019 meeting have been distributed to members.

**Moved:** Gail McFarlane **Seconded:** Barbara Glock that minutes were verified for 9<sup>th</sup> September 2019 meeting.

#### **Business Arising from the Minutes:**

- Sue acknowledged the lovely afternoon tea given to us prior to last meeting.
- **Street Stall** – Tickets for the artwork were sold at Alternate Root the week prior to the street stall raising \$135.00. Sue thanked the members who volunteered their time to do this. The staff at Alternate Root were excellent and looked after our members. Sue gave them a card of thanks and a box of chocolates. \$1326.15 was total raised from the street stall. Good result under the economical climate. Bev Niland won the \$100 club, Fay Lullham won the Artwork and Jim Nicholls won the wood.

Well done Bev and Barb and all helpers and donators for the week.

- Daphne has donated cutting boards to go with the kitchen basket donated by Marina Schneider to be raffled at some time. A Rag Doll has been donated by an unknown person at the street stall to be raffled at some time.
- Looked at wish list and purchases etc.
- Bathroom refurbishments have a shortfall in money in funding received, hope to receive more in next Stronger County Community funding round.

#### **Reports:**

- **Secretary's Report:**

#### **Correspondence:**

**IN -** Poster from CWA re their AGM

- Email from Trish Rasmussen CWA correcting date on Poster for AGM

- Financial reports from Erica for our meetings

**OUT** - Certificate of Appreciation to Uralla United Op Shop for their donation of \$1500.

- Letter to Faye Porter thanking her for her donation of Artwork.
- Letter to Acting General Manger of Uralla Shire Council thanking all involved in the arranging and erection of our shed. Also, for considering us as part of the Drought Community Scheme.
- No cards were sent by Barbara Glock

**Moved:** Rosemary **Seconded:** Sue that the report be accepted.

- **Treasurers' Report:**

Financial report was given by Assistant Treasurer Bev Carlon. See attached.

**Moved:** Bev **Seconded:** Brian that the financial report be accepted

- **Manager's Report:**

Christine gave all present a run down on happenings over the year and where funding and building upgrades were at. Bathroom renovations should commence soon as they must be completed by June 2020. Waiting for Public Works paperwork to be completed. Hope to receive more funding in the next Stronger Country Drought Community Scheme, if not, when the bathrooms are completed, McMaugh Gardens will be eligible for extra funding through the Concessional Resident Subsidy as the upgrade is "Significantly Refurbished" upgrade. This extra funding is paid to the facility per concessional resident per month. This will gradually pay for the shortfall.

Maureen asked Christine if there would be extra staff available out of the final reports from the Royal Commission into Aged Care. Christine said maybe through assessments. Christine discussed the staffing ratio with staff and Registered Nurses at present. A Registered Nurse is rostered on morning and afternoon shifts and is on call at night. A program is also utilised by McMaugh Gardens called ACE. This is a program that links staff to a Registered Nurse for advice, like the "Dial a Doctor" program.

Christine discussed how and where staff were receiving relevant trainings. DVD's and online training is taken advantage of and is very successful without staff having to travel.



#### Wish List update:

- Suzanne (therapy dog) is on a special diet. \$99 every 2<sup>nd</sup> month. Grooming every 3 weeks \$50.
- Ordered 2 Care Chairs at approx. \$4,000 each
- Bariatric scales ramp has been ordered
- Steam cleaner has been ordered \$1045 + GST
- Air mattresses - Still doing research on, looking at a different company.
- Still looking at pedal machines and car canes.
- Weighted Blankets to come after care chairs arrive.

#### NEW WISH LIST:

- Date and Weather Chart \$150.00
- Vinyl Floor scrubber – looking to purchase through NW Chemicals. Checking out appropriate machines at present.

#### General Business:

- Sue asked Gae Baker if she was prepared to continue being Publicity Officer, Gae agreed, and Barbara Glock if she was prepared to continue sending out cards to relevant people during the year, Barbara agreed to continue. Thanks, Gae and Barbara.
- **Visitor, Mary Fulthorpe**, suggested that Friends of McMaugh Gardens purchase and give all residents over 80 years of age a medallion OBE (Over Bloody Eighty), and a different one again for over 90, and continue each year and to be awarded to the resident by the Mayor or someone else appropriate. After much discussion it was decided not to take up this request as we felt it did not come under our fundraising goals.

**Moved:** Sue    **Seconded:** Colleen and all members, that we do not go ahead with this suggestion.

- **Thunderbolt Festival:** 26<sup>th</sup> October 2019

Marj discussed the following:

- Rocky River School will sell their usual wares as well as the Central Schools usual wares, as Central are unable to do so this year.
- Rosters have been commenced, Marj to follow up.
- Raffle price to be reduced from \$150 to \$100. **Moved:** Sue    **Seconded:** Rosemary
- Marj has come up with a great idea as an extra fund raiser and some fun. This is to “Kidnap” the Mayor Michael Pearse and hold him for ransom.

Marj has asked the Mayor re this idea and he is happy to be involved. Marj needs 2 men to be his captors, and another 2 people to collect the money. Marj is to check with Thunderbolt Committee if this is possible.

**Moved:** Marj      **Seconded:** Rosemary that Marj approaches the Thunderbolt Committee re this idea.

- 30 Year Celebrations. To be held next year.
  - Sue and Rosemary discussed their ideas with Christine and she was in agreeance with those ideas. Invite both Hon. Adam Marshall and Hon Barnaby Joyce. Invite first staff, council stall, fund raisers, resident families, and then a general invite for all people involved over the 30 years and public. Have a few small stalls e.g. Invite CWA, Red Cross, Rotary, Lions, etc. Invite schools to perform entertainment. We will continue these discussions early 2020.

**Accounts to be paid:**

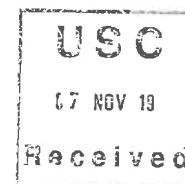
- Thunderbolt Graphics - badge - \$17.00
- Pet Food – Reimburse Council - \$99.99

**Moved:** Bev      **Seconded:** Rosemary to pay above accounts.

Meeting Closed 3.45pm

MINUTES OF AUSTRALIA DAY COMMITTEE MEETING

HELD ON 9TH. OCTOBER. 2019



PRESENT – Chris Pyros, Cr. Natasha Ledger, Cr. Levi Sampson, Peter Phillips and Bev Niland.

APOLOGIES – Tobie Redmond, Ben Pascoe and Leanne Doran. Moved P. Phillips, seconded L. Sampson, that the apologies be accepted. Carried.

PASSING OF ARNOLD GOODE – One minute’s silence was observed.

MINUTES OF PREVIOUS MEETING – Moved C. Pyros, seconded P. Phillips, that the minutes of the meeting held on 14th. January, 2019, be adopted. Carried.

MATTERS ARISING FROM THE MINUTES

Australia Day went well – new bunting was good.

FINANCIAL REPORT

To be available at the next meeting.

CORRESPONDENCE – In

Moved N. Ledger, seconded P. Phillips, that the correspondence be dealt with as read. Carried.

1. Lions Club of Uralla – Request to sell hot dogs and fairy floss on Australia Day next.

Moved L. Sampson, seconded N. Ledger that permission be granted to the Lions Club of Uralla to sell hot dogs and fairy floss on Australia Day next. It was noted that some form of fly control may be necessary.

CORRESPONDENCE – Out

1. Mrs. M. Goode – Sympathy card.

GENERAL BUSINESS

Poster Competition Theme – “What I Like About Where I Live”.

Australia Day Ambassador – A request has been received from Mr. Steve Widders from Armidale to be our Ambassador on Australia Day next. He has been an Ambassador in other towns in this area, and is keen to stay local.

Moved N. Ledger, seconded P. Phillips that Mr. Widders be named on our Australia Day Ambassador Program Registration with the Australia Day Council of N.S.W. as our number one priority as an Ambassador.

Street Stall It was agreed that we request a street during the week commencing 13th. January, 2020.

P.A. System – It was advised that our application for a grant of \$2,000 from the State Government for purchase of a P.A. system for use by local organisations had been successful, and that the system had been purchased and was stored in the Council meeting room.

Moved C. Pyros, seconded N. Ledger that the P.A. system be made available to not for profit local organisations, and that a hire agreement form be drawn up. A hire deposit fee be charged, to be refunded on return of the system within 48 hours, and the hire to be approved by the Australia Day Committee. Also, that Max Schultz be requested to draw up an instruction sheet to be provided to hirers. Also that a letter of thanks be sent to Adam Marshall, M.P., and the Premier, Gladys Berejiklian, M.P.

Awards – Calling for nominations to be advertised.

NEXT MEETING – Wednesday, 13th. November at 7.30 p.m.

The meeting closed at 8.30 p.m.



# Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries  
PO Box 420 Moree NSW 2400  
02 6757 3222  
ABN 92 803 490 533

## MINUTES

### GENERAL MEETING

FRIDAY, 1 NOVEMBER 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 9.40 a.m.

#### 1. ATTENDANCE:

Armidale Regional Council, Cr Peter Bailey  
Bathurst Regional Council, Cr Bobby Burke, Mayor  
Bega Valley Shire Council, Cr Kristy McBain, Mayor  
Bellingen Shire Council, Cr Dominic King, Mayor  
Bellingen Shire Council, Ms Liz Jeremy, General Manager  
Bland Shire Council, Cr Brian Monaghan, Mayor  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Blayney Shire Council, Ms Rebecca Ryan, General Manager  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Mr Brad Burns, General Manager  
Coolamon Shire Council, Cr John Seymour, Mayor  
Coonamble Shire Council, Cr Allan Karanouh, Mayor  
Cootamundra-Gundagai Regional Council, Cr Abb McAlister  
Dubbo Regional Council, Mr Michael McMahon, CEO  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Gilgandra Shire Council, Cr Ash Walker, Deputy Mayor  
Gilgandra Shire Council, Mr David Neeves, General Manager  
Glen Innes Shire Council, Cr Carol Sparkes, Mayor  
Griffith City Council, Mr Brett Stonestreet, General Manager  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gunnedah Shire Council, Mr Eric Growth, General Manager  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir Shire Council, Mr Max Eastcott, General Manager  
Hilltops Council, Cr Brian Ingram, Mayor  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kiama Municipal Council, Cr Mark Honey, Mayor  
Kyogle Council, Cr Danielle Mulholland, Mayor  
Leeton Shire Council, Cr Paul Maytom, Mayor

Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Ray Thompson, Mayor  
Lithgow City Council, Mr Graeme Faulkner, General Manager  
Lockhart Shire Council, Cr Roger Schirmer, Mayor  
Lockhart Shire Council, Mr Peter Veneris, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Moree Plains Shire Council, Ms Libby Carter, Integrated Planning and Reporting Manager  
Murray River Council, Cr Christopher Bilkey, Mayor  
Narrabri Shire Council, Cr Catherine Redding, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Narromine Shire Council, Cr Craig Davies, Mayor  
Oberon Council, Cr Kathy Sajowitz, Mayor  
Oberon Council, Mr Gary Wallace, General Manager  
Parkes Shire Council, Cr Ken Keith, Mayor  
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor  
Shellharbour City Council, Cr Marianne Saliba, Mayor  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Shoalhaven City Council, Mr Stephen Dunshea, CEO  
Singleton Council, Cr Sue Moore, Mayor  
Snowy Monaro Regional Council, Cr Peter Beer, Mayor  
Snowy Monaro Regional Council, Mr Peter Bascombe, General Manager  
Temora Shire Council, Cr Rick Firman, Mayor  
Temora Shire Council, Mr Steve Firth, Director Administration and Finance  
Tenterfield Shire Council, Cr Peter Petty, Mayor  
Upper Lachlan Shire Council, Cr John Stafford, Mayor  
Uralla Shire Council, Cr Michael Pearce, Mayor  
Walcha Council, Cr Eric Noakes, Mayor  
Walcha Council, Ms Anne Moddero, General Manager  
Warrumbungle Shire Council, Cr Denis Todd, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
Wentworth Shire Council, Cr Melisa Hendrics, Mayor  
Wentworth Shire Council, Mr Ken Ross, General Manager  
LGNSW, President, Cr Linda Scott  
LGNSW, Chief Executive, Tara McCarthy

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

Mr Rob Rogers AFSM, Deputy Commissioner, NSW Rural Fire Service, and Mr Cory Shackleton, Director Community Resilience, NSW Rural Fire Service  
Mr Matt Fuller, Acting Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW and Peter Ryan, Senior Manager, Major Property Development and Corporate Real Estate, Corporate Services, Transport for NSW  
Mr Gary White, Chief Planner, Planning, Industry and Environment

**2. Mr Rob Rogers AFSM, Deputy Commissioner, NSW Rural Fire Service and Mr Cory Shackleton, Director Community Resilience, NSW Rural Fire Service**

So far this season there has been 5,350 bush and grass fires across the state since 1 July with 494,028 hectares burnt with 23 fires reaching Emergency Warning level and 33 fires reaching Watch and Act level. There have been 801 aircraft taskings across the state and 2.373 million litres of retardant dropped. 6,003 out of area personnel have been deployed and 594 interstate personnel deployed. 420 houses, buildings or facilities have been destroyed and 216 damaged. Lack of water is affecting some aerial fire fighting operations particularly helicopter bucketing. To assist landholders a Special Fire Permit will be available this season to assist with the disposal of livestock. Legislative changes since 2002 have resulted in greater emphasis on bush fire protection in the development approval process and bushfire land maps guidelines released. A bush fire prone area is designated under legislation. There are three categories of Bush Fire Prone Land in NSW with buffer zones ranging from 30 metres to 100 metres. If a bush fire risk management plan applies to a council area, council must request the NSW RFS Commissioner to designate land considered to be bush fire prone. A revised 2019 PBP will be published shortly and adopted by legislation in early 2020. Grassland deeming provisions introduced through PBP 2019 are

- 59m APZ – No bushfire protection measures
- 20m APZ – BAL 12.5 – Apply other BPM's
- Less than 20m APZ – Full site assessment – Determine BAL – Apply other BPM's

**3. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 2 August 2019 be accepted as a true and accurate record (Kyogle Council / Uralla Shire Council).

**4. Matters Arising from the Minutes**

**Waste Levy Taskforce**

That it be noted that the Waste Levy Taskforce supports motion 3 LGNSW conference Waste and Recycling

**Prioritisation of Electricity Grid Connections**

RESOLVED That Minister Kean be asked for clarification and answers on how prioritisation of electricity grid connections are to be achieved (Bellingen Shire Council/ Glen Innes Severn Council)

**5. CORRESPONDENCE**

Outward

- (a) Hon Adam Marshall MP, Minister for Agriculture and Western NSW, thanking him for his presentation to the 2 August meeting
- (b) Hon Mark Coulton MP, Minister for Regional Services, Decentralisation and Local Government, Assistant Trade and Investment Minister, thanking him for his presentation to the 2 August meeting

- (c) Geoff McKechnie APM, Assistant Commissioner, Commander, Western Region NSW Police Force, thanking him for his presentation to the 2 August meeting
- (d) Mr Richard Colbran, Chief Executive Officer, NSW Rural Doctors Network, thanking him for his presentation to the 2 August meeting
- (e) The Hon Shelley Hancock MP, Minister for Local Government, regarding the \$50 limit on gifts under the Model Code of Conduct
- (f) Cr Linda Scott, President, Local Government NSW, advising that Country Mayors supports the removal of the minimum per capita amount grant under the Local Govt Financial Assistance Act 1995
- (g) Executive Officer, Local Government Grants Commission, advising that Country Mayors supports the removal of the minimum per capita amount grant under the Local Govt Financial Assistance Act 1995
- (h) Mr John Cleland, Chief Executive Officer, Essential Energy, expressing opposition to the announced 182 job cuts in regional NSW
- (i) The Hon Shelley Hancock MP, Minister for Local Government, forwarding copies of letters sent to the Premier and the Minister for Police and Emergency Services opposing RFS increased contributions
- (j) Cr Linda Scott, President, local Government NSW, forwarding copies of letters sent to the Premier and the Minister for Police and Emergency Services opposing RFS increased contributions
- (k) The Hon Gladys Berejiklian MP, Premier, requesting a reply to our letter opposing the RFS increases to take affect from the 2019-2020 year
- (l) The Hon Gladys Berejiklian MP, Premier, requesting that Benefit Cost Ratio analysis be removed for funding programs
- (m) Independent Pricing and Regulatory Tribunal, advising that the Association does not support the funding hierarchy recommended by IPART's review of Local Government Costs

#### Inward

- (a) Hon Shelley Hancock MP, Minister for Local Government, regarding a Waste Levy Taskforce
- (b) Bruce Miller, Chair of Board, Local Government Super, regarding the Defined Benefits Scheme
- (c) Hon Gladys Berejiklian MP, Premier, regarding the Emergency Services Levy
- (d) Andrew Lewis, Executive Director, Energy Strategy, Planning, Industry and Environment regarding prioritization of electricity grid connections at substations
- (e) Hon Shelley Hancock MP, Minister for Local Government, regarding acceptance of gifts and benefits under the Model Code of Conduct
- (f) Hon Minister Barilaro MP, Deputy Premier, Minister for Regional NSW, Minister for Industry and Trade regarding royalties for regions
- (g) Essential Energy regarding workforce reshaping
- (h) Melanie Gibbons, MP, Parliamentary Secretary for Families, Disability, and Emergency Services, regarding the Emergency Services Levy for 2019-20
- (i) Essential Energy regarding proposed workforce reductions

NOTED

## 6. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Bathurst Regional Council / Parkes Shire Council)

## 7. Mr Matt Fuller, Acting Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW and Peter Ryan, Senior Manager, Major property Development and Corporate Real Estate, Corporate Services, Transport for NSW

There is a 10 year blueprint and long term vision "Future Transport 2056". The vision comprises Core Values, Strategic Priorities, Those We Create Value For, and Primary Outcomes Strategic priorities include Working in Partnership, Data Driven Decision Making, Technology and Innovation, Financial Sustainability, Place Based Integrated Service Design, Enabling the Mobility Ecosystem and Evolution at Work. They are looking at connecting regions in different ways. The Transport Department has been reorganized with a regional focus with divisions of Customer Strategy and Technology, Greater Sydney and Regional and Outer Metropolitan under the Secretary Transport for NSW. Regional and Outer metropolitan Division has 4,100 employees and a budget of \$10.9 billion Regional NSW is a test bed for NSW for new and innovative transport options including new intercity and regional rail fleets and working towards zero with road safety.

## 8. Mr Gary White, Chief Planner, Planning, Industry and Environment

Planning for the future must start with an understanding of the context for which we are planning. We are consuming more than twice what we can sustain. Government policy will play an important role in developing new ways. As populations grow wealthier demand will rise for services and experiences. To maximise the opportunities to take Australia forward towards 2060 the CSIRO have identified Industry, Urban, Energy, Land and Culture. The NSW Government is committed to improving the planning systems through reforms to the EPA Act and a comprehensive regional planning framework. The planning system in NSW is becoming more strategic focused and outcomes orientated. Strategic planning is future orientated and presents a narrative or set of circumstances for the future. Rules for developing ought to be rational, they ought to be simple, they should be prohibitive and prescriptive and they should be stable. The rules should be calibrated at the most appropriate assessment level from strategic planning, planning delivery platforms, infrastructure delivery and projects and DA's. An overarching local strategic plan will include Land Use Vision, a Succinct Planning Context, Planning Priorities, and a Monitoring and Reporting Program. A competent planning system relies on political will, competent professionals, good data and monitoring, appropriate capacity and resources, shared responsibilities across government and evidence based policy and good legislative framework

## 9. IPART Review of Reporting and Compliance

Deferred to next meeting



**10. Additional Land for National Parks**

Cr Sajowitz, Oberon Council brought to members attention the letter all councils would have received from Minister Matt Kean dated 2 October, regarding increasing the size of the National Park system by 200,000 hectares, and seeking councils advice on land acquisition proposals, and suggesting that all concerned councils should respond to the letter

**11. Crown Land Review**

RESOLVED That the Country Mayors Association write to the Minister for Lands requesting information on the progress of the Crown Lands Review and the next steps to be taken and requesting that Councils that are impacted by the review be notified immediately and the Minister be invited to the next meeting of Country Mayors to be held in March 2020 (Orange City Council/Hilltops Council)

**12. Murray Darling Basin Plan**

The Country Mayors association to organize a meeting on the afternoon of 6 March 2020 following the Country Mayors meeting with invitations being extended to Minister for Water, Water NSW, and Commonwealth Water Environmental Holder and others

**13. Disaster Hardship Provisions**

RESOLVED That Country Mayors write to the Minister for Environment, the Honourable Matt Kean, and the CEO of Essential Energy, asking them to review the hardship provisions in terms of bushfire and other disaster affected properties, to ensure continuity of service to rural communities and easing the related infrastructure-replacement financial burden on residents affected by disaster. and a copy of the letter be forwarded to members and the Insurance Council (Kyogle Council/Tenterfield Shire Council)

**14. FAG Grants Guest Speaker**

Chair of NSW Grants Commission, and Tim Hurst Office of Local Government be invited to a future meeting to discuss Minister Coultons remarks regarding FAG grants

There being no further business the meeting closed at 12.50pm.

Cr Katrina Humphries  
Chair – Country Mayor’s Association of NSW

**7. URGENT, SUPPLEMENTARY AND LATE ITEMS OF BUSINESS**

**8. WRITTEN REPORTS FROM DELEGATES**

To be received at the Meeting.

**9. MAYORAL MINUTE**



## MAYORAL MINUTE

26 November 2019

**MAYORAL MINUTE**

# MAYORAL MINUTE

26 November 2019

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## **Mayor's Recommendation:**

That the Mayoral Minute be received and noted.

## **2019 Local Government NSW Conference, Warwick Farm, Liverpool 14 – 16 October, 2019.**

Over 700 delegates attended this year's conference and Innovation is the theme for 2019. This year marks the 7th LGNSW conference with the important policy setting forum as motions adopted will set the advocacy agenda for the coming year. There were 126 motions put forward at conference.

Liverpool is Australia's fourth oldest settlement, built on its indigenous heritage and welcomes people from 150 cultures – all living in harmony.

### **Monday 14 October**

#### **Workshop – Understanding and Measuring Social Impact**

**Dr Jack Noone, a Research fellow at the Centre for Social Impact (CSI) working in outcome evaluation across a wide range of projects.**

Jack Noone is a former sheep farmer from Central Otago, New Zealand.

He spoke about understanding what social impact is and how to measure social impact.

What is social impact?

How does it differ from and outcome.

What is an output?

Social impact is -: The intended and unintended social consequences, both positive and negative of planned intervention (policies, programs, plans and projects) and any social change processes by those interventions.

An outcome is -: The changes that occur in attitudes, values, behaviour or conditions as a result of an activity (example – a program)

An output is -: The direct products or services resulting from your product intervention activities.

Presentation plan – Dr Noone said, “ I will take you through the process of outcomes and social impact measurements. You may feel overwhelmed and slightly deterred. I will introduce CSI 's Amplify Social Platform, the free solution to your measurement problems. You will free great again.

There are seven points for the Presentation plan-:

Clarify what you are doing.

Plan for measurements.

Clarify your program model.

Develop and outcomes framework.

Data collection and monitoring.

Evaluation of collected data.

Communicating impact and implementing change

Clarify what you are doing.

The Eco-system you work within to address your problem systems have many agents and levers within them.

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Where does your organisation sit within the Eco-system -:

Influence, Who you work with, Levers, barriers and opportunities, Feedback loops.

Know your visions and goals. Goals of the program should be aligned with the vision and missions of the organisation.

Vision – statement of the organisation’s overall ideal.

Mission – the business of the organisation.

Goals – long term aspirations.

Recognise whether you need to measure outcomes.

Don’t measure for the sake of measuring.

Do the benefits outweigh the cost?

Is it mandatory?

Is the organisation ready for measurement -:

How likely is that the program will achieve outcomes?

Is it adequately resourced?

Planning for measurement, prepare the ground.

Understand the need for measurement and foster a culture of measurement -:

An organisation with a strong measurement culture engages in self-evaluation, self-reflection and self-examination.

What happens if there is not a good measurement culture.

Know who is engaged (or will be engaged) in your program and in measurement and in what capacity.

Stakeholders are those who affect or are affected by an activity.

We need to know who they are and what their role will be.

The roles, interests and needs of your identified stakeholders need to be understood.

Roles -: Data collection, collection or analysis, decision making, advice and co-ordination.

Priorities and Interests -: Financial, knowledge, funder.

Needs -: unobtrusive, informative, rigour.

Putting users at the centre -:

Advisory group members.

Program design/evaluation design.

Champions.

Unlock your resources. What do you have and what do you need -:

Data – what is being collected already – Admin data, will this be enough.

Data collectors – Front line staff, volunteers, champions.

Data analysis – External or internal.

Funding – How much and for how long.

Time – will there be enough.

Program planning, getting started.

Establish your theory of change.

A theory of change is an explicit theory or model of how a program will achieve the intended or observed outcome.

Unlike a program logic, the theory of change should incorporate the evidence, enablers, barriers and assumptions.

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Develop an outcome framework.

Develop evaluation questions and prioritise outcomes.

A framework is a way of organising ideas. They capture something real, in a way that is easy to remember and apply.

It's a set of instructions.

Your theory of change will inform your evaluation questions -:

Has an outcome changed?

To what extent was the program responsible for change?

Were the results the same or different across the sub groups?

What was the cost benefit?

Prioritising outcomes – you can't measure everything.

Develop an Outcome framework.

Develop indicators.

Identify appropriate tools/scales/measures to access change in your prioritised outcomes.

Valid – likert scale type questions (subjective)

Derived from administration type questions.

We analyse CHANGE in these indicators over time.

Data collection and monitoring.

Quantitative and qualitative designs.

Quantitative can be counted, as it's numerical.

Qualitative is unstructured, not ordered or grouped logically.

Numbers versus text (survey/admin data versus interviews)

Generalisation versus detail.

Approach depends on your evaluation questions.

Methods, interviews, focus groups, observation (example – good survey 10-15 questions, at the most)

Evaluation of collected data.

Assessing change in outcomes with statistics.

Statistics are great but participant's accounts can be extremely persuasive.

Communicating impact and implementing change.

Communicating impact – internal and external.

In reporting findings consider -:

Accuracy, balance and fairness.

Level of detail.

Technical writing style.

Appearance in publication.

What does this mean for program design – design/ tailor made for your audience/survey recipients.

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## **Workshop**

### **Key changes to the Model Code of Conduct.**

Important to note that Model Code of Conduct applies to both in meetings and outside the meeting environment.

New standards relating to Discrimination and Harassment, Bullying, Work Health and Safety, Behaviour at Council Meetings and access to information and maintenance of Council records.

New rules governing the acceptance of gifts, including mandatory reporting – following recent ICAC recommendations.

Pecuniary interest provisions removed from the Regulations and inserted into the Model Code.

New ongoing disclosure requirements for Councillors and Designated persons requiring Disclosure of New Interests in returns of interest within three months of becoming aware of them.

### General Conduct obligations – Part 3

These are the Minimum standards of conduct expected by Council officials.

The conduct standards are contained in Part 1 of Chapter 14 of the Local Government Act, 1993 which deals with the Honesty and Disclosure of Interests.

Prohibits conduct which is contrary to Council's policies is improper or unethical, is an abuse of power or involves intimidation or verbal abuse.

### Bullying

The obligation NOT engage in bullying behaviour towards others mirror the anti-bullying framework in the Commonwealth Fair Work Act 2009.

Bullying behaviour may be behaviour which is -:

Aggressive, Threatening or Intimidating.

Belittling or Humiliating, Spreading Malicious rumours.

Be Offensive or Inappropriate.

### Conduct at Meetings.

Meetings must be conducted in an orderly and respectful way and decisions must be fully informed.

Decisions must be made in the best interest of the Community.

You must comply with rulings by the Chair.

You must not Bully the Chair, Councillors or members of the public.

Inappropriate Interactions with Staff, Part 7.

Councillors MUST NOT -:

Influence or Direct Staff in the performance of their duties.

Contact Staff to discuss SPECIFIC or OPERATIONAL MATTERS.

Contact Planning Panel Members to discuss a Development Application.

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Threaten or Pressure Staff.

Attend on-site inspections with lawyers or consultants engaged by Council in relation to legal proceedings unless permitted to do so by the General Manager. The Mayor may attend such meetings in the exercise of his/her functions under Section 226 of the Local Government Act.

Any interaction MUST be with the General Manager's approval.

## **Tuesday 15 October.**

### **President of Australian Local Government Association (ALGA) Mayor David O'Loughlin.**

Thanked LGNSW for the invitation to attend.

Acknowledged the work of LGNSW President, Linda Scott.

Acknowledged the work of Local Government in NSW.

Acknowledged the work of Mayors, Councillors and Staff.

Acknowledged Communities effected by drought and bushfires.

To date, no growth in Financial Assistance Grants (FAGS)

Roads to Recovery funding increased and continued.

Black Spot and Bridges Renewal program funding increases.

Current issues with recyclables in NSW and Australia.

Population growth – Local Government involvement in planning for infrastructure re same.

Lack of specialist trades persons for Rural Councils.

Regional development and regional settlement.

State of the economy, facing serious economic uncertainty.

Drought assistance for Councils.

Call for fairer share for Local Infrastructure -:

Local Councils are responsible for 33% of public infrastructure, including 75% of roads but only raise 3.6% of taxes. 3.6% of the tax take is not adequate funding. There is currently a \$30 billion infrastructure back log and this is going to continue to grow. To meet productivity and safety requirements, all Communities are vulnerable if the back log is not addressed.

### **Address by LGNSW President, Linda Scott.**

Welcomed delegates to the conference.

Acknowledged and thanked Mayor Wendy Waller of Liverpool City Council as host this year.

Thanked the work of all 129 Councils in NSW.

This year's theme -: Innovation.

The past 12 months being action packed with both State and Federal elections. LGNSW with a number of advocacy wins, illustrating the power of Local Government, acting together on issues facing all communities.

Securing an increase of \$60 M in library funding, reversal on the Emergency Service levy, with NSW Government announcing it will cover the first year of the price hike for all Councils and finally securing the release of three long-awaiting IPART reports (including the rating review) – documents critical to the future sustainability of Local Government in NSW.

There are a number of advocacy projects by LGNSW at the moment.

Thanked Councils for the 126 motions in the Business papers.

Thanked the LGNSW Board members and staff.

Thanked all the sponsors for this year's conference.



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**Wednesday 16 October.**

**Ellen Fanning MC**

**LGNSW President, Linda Scott.**

Thanked delegates for addressing all 126 motions yesterday in a professional, respectful manner.

Recycling issues - we need to look at waste as a product, not a problem.

WARR strategy (Waste Avoidance Resource Recovery)

Waste levy. Current Waste levy generates \$800 M per year.

Need for new markets for problem waste (recyclable content)

Individual Councils need to shape a vision for waste issues.

Different requirements and issues for City/Metro and Country Councils.

Awaiting report for 20 year Waste strategy (currently with Government)

Waste – Education, Innovation and Investment.

Looking at a State wide Waste campaign –:

Raise awareness of the importance of recycling.

Re-invest Waste levy funds back onto Councils.

Utilise recycled materials.

Recycling encourages employment.

Make waste a profit, not a problem.

**James O’Loughlin.**

**Broadcaster, Author, Innovation expert.**

**Best known for hosting the ABC show – New Inventors.**

Barriers in Innovation -:

I’m too busy – need to prioritise, need to make time, form a habit.

I’m not innovative – yes you can be.

Identify opportunities for innovation – even when something isn’t perfect.

Look at processes and systems.

Interact with people, even when customers get frustrated

All problems are opportunities to be innovative.

Habitual thinking -:

Look outside the box, look with fresh eyes.

Question everything you do.

Challenge your assumptions.

Analyse your data.

Think like a customer -:

Interact with your business like a customer.

What else do your customers want?

What do you want your customers to do?

It’s just too hard, it is meant to be hard.

Fear of failure – success comes from overcoming failure.

Make sure that you value your ideas.

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## **Linda Scott, LGNSW President.**

Enjoyed visiting all 129 Councils in NSW.

LGNSW advocates for you – NSW Councils.

Funding wins – Library campaign, Stronger Country Communities funding, Planning reform and much, much more.

## **Paul Hawkins.**

### **Founder and Chief Combobulator, Crazy Might Work.**

Disruptive by design, a collaborative approach to solving wicked problems.

He gave an example of an MRI machine at hospital his company was involved with.

A very scary experience for young children to undertake.

A hospital came up with an idea to change/paint an MRI machine to look like a Pirate ship.

This transformed the whole experience for children, who actually enjoyed the MRI scan without being scared.

He spoke on innovation and technology with drones, telephone apps and artificial intelligence.

He spoke about an alternative approach for problems and mindset and tool kit for wicked problems using innovation and methodologies.

Crazy Might Work want to build your innovation capability and not your dependency on us. We can do this in three phases -:

Experience, Embedded and Extend.

Don't have too many experts as the answer/solution may be pre-determined.

For adults, top 10 for life's most stressful events and their life change unit scores are -:

1. Death of a spouse (or child) 100
2. Divorce 73
3. Marital separation 65
4. Imprisonment 63
5. Death of a close family friend 63
6. Personal injury or illness 53
7. Marriage 50
8. Dismissal at work 47
9. Marital reconciliation 45
10. Retirement 45

## **Panel Session**

### **Innovation Spotlight.**

#### **Kiersten Fishburn, CEO – Liverpool City Council.**

##### **Smart City – Walkable City.**

Spoke on project with Liverpool City Council relating to tracking technology, sensors utilised to count and monitor vehicles and pedestrians. This technology is also used to monitor air quality data.

This data helps to assist with planning for footpaths, roads, parks and reserves.

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## **Shelley Oldham, General Manager – Lismore City Council.**

Lismore City Council had an issue with excess glass bottles. 13,000 ton glass stock pile. Council utilised their engineers and waste management staff and began negotiations with surrounding Councils and businesses to source further glass material. As a result they commenced a glass crushing facility and utilised the end mixed with concrete on the Pacific Highway used as shoulder pavement for some sections.

## **Tony Farrell, Deputy CEO – Lake Macquarie City Council. Smart beaches project.**

He spoke on his Council, neighbouring Councils and University of Sydney using technology and sensors to monitor surf conditions, tidal information and number of beach patrons. Beaches include -: Red Head, Blacksmiths, Caves and Catherine Hill Bay. This area attracts approx. 1.5 M visitors per year. 249 persons drowned in waterways in Australia during 2017/2018. The aim of this technology is to make beaches smarter, safer and better.

## **Rebel Thomson – Namoi Unlimited. China project.**

2017 China visit by 7 local Mayors from Namoi. Looking at the scale and capacity for Innovation, Investment and Agriculture. China have more markets, more people and more business. National global commodities. Forging partnerships. 2019 Business delegation to China with local regional business leaders, generating interest from both sides, Australia and China with investment opportunities ongoing.

## **Sue Weatherly, Director – City Strategy and innovation – Georges River Council. Future Visions.**

She spoke on Smart city place, smart street furniture and smart public places. Working together with Council and the Community. Smart furniture in public places, parks with USB portals, WIFI. Smart waste bins with sensors to detect content of the bin, when it needs to be emptied. Smart Asset Management information with technology. Project – Chill out hub at Kogarah.

## **James Vidler – Smart City Analyst – City of Newcastle Council. Smart City Strategy.**

During recent road works in town CBD area, fibre network and smart pipe lines were installed under new roadway network as well as smart power pole technology. Looking at the ground up approach. Using technology to enhance the community. Communication/ updates with community regarding smart technology systems. Education with young people. One project involved young persons making their own sensors to check and monitor air quality. There are many more thoughts and ideas for future projects.

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## **Chris Riddell – Global Futurist.**

The future is the re-invention of everything.

He spoke about the wave of change.

Our future – Frictionless, Fast and Fluid.

Future shopping – walk in, shop, walk out – they is no need for check outs, all items paid via mobile phone app – simple. This is happening now.

Trust in crisis – truth becomes a service.

Financial sector – is the least trusted business at the moment.

Future – is digital, cognitive, artificial intelligence and most importantly – human. He gave an example of a phone app – WAZE which gives you road traffic conditions, break downs, merging traffic, traffic lights, accidents ahead and more.

Big data means big value.

Technology – is our new addiction, our new drug.

Driverless vehicles, self-flying drones.

Technology is redefining our health.

## 10. REPORTS OF COMMITTEES



### REPORT OF COMMITTEE

<b>Department:</b>	<b>Corporate Services</b>
<b>Submitted by:</b>	<i>Executive Manager Corporate Services</i>
<b>Reference/Subject:</b>	<b>Report 1 – Report of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019</b>

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.2	An effective and efficient organisation
<b>Strategy:</b>	4.2.6	Identify and manage risk associated with all Council activities and ensures a safe and healthy work environment
<b>Activity:</b>	4.2.6.1	Develop and incorporate a risk management framework which is effective and accessible
<b>Action:</b>	4.2.6.1.3	Facilitate regular meetings of the Audit, Risk and Improvement Committee

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#### SUMMARY:

This report provides the confirmed minutes and recommendations of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 for determination by Council.

#### OFFICER'S RECOMMENDATION:

1. That Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 at Attachment A.
2. That Council note the Motion as made by the Committee relating to Report 1 - Enterprise Risk Management Progress Report:
  - a. That the Audit, Risk and Improvement Committee note to Council the current status and progress of Councils enterprise-wide risk management framework and workplace safety system, and future actions to be undertaken.
3. That Council note the Motion as made by the Committee relating to Report 2 - Risk Management Action Plan (July 2018 - June 2019):
  - a. That the Audit, Risk and Improvement Committee recommend that Council note the proposed improvement /actions plans resulting from the StateWide Mutual 'Continual Improvement Pathway Workbooks'.

**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

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Prepared by staff member: Gabrielle Stratton, Acting Senior Executive Officer  
TRIM Reference Number: UINT/19/5926  
Approved/Reviewed by Manager: Susie Glasson, Executive Manager Corporate Services  
Department: Corporate Services  
Attachments:  
    A. Confirmed Minutes of Audit, Risk and Improvement  
        Committee Meeting held 6 August 2019  
    B. **Confidential** – Report to Committee - Enterprise Risk  
        Management Progress Report and Attachments  
    C. StateWide Mutual Continual Improvement Pathway  
        Workbooks



## MINUTES

# Audit, Risk and Improvement Committee Meeting

6 August 2019, 2:00pm, Council Chambers

### **Members (voting):**

Mr Michael O'Connor – Independent External Member (Chair)  
Ms Deborah Creed – Independent External Member  
Mr Paul Packham – Independent External Member  
Cr Tara Toomey

### **Apologies**

Cr Bob Crouch

### **Attendees (non-voting):**

Mr David Aber – Acting General Manager  
Mr Simon Paul – Chief Financial Officer  
Ms Elisabeth Brown – Acting Coordinator Governance and Risk

### **Observers**

L Mascord (Minute clerk)

### **1. Meeting Open**

The Chair declared the meeting open at 2:00pm

### **2 Acknowledgement of Country**

The chair acknowledged Country and Elders past and present

### **3 Apologies, Requests for Leave of Absence and Observers**

- 3.1 The Chair acknowledged the apology of Cr Bob Crouch
- 3.2 The Chair acknowledged the presence of Lisa Mascord as Minute taker
- 3.3 The Chair advised there were no requests for leave of absence

### **4 Quorum Confirmation**

The Chair confirmed there was a Quorum

### **5 Disclosure and Declarations of Interest**

5.1 The Chair M. O'Connor disclosed he is member of the Armidale Regional Council Audit and Risk Committee, the Tamworth Audit and Risk Committee and the Walcha Council Audit and Risk Committee.

5.2 D. Creed disclosed she is a member of the Walcha Council Audit and Risk Committee.

## 6 Confirmation of Minutes and Business Arising

6.1 Minutes from the 16 April 2019, Audit, Risk and Improvement Committee:

**MOTION (M. O'Connor/P. Packham) CARRIED**

**That the committee confirm the minutes as a true and accurate record of the committee Meeting held on 16 April 2019.**

6.2 Business Arising

T. Toomey noted the Internal Audit Function was agreed at council and requested an update:

Mr Paul advised that applications had been sought by Armidale Council but no candidates were appointed due to applicants withdrawing from the process. Deborah Creed suggested professional audit companies may be appropriate for shared internal audit. Mr Aber advised he would raise the matter at the next joint organisation meeting.

## 7. Reports

7.1 Explanation of the Agenda presented by Elisabeth Brown

Ms Brown explained that Mr Fletcher (Risk Management and Safety Officer (RMSO)) has left the Council and the Business Paper provides an update of the Audit and Risk activity within council.

7.2 Report 1 - Enterprise Risk Management Progress Report

P. Packham provided the following feedback:

- That the handover document did not constitute a list of actionable items with budgets, resource allocations or timeframes therefore the Officers recommendation be amended from:

*That the Audit, Risk and Improvement Committee note and recommend to Council the current status and progress of Councils enterprise-wide risk management framework workplace safety system, and future actions to be undertaken.*

and changed to

*“That the Audit, Risk and Improvement Committee note to Council the current status and progress of Councils enterprise-wide risk management framework and workplace safety system, and future actions to be undertaken.”*

**MOTION (P. Packham/T. Toomey) CARRIED**

**That the Audit, Risk and Improvement Committee note to Council the current status and progress of Councils enterprise-wide risk management framework and workplace safety system, and future actions to be undertaken.**

M. O'Connor provided the following feedback:

The Motor Vehicle Accident Incident Report would normally include the requirement that the driver of the vehicle make a declaration that they had not consumed alcohol or drugs within the last 24 hours. It is recommended that this be investigated and the form updated if this is now a requirement.



7.3 Report 2 - Risk Management Action Plan (July 2018 - June 2019)

7.3.1 P. Packham provided feedback:

- in regards to the \$10,797.30 refund on the insurance premium. Could this be expressed as a percentage of the total cost of the premium? (3.94% based on GST exclusive premiums of \$274,353)
- Attachment B Did not contain a lot of evidence or comment and inadequate detail in the commentary evidence field

7.3.2 Ms Brown responded that the Workbook reflected much work to be done by council to address outstanding matters and further progress updates to be requested from the Director Infrastructure and Development. The workbooks and progress are reported to Statewide Mutual.

7.3.3 P. Packham provided the following feedback;

- Wording needed to be improved to be more indicative of risk and controls
- A date column should be added to the work book to show currency and if possible 'traffic lights' added

**MOTION (M. O'Connor/D. Creed) CARRIED**

1. That the Audit, Risk and Improvement Committee note the current status and progress of the Risk Management Action Plan 2018-2019 , including ' Continual Improvement Pathway Workbooks' proposed improvements/actions to be considered for implementation in the 2019/20 financial year.
2. That the Audit, Risk and Improvement Committee recommend that Council note the proposed improvement /actions plans resulting from the StateWide Mutual 'Continual Improvement Pathway Workbooks'.

7.4 Report 3 – Internal Audit Actions Progress Report

7.4.1 Mr Paul responded to the Recommendations in the Internal Audit report provided by Centium, noting progress to date and actions outstanding to be addressed as priority.

7.4.2 M. O'Connor provided the Feedback on Petty cash:

- Collection from the patient transport section.
- In regard to vehicles used by the Tamworth based Oxley Community Transport. The agreed cost of transport was provided to the patient on booking of transport and the sum was noted on drivers pick up list.
- That collection and accounting for cash transactions from the Patient transport section had not been noted as a potential risk and needed to be re-examined

ACTION: Mr Paul to review the TCT cash management process/policy.

7.4.3 P. Packham provided the following feedback:

- That responses to the Internal Audit process and progress reports be provided to the ARIC committee on a six monthly basis, to April and October meetings

- 7.4.4 D. Creed provided the following feedback:
- that the policies on Procurement and tendering needed to be finalised as procurement posed a significant risk to Council
- 7.4.5 P. Packham provided the following feedback:
- That procurement and tendering could be separated into two separate policies.
  - Recommended actioning the most complete policy as soon as possible.
  - Depending on the costs and the items some procurement may be combined into an amount that requires tendering rather than procurement.
- 7.4.6 D. Creed provided the following feedback:
- Not all organisations have the in house competency to run a procurement process. Therefore the procurement and tendering process can become an external process.
- 7.4.7 T. Toomey provided the following feedback:
- In regards to Item 4 Procurement and Tendering (page 130/175); that the internal and external Auditor's recommendations (page 159/175) were inconsistent. The Internal Auditor suggested further action was required on the procurement provisions but the external auditor recorded that Nil action was required on the part of Council in regard to Item 4 Procurement and Tendering.
  - The current policy for procurement and tendering need to be removed from the website as it is in conflict with the council resolution made at the October 2018 ordinary meeting.
- 7.4.8 ACTION: Mr Paul to provide clarification regarding Item 4 status.

**MOTION (M. O'Connor/P. Packham) CARRIED**

1. That the Audit, Risk and Improvement Committee note the update report given by the Chief Financial Officer, Mr Simon Paul on Internal audit actions to be undertaken as per Attachments A and B.

The Chair adjourned the meeting at 3:15pm to provide a brief break.  
The meeting resumed at 3:20pm.

**8. Confidential Business**

8.1 Confidential Report 1- Audit Office of NSW Management Letters – Year Ended 30 June 2019

**MOTION (T. Toomey/D. Creed) CARRIED**  
That the meeting move into confidential session.

**MOTION (Cr Toomey/D. Creed) CARRIED**  
That the meeting move out of confidential session.

The committee noted the report and requested that a summary of audit reports and actions/progress responses be updated and provided on a summary spreadsheet to the next ARIC meeting and then six-monthly updates (April/October meetings).

**MOTION (Cr Toomey/P. Packham) CARRIED**

**ARIC recommends that a future internal audit program include an audit associated with the procurement process.**

#### **9. Next Meeting**

The next meeting is scheduled for 15 October 2019, 2:00pm, Council Chambers, Uralla Shire Council.

#### **10. Meeting Closed**

The Chair declared the meeting closed at 3:42pm.

## 8. REPORTS



# REPORT TO AUDIT, RISK & IMPROVEMENT COMMITTEE

<b>Department:</b>	<b>Corporate Services</b>
<b>Submitted by:</b>	Matthew Fletcher - Risk Management and Safety Officer
<b>Reference/Subject:</b>	<b>Report # 1 - Enterprise Risk Management Progress Report</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.2	An effective and efficient organisation
<b>Strategy:</b>	4.2.6	Identify and manage risks associated with all Council activities and ensure a safe and healthy work environment and workforce
<b>Activity:</b>	4.2.6.1	Develop and incorporate a risk management framework which is effective and accessible
<b>Action:</b>	4.2.6.1.1	Develop a workplace safety system.
	4.2.6.1.2	Finalise development of an enterprise wide risk management framework.
	4.2.6.1.3	Facilitate regular meetings of the Audit, Risk and Improvement Committee.
	4.2.6.1.4	Facilitate an annual internal audit program.

### SUMMARY:

This report outlines the progress of the development and implementation of both Uralla Shire Council's enterprise wide risk management framework and workplace safety system, and future actions to be undertaken.

### OFFICER'S RECOMMENDATION:

- 1. That the Audit, Risk and Improvement Committee note and recommend to Council the current status and progress of Council's enterprise wide risk management framework and workplace safety system, and future actions to be undertaken.**

### BACKGROUND:

Council's Risk Management and Safety Officer (RMSO) commenced on the 13 November 2017. Since this time the RMSO has begun to develop and implement:

- Council's enterprise wide risk management framework based upon the Australian/New Zealand standard AS/NZS ISO 31000:2009 (now 2018) Risk Management - Guidelines; and
- Council's workplace safety system based upon the Australian/New Zealand standard AS/NZS ISO 4801:2001 Occupational health and safety management systems - Specification with guidance for use.

### REPORT:

This report provides an update on the current status and progress of Council's enterprise wide risk management framework and workplace safety system, and future actions to be undertaken.

## **Develop a Workplace Safety System**

### **1. Review of Work Health and Safety (WHS) Committee Constitution.**

In accordance with the *Work health and Safety Act 2011* 'work groups' have been established at Council, with Health and Safety Representatives elected/appointed by their fellow workers within these work groups to represent them on WHS matters.

In order to regularly consult with its workers via their HSRs Council has established a Workplace Health and Safety Committee (WHS Committee) as the platform to undertake regular consultation. The WHS Committee is governed by the 'Workplace Health and Safety Committee Constitution', that was agreed upon by the WHS Committee.

The appointment to Council of a Risk Management and Safety Officer has seen him take on relevant duties involved with the WHS Committee such as communicating with the Chair of the Committee to set meeting Agenda's etc. This duty was previously done by a member of the HR Services Group. Changes within the Constitution were made to reflect the change of responsibilities from the HR Services member to the Risk Management and Safety Officer.

Other changes were made to align with the WHS regulation 2017, an example being that HSR's could be removed from the WHS Committee by their work group peers but not by Council itself.

WHS Committee members were given the opportunity to review and give comment on the draft WHS Committee Constitution.

An extensive review with commentary was undertaken by the Human Resources Officer, to which the Risk Management and Safety Officer gratefully acknowledged and adopted the majority of suggested changes. The WHS Committee Chair reviewed and was in agreement with changes made from both the Human Resources Officer and Risk Management and Safety Officer.

The WHS Committee Constitution was reported to the Executive Team for approval and was endorsed by the General Manager.

### **2. Major Review of Work Health and Safety (WHS) Policy 2014.**

The existing WHS policy was *ultra vires* as it included many in-corrections such as:

*"The elected representatives of Uralla Shire Council, under the terms of the Work health and Safety Act 2011, are considered to be 'conducting a business undertaking'"*.

Subdivision 2, Section 5 of the *Work health and Safety Act 2011* states that:

*'An elected member of a local authority does not in that capacity conduct a business or undertaking'.*

The WHS policy was rewritten and the Policy: Work Health and Safety 2019 was approved at Council's meeting on 23 April 2019 (Resolution: 15.04/19).

### **3. Manual: Work Health and Safety 2019**

The Manual: Work Health and Safety 2019 is the overarching framework and Work Health and Safety Management System document that underpins the Policy: Work Health and Safety, and outlines how Uralla Shire Council intends to accomplish providing a safe place of work and safe systems of work for its workers; being its staff, contractors, labour hire staff, volunteers, and visitors. The manual outlines the responsibilities of persons at Council to ensure legislative responsibilities and duty of care.

The Manual: Work Health and Safety 2019 has been drafted and needs a final review to then be progressed through to the Executive Management Team for approval.

#### **4. Procedure: Working in Isolation and Duress Incident Response – Library 2018 & Procedure: Working in Isolation and Duress Incident Response – Visitor Information Centre 2018**

The NSW *Work Health and Safety Act 2011* (the Act) and the NSW *Work Health and Safety Regulation 2017* (the Regulation) requires Uralla Shire Council to protect workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from specified types of substances or plant at the workplace.

Clause 48 of the Regulation specifically addresses working in isolation and that 'A person conducting a business or undertaking must manage risks to the health and safety of a worker associated with remote or isolated work' and 'must provide a system of work that includes effective communication with the worker'.

The 'Code of Practice: Managing the Work Environment and Facilities' (the COP) was approved as a Code of Practice under section 274 of the Act. The COP is a practical guide to assist in compliance, and in achieving the standards of health, safety and welfare required under the Act and the Regulation in regard to particular subject matters.

The COP states that 'Working alone or remotely increases the risk of any job. Exposure to violence and poor access to emergency assistance are the main hazards that increase the risk of remote or isolated work' and acknowledges that a person may be isolated even if close to people and that remote and isolated work includes health and community workers working in isolation with members of the public.

In order to protect its workers Council has installed closed-circuit television and duress systems at Uralla Library and Uralla Visitor Information Centre (VIC) as a means of communication, emergency response and the monitoring of the health and safety of its workers whom are working remotely and/or in isolation.

Procedural documents for the Library and VIC have been developed and approved that outline the actions and processes to be undertaken when working remotely/in isolation and in the event of a duress incident occurring.

#### **5. Hazard Identification, Risk Assessment & Controls (HIRAC) Form**

A HIRAC Form (Attachment A) has been developed and presented to the WHS Committee in consultation at the Committee's meeting on 22 February 2018 and is being trialled.

#### **6. Incident Reporting Forms**

Incident reporting forms have been developed for:

- NEAR MISS/INCIDENT/HAZARD REPORT FORM (Attachment B). This form is not injury as HR services have their own reporting forms for injuries, with all injuries being reported to HR Services. The RMSO has no vision of injuries that are workers compensation related;
- VEHICLE-PLANT ACCIDENT/DAMAGE/INCIDENT REPORT FORM (Attachment C); and
- PUBLIC LIABILITY INCIDENT REPORT FORM (Attachment D).

These forms were presented to the WHS Committee in consultation at their 13 December 2018 meeting and are being trialled.

## **7. Safe Work Method Statement (SWMS), and Safe Operational Procedure (SOP) Template Forms**

The Work, Health and Safety Regulation 2017 requires that certain high risk work tasks, such as electrical work on energised electrical equipment and high risk construction work are carried out in accordance with a SWMS. Under the WHS Regulation a SWMS must:

1. Identify the work that is high risk work;
2. Specify hazards relating to the high risk work and risks to health and safety associated with those hazards;
3. Describe the measures to be implemented to control the risks; and
4. Describe how the control measures are to be implemented, monitored and reviewed.

As part of the development and implementation of Council's Work Health and Safety Management System, SWMS are being reviewed and developed by the Risk Management and Safety Officer in consultation with workers. In addition to the content of SWMS, the template and layout for SWMS has also been reviewed, and it was found necessary to remove unessential and/or irrelevant information that was not required upon the SWMSs in order for them to be of less pages and to give just simple and concise information on how a work process and/or system of work is to be undertaken to protect the health and safety of workers, and in some cases workers plus the general public.

An example of unessential information was a risk matrix, and risk ratings, which are not required within a SWMS. SWMS are not used for assessing risk, rather they give instruction to workers on what needs to be undertaken to protect themselves and others from hazards whilst undertaken high risk work that has been cited as high risk work in legislation.

Safe Operational Procedure Template for tasks that are not high risk has also been developed based upon the SWMS format though the title bar and footer of the SOP are orange, whereas the title bar and footer of the SWMS are in red.

The SWMS template was presented to the Executive Team at their meeting on the 8 March 2019. Minor adjustments were made after review by the Executive Team. A Safe Operational Procedure Template for tasks that are not high risk has also been developed based upon the SWMS format though the title bar and footer of the SOP are orange, whereas the title bar and footer of the SWMS are in red.

## **8. Policy: Asbestos 2019**

Council's Enterprise Risk and Work Health and Safety (WHS) management systems and supporting framework is being progressed and it is noted that Council does not currently have a policy for the management of any potentially identified asbestos.

The "Model Asbestos Policy for NSW Councils" has been developed by the Office of Local Government in conjunction with relevant agencies to ensure that councils meet their legislative requirements and obligations in regard to the management of asbestos, as both an organisation and as a regulator under the applicable legislative framework. As an organisation Uralla Shire Council (Council) has responsibilities on, but not limited to:

- How it protects its workers from asbestos;
- How it disposes of asbestos; and
- May play a role in how asbestos containing materials are cleaned up after an emergency or incident.

As a regulator Council has responsibilities regarding asbestos on, but not limited to:

- Derelict buildings containing asbestos;
- Asbestos contaminated/polluted lands; and
- Approval of demolition and/or developments where asbestos issues exist.

The Policy: Asbestos 2019 is complete and prepared in accordance with the model policy under section 23A of the Local Government Act 1993. Specific procedures for Council workers dealing with asbestos will be outlined in Council's in-house documents including Safe Work Method Statements (SWMS).

All hyperlinks, addresses, phone numbers and cited legislation in the Policy: Asbestos 2019 has been updated and is current. The policy needs to be progressed in a report to Council to be approved.

## **9. Asbestos Registers**

Since the inception of the Occupational Health and Safety Regulation 2001, it has been a requirement for 'employers' being 'Persons Conducting a Business or Undertaking' (PCBU), to have asbestos registers in place for those assets of Council containing or assumed of containing asbestos or asbestos containing material (ACM). The introduction of the Work Health and Safety Act 2011 and its underpinning Regulation not only requires that asbestos registers are in place but also that those assets containing or assumed of containing asbestos or ACM have asbestos management plans in place to appropriately manage the asset and reduce risks to the health and safety of workers where asbestos or ACM is present.

A search of Council's TRIM database and S: drive identified that only one asbestos register being 'Asbestos Register - Council Chambers - 1 December 2015' was present, being part register and safe working procedure.

No officer of Council has been allocated responsibility for asbestos registers and/or asbestos management plans for Council's assets. Previous enquires of the RMSO to his former managers on the matter resulted in the RMSO being informed that asbestos registers and/or asbestos management plans were not his responsibility, as he was not responsible for assets.

In order to reduce risk to Council RMSO whilst carrying out site visits for other risk management related projects being (i.e. Signs as Remote Supervision), has been undertaking inspections of assets for asbestos and ACM, taking photographs of identified/assumed asbestos or ACM and compiling into asbestos registers in a format as recommended by SafeWork NSW in its Code of Practice - How to manage and control asbestos in the workplace.

At Council's Executive Team meeting on the 4 June 2019 Council's RMSO was actioned to continue with the identification of asbestos within Council's assets and to compile asbestos registers. The RMSO through training, qualification and experience, has the knowledge and skills to carry out the task to identify asbestos and/or ACM.

It must be noted that it appears that other Council's may also not be compliant with Legislation as Daniel Adler, Local Government NSW's Project Manager - Asbestos Policy, is currently seeking interest from persons within Local Government to participate in LGNSW Asbestos Registers and Asbestos Management Plans Working Group. A summary of the actions arising from the first meeting can be found at Attachment B. Though Council's asbestos registers are progressing once completed Council will need to implement asbestos management plans, so it may be of benefit of Council for the RMSO to participate in the workshops being conducted by Local Government NSW.

Inspections undertaken to identify asbestos or ACM thus far include:



Assets Containing Asbestos/ACM	
Asset	Comment
Council Chambers Shelter	Corrugated asbestos/ACM identified in gable and asbestos/ACM sheeting used in ceiling.
Fuller Park (1970s)	Asbestos/ACM identified in bus stop shelter.
Hampden Park Amenities	Asbestos/ACM identified in toilet cubicle partitions in ladies toilets.
Rotary Park Amenities	Asbestos/ACM identified in ceiling, eaves and partition.
Rotary Park Table Setting	AC Sheeting used underneath roof tiles.
Uralla Caravan Park Amenities	Asbestos/ACM identified in ceiling and eaves.
Uralla Caravan Park 'Old Ticket Office' Hut	AC Wall Sheeting identified in gable and ceiling
Uralla Courthouse Stables	AC Wall Sheeting external western side.
Uralla Sports Centre (1970's)	Asbestos/ACM identified in eaves. Internal inspection of building required.
Uralla Swimming Pool	Asbestos/ACM identified in eaves. Internal inspection of building required.
Bundarra Library	Walls of and ceiling of rear enclosed veranda. Further inspection required.
Uralla Tennis Club Building (1984)	Asbestos/ACM identified in eaves. Internal inspection of building required.
Works Depot	Testing has confirmed stores/workshop and lunchroom/amenities contain asbestos/ACM.
Courthouse Stables	AC sheeting on front walls.

Assets Not Containing Asbestos/ACM	
Asset	Comment
Alma Park Amenities	New construction of steel and concrete.
Bundarra Lions Park (Emu Crossing) Amenities	Brick construction with concrete roof.
Bundarra Caravan Park Amenities	Brick construction with concrete roof.
Kentucky Reserve Amenities	Wood Construction.
Kingstown Park Amenities (Off RFS Shed)	Refurbished.
McMaugh Gardens Aged Care (1991)	Testing has confirmed.
Penelope Park Public Toilets (Off Invergowrie RFS Shed)	New/Refurbished.
Pioneer Park Amenities	New construction of steel and concrete.
Turkey Creek Public Toilets	Refurbished.
Uralla Shire Library (2005)	Built outside of asbestos use era.

Assets with possible Asbestos/ACM	
Asset	Comment
Bundarra Water Treatment Works (1992)	Double brick construction with cement fibreboard utilised in ceilings, eaves and gables. Cement fibreboard requires testing to confirm.
Uralla Community Centre (1999)	Brick Veneer construction with interior walls being of gyprock plasterboard construction. Cement fibreboard within wet areas requires testing to confirm.
Visitor Information Centre (1991)	Brick Veneer construction with interior walls of main display area and office being of gyprock plasterboard construction. Cement fibreboard within wet areas requires testing to confirm.

A competent person whom through training, qualification and experience, has the knowledge and skills to carry out the task to identify asbestos and/or ACM will need to continue with the inspection of Council assets and development of asbestos registers.

### **Finalise development of an enterprise wide risk management framework**

#### **1. Development of Policy: Risk Management 2018**

This policy was developed to articulate Council's commitment to enterprise wide risk management principles and practices as part of Council's broader corporate governance framework.

This Policy aims to:

- Support a strong risk management culture as a key component of Council's overall corporate governance framework;
- Communicate Council's approach for managing enterprise wide risks and to establish clear roles and responsibilities; and
- Provide the framework for sound risk management practices and procedures that are integrated into Council's strategic and operational planning and decision making processes.

Council approved the Policy: Risk Management 2018 at its meeting on the 24 April 2018 (Resolution: 19.04/18).

#### **2. Manual: Enterprise Risk Management**

The Enterprise Risk Management manual utilises the methods, guidelines and terminology based on and consistent with the Australian/New Zealand standard AS/NZS ISO 31000:2018 Risk Management – Principles and guidelines and defines the approach that Council will take to manage risk across all Directorates and sections of Council. It is procedural document to ensure sound risk management practices and procedures are fully integrated into Council's strategic planning, operational planning and decision making processes, and that Council's position and approach with regard to the management of risk is understood and consistent throughout the organisation.

As with all risk management systems, once identified risks need to be analysed. Risk analysis is the process of developing an understanding of the risk, with risk being expressed by the combination of the consequence, being the outcome of an event effecting objectives; and the likelihood of that event occurring. This analysis is often determined by a risk matrix whereas pre-determined consequence levels and likelihood levels for various risk areas are defined in tables (as shown in Attachment B). As part of the risk analysis process a consequence level is chosen from the consequence table and a likelihood level from the likelihood table. The risk matrix has the consequence levels on one axis i.e. x, with the likelihood levels being on the other axis i.e. y (as

shown in Attachment E). Where the two chosen levels of consequence and likelihood (chosen from the relevant tables) axes dissect on the risk matrix determines the risk rating level i.e. a minor consequence level with a possible likelihood level will equate to a moderate risk rating.

As part of Council's enterprise risk management framework consequence levels for risk areas need to be defined as do likelihood levels, and an appropriate risk matrix determined and adopted. The timeframes stated on the RMAP for the enterprise risk management framework were based upon the adoption of a consequence table, likelihood table and risk matrix in Attachment E, which the RMSO deemed not to be adequate.

The RSMO has declined to use these tables as part of Council's risk management framework development as they will not enable consistency in the analysis and rating of risks across Council. The consequence and likelihood tables were qualitative in nature and are open to personal subjective opinion. An example being that for the risk area of 'Legal' in the consequence table in Attachment E has a descriptor for moderate consequence as 'prosecution possible with significant financial impact'. As there are no defined quantitative parameters for 'significant financial impact', one Council employee may consider \$500 to be a 'significant financial impact', whereas another employee may consider \$50, 000 to be a 'significant financial impact'. So hence with qualitative measure inconsistencies arise that distort the risk analysis process.

The Enterprise Risk Management manual is 95 per cent, but the consequence and likelihood tables at Attachment F need to be completed and to align with Council's risk tolerance and should be in consensus with the new General Manager and Executive Management Team.

### **3. Risk Management Training and Development**

In preparation for the establishment of Council's Risk Register within the 'Pulse Enterprise Risk Management' module and to further enhance knowledge of risk management, training and development in the form of three (3) workshops were conducted for employees whom have been identified as 'key' employees in regard to Council successfully managing its risks.

The three (3) Risk Management workshops were held on and consisted of:

- Risk Workshop 1 - 10 October 2018  
An introduction and overview of risk management based upon the Australian/New Zealand standard AS/NZS ISO 31000:2018 Risk Management – Principles and guidelines.  
Presenter/Facilitator: Mr Rod Bartlett, New England/North West Regional Risk Manager - StateWide Mutual.
- Risk Workshop 2 - 24 October 2018  
The second workshop built upon the first workshop and extended focus onto:
  - Risk types (strategic or operational) and areas;
  - Risk identification, risk matrixes and assessing risk;
  - Anatomy of a risk and bow-tie analysis;
  - Dealing with risk: controls and treatment plans;
  - Implementation of enterprise risk management capability.Presenter/Facilitator: Mr Craig Hutley, Senior Risk Consultant - Jardine Lloyd Thompson.
- Risk Workshop(s) 3 - 14 December 2018  
Individual group workshops for:
  - HR, Community and Governance;
  - Infrastructure and Regulation; and
  - Council Executive Team.

Individual group workshops were held to identify risks specific to areas of operation, and consisted of identifying critical success factors for operations and then what threats if not controlled could impact/have effect upon the critical success factors.

Presenter/Facilitator: Mr Craig Hutley, Senior Risk Consultant - Jardine Lloyd Thompson.

#### **4. Risk Register**

As part of Council's 'Virtuous Circle Project' initiative, where Council was granted \$150,000 from the NSW Innovation Fund, Local Government Software Solutions (LGSS) were contracted to supply Council with the 'Pulse - Enterprise Risk Management' module, a software based risk register where not only can Council's risks be registered but where risks are delegated to risk owners, treatment plans and controls for risks and their status recorded, various reports on Council's risks generated, where tasks can be delegated and sent to risk owners and/or others via email to ensure applicable actions for risk management are completed.

Council's 'Pulse - Enterprise Risk Management' module has been installed with the risks identified by the three (3) individual groups of Council from the Risk Management Workshop on the 14 December, and other identified risks, entered into the module. Inherent risk ratings have been given to risks using a generic qualitative risk matrix that will be replaced by the quantitative risk matrix being developed.

Actions from the two internal audits

LGSS have provided a Microsoft word document 'User Guide' for the 'Pulse - Enterprise Risk Management' module, which has been used to draft a Council internal 'User Guide'.

The incoming Risk Management and Safety Officer will need to following up with risk owners on a 'one on one' basis to further assist in the use the 'Pulse - Enterprise Risk Management' module and in the develop of risk treatment plans and implementing controls where needed. Ongoing identification and registering of risks embedded in corporate systems and processes should become a business as usual activity.

#### **5. Operational Guideline: Footpath Maintenance and Construction 2018**

Council has a duty of care to provide safe pedestrian walkways and reduce potential risk hazards to the public in its use of paved or concrete footpaths (including cycleways). Therefore Council must be aware of all issues relating to the condition of the footpaths. A duty of care is also owed by Council where problems are caused by other structures (i.e. trees and their roots, benches, signs etc.), and the question will be asked if an incident occurs as to whether Council should have reasonably known about the situation.

This guideline based upon Council's insurer StateWide Mutual's Best Practice Manual – Footpaths August 2014 outlines how Council will ensure new footpaths are constructed so that assets are safe and that the asset design life is obtainable with minimal maintenance; and that hazards on existing networks are managed through identification, assessment, prioritisation and consideration for repair or renewal and the timeframes that such works should be undertaken.

The Operational Guideline: Footpath Maintenance and Construction 2018 has been drafted and needs a final review to then be progressed through to the Executive Management Team for approval.

## 6. Operational Guideline: Signs as Remote Supervision 2019

Signs are the cheapest and easiest method that Uralla Shire Council (Council) can employ for supervision at a remote location. Signs are intended to perform the function of imparting information to the public that would otherwise require the presence of a staff member.

In Australia the Courts have generally considered that the failure to provide appropriate information by way of a sign deprives a person of the opportunity to consider their actions/reactions to the physical circumstances surrounding them.

The law says that if it is “reasonably foreseeable” that a person might suffer some sort of loss or harm because of something someone else does, then that person is owed a duty of care.

Legally, the benefit of a sign is that it brings the *foreseeable risk* to the attention of the person at that location, an example being a sign indicating no diving into the water, as the water in that location is too shallow.

It is supposed to *add to the knowledge* of the person who views the sign, in regard to the above example that if they were to dive in the water they could suffer injury.

If the person then elects to enter the area and suffers injury as a result of the risk about which the warning symbol relates, diving into the water, then arguably Council has satisfied its duty of care and no liability should attach to it. However, the sign must be appropriate to the situation and placed in an appropriate position to satisfy Council’s duty of care.

The legal position regarding signage relating to risks associated with recreational activities is outlined in the Civil Liability Act 2002 (the Act), Division 5, section 5m. ‘Section 5m – No duty of care for recreational activity where risk warning’ states:

(1) A person (the defendant) does not owe a duty of care to another person who engages in a recreational activity (the plaintiff) to take care in respect of a risk of the activity if the risk was the subject of a risk warning to the plaintiff.

(2) If the person who suffers harm is an incapable person, the defendant may rely on a risk warning only if:

- (a) The incapable person was under the control of or accompanied by another person (who is not an incapable person and not the defendant) and the risk was the subject of a risk warning to that other person, or
- (b) The risk was the subject of a risk warning to a parent of the incapable person (whether or not the incapable person was under the control of or accompanied by the parent).”

Section 5k of the Act also defines “recreational activities” as:

- (a) Any sport (whether or not the sport is an organised activity), and
- (b) Any pursuit or activity engaged in for enjoyment, relaxation or leisure, and
- (c) Any pursuit or activity engaged in at a place (such as a beach, park or other public open space) where people ordinarily engage in sport or in any pursuit or activity for enjoyment, relaxation or leisure.

Clause 3 and 4 of section 5m of the Act also determine that a risk warning can be signage, and that Council is not required to establish that the person received or understood the warning or was capable of receiving or understanding the warning.

The Operational Guideline: Signs as Remote Supervision 2019 outlines Councils position on signage for direct supervision including responsibilities and how to determine if signage is needed and what signage will be displayed if required at Councils facilities. Appendix B of the guideline also forms the register of Council's Facilities that have signage as remote supervision.

The Operational Guideline: Signs as Remote Supervision 2019 has been drafted with Appendix B needing to be completed, then the guideline progressed through to the Executive Management Team for approval.

### **Facilitate regular meetings of the Audit, Risk and Improvement Committee (ARIC)**

#### **1. Review of Committee Membership, Name and ARIC Charter**

At Councils Ordinary Meeting on 22 September 2014 Council adopted the current 'Risk Management Policy' (Resolution 300/14). In accordance with the Division of Local Government's (now the Office of Local Government), 'Internal Audit Guidelines', the policy outlined the requirement of forming an Audit and Risk Committee, and a governing charter.

At Council's Ordinary meeting on the 27 April 2015 Council appointed Mr Michael O'Connor and Mr Sean Johnston as the two Independent Audit and Risk Committee Representatives, as recommended by the evaluation committee (Resolution 9.04/15).

Mr Sean Johnston resigned from the Committee in November 2017.

The Governance and Risk Group undertook a review of the ARIC membership and a majority was not held by independent members and to find a suitable replacement for Mr Sean Johnston and to fill an additional Independent External Membership on the Committee to align with the Internal Audit Guidelines of having a majority of 'independent members', and the Local Government Amendment (Governance and Planning) Act 2016 an Expression of Interest (EOI (EOI-ARICIM2018)) was advertised for two independent external members for Council's Audit, Risk and Improvement Committee.

At Council's meeting on the March 2018 Council appointed Mr Paul Packham to Council's Audit, Risk and Improvement Committee as an independent external representative, as recommended by the evaluation committee (Resolution: 25.03/18).

Further expressions of Interest for the remaining vacant independent external representative position on Council's Audit, Risk and Improvement Committee was sought.

To align with Division of Local Government's (now the Office of Local Government), 'Internal Audit Guidelines' Council renamed the Audit and Risk Committee to the Audit, Risk and Improvement Committee and adopted the Charter: Audit, Risk and Improvement Committee 2018, that had been reviewed and rewritten by the RMSO (Resolution: 24.03/18).

#### **2. Second Expressions of Interest (EOI) independent external representative on Council's ARIC**

The second Expressions of Interest (EOI) process was facilitated from 27 April to 11 May 2018 and was promoted via Public Notice in the Armidale Express, as well as on Council's website at [www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au). Council received two applications by the close of the EOI period on 11 May 2018.

Council at its meeting on 22 May 2018 appointed Deborah Creed from the short listed applicants to fill the vacant independent external representative on Council's Audit, Risk and Improvement Committee (Resolution: 25.05/18).

### **3. Facilitate regular meetings of the ARIC**

The RMSO has facilitated regular meetings of the ARIC and has compiled the Business Papers for these meetings. The Executive Manager Corporate Services now assumes this responsibility.

#### **Facilitate an annual internal audit program**

##### **1. Internal Audit Charter**

Internal auditing is to provide an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

This Internal Audit Charter is a formal statement of purpose, authority and responsibility for an internal auditing function within Uralla Shire Council (Council).

It establishes Internal Audit within Council and recognises the importance of such an independent and objective service to the organisation; and outlines the legal and operational framework under which

Internal Audit will operate.

The Internal Audit Charter was approved by the ARIC on 10 April 2018.

##### **2. Internal Audits**

As part of Uralla Shire Council's (Council) risk management framework and approach to minimise risk to Council, an Internal Audit Program for the 2018 calendar year was accepted for implementation at the Audit, Risk and Improvement Committee's meeting on 10 April 2018, then received and noted by Council at its 24 April Ordinary Meeting (Resolution 19.04/18).

Budgeting allocations for the Financial Year 2018/2019 required the Internal Audit Program to be reduced to the two significant risks of Cash Collection and Petty Cash; and Financial Controls, with timeframes adjusted to allow these audits to be undertaken and reported on.

A 'Request For Quotation' process was initiated to ensure a competitive procurement process was undertaken to achieve a best value for money outcome. The RFQ was advertised through TenderLink (AU-812534) to seek interest from parties with the relevant qualifications, skills and experience to undertake these audits, with suitable organisations also contacted to invite them to make a submission.

The Request for Quotation process ended on the 2nd July 2018 at 2pm, with 6 quotations being received, and an evaluation panel was established to score the submissions according to Qualitative Criteria and weightings. The evaluation panel came to the unanimous decision that The Centium Group was best placed to provide services for Council's Internal Audit Program.

The internal audits were undertaken by The Centium Group, and a presentation made to the Audit, Risk and Improvement Committee on the 16 April 2019 by Ms Megan TeBay of the Centium Group.

Actions are currently being progressed to address recommendations, with these recommendations being identified as risks to Council and inputted into Council's Risk Register, with actions being

included within the Risk Register and allocated to those officers as identified and responsible for actions as agreed upon by Council's Executive Management Team.

### **Risk Management Issues**

At the Executive Team meeting on the 2 April 2019 the RMSO brought to the attention of the Executive Team the below matters and made the following recommendations. As a result actions were issued as per Attachment I - Actions from Council's Executive Management Team Meeting 2 April 2019.

#### **Incident**

##### **SUMMARY:**

On the 1 November 2018 a local resident was attempting to access the footpath from the roadway in Bridge Street, Uralla in front of the 'Church Café'. As a result of a quantity of 'built up' aggregate the resident slipped and suffered a fall. The resident was injured in the fall and was conveyed by ambulance to Armidale Hospital for medical treatment. The resident has written to Council to firstly alert Council to the loose aggregate that presents a risk to public safety and to secondly seek compensation for the glasses that were broken beyond repair in the incident.

##### **OFFICER'S RECOMMENDATION:**

**That the Executive Team:**

- a. **Approve payment of financial compensation of eight hundred and forty nine dollars and ten cents (\$849.10) to the Claimant for damage to her glasses by way of 'good faith' without admitting liability by the resident signing a 'Deed of Release', prior to her receiving payment; and**
- b. **That in the interest of public safety, and from a public liability perspective that the following be implemented:**
  1. **The short-term control to reduce risk of injury to the public by removing excessive loose aggregate/'blue metal'/stones from the road reserve and footway along the south-eastern side of Bridge Street, Uralla between 28 - 34 Bridge Street, and as identified in Hill Street between Bridge and Maitland Streets;**
  2. **The long-term control to reduce risk of injury to the public by replacing the bitumen, with either grassed area, concrete or pavers on both sides of the footpath on the south-eastern side of Bridge Street, Uralla between 28 - 34 Bridge Street;**
  3. **That the identification of excessive loose aggregate, stones etc. be implemented as part of the footpath hazard inspection process, and where identified excessive loose aggregate that represents a higher risk to public safety is removed as soon as reasonably practicable;**
  4. **A technical review of current bitumen laying and resurfacing practices/methods, in order to ascertain what methods and improvements can be implemented to reduce loose aggregate forming and presenting a risk to the public; and**
  5. **Written procedure developed on how the risks associated with bitumen/asphalt laying and resurfacing can be reduced and minimised at Council, based upon**



**StateWide Mutual's 'Best Practice Manual - Bitumen & Asphalt Resurfacing',  
including the operational aspect of loose aggregate removal and minimisation.**

**Explosives Magazine**

**SUMMARY:**

Uralla Shire Council has an explosives magazine, located at Council's works depot, for the storage of explosive materials and security sensitive dangerous substances (SSDS), used for civil construction/engineering purposes. Council is licensed to store explosives, with a condition of this licence is for Council to have a security plan in place. Council has a security plan in place which has recently been updated by the Risk Management and Safety Officer to reflect changes in staff. The changes in staff now result in Council only having one worker as a 'listed person for unsupervised access to explosives and/or SSDS'. Council's security plan needs to be further amended to reflect current terminology in NSW explosives legislation and guidelines.

In an unrelated matter to the above, Council has recently been contacted by a local business owner. The business owner has their own explosives magazine, though when their magazine is full and excess explosives cannot be stored within their magazine the business owner stores the company's excess explosives in Council's magazine. There is no formal agreement between Council and the business owner for this provided service and the business owner is currently storing explosives within Council's explosives magazine. The business owner is currently making changes to his explosives magazine/explosives storage, which requires changes in their licensing, with SafeWork NSW requesting that as the business owner stores explosives within Council's explosives magazine that this needs to be cited on Council's security plan.

**OFFICER'S RECOMMENDATION:**

**That the Executive Team:**

- c. Approve that the practice of the business owner and his business storing explosives and security sensitive dangerous substances within Council's explosives magazine cease, and that formal correspondence be sent to the business owner advising him of the above and that they be requested to remove their explosives from Council's explosives magazine within 21 days;**
- d. Undertake a cost-benefit analysis to ascertain if Council still has a requirement to store and use explosives 'in-house'. Based upon the cost-benefit and operational analysis:**
  - 6. If determined not to be of financial benefit for Council to store and use explosives 'in-house', organise for disposal of explosives/security sensitive dangerous substances and Council surrender its licence for the storage and use of explosives/security sensitive dangerous substances;**
  - 7. If determined to be of financial benefit for Council to store and use explosives 'in-house':**
    - i. Decide which employees will be allowed unsupervised access to the explosives and/or security sensitive dangerous substances store/magazine and instruct them to apply for a security clearance;**
    - ii. From those employees allowed unsupervised access appoint one as the 'magazine keeper';**
    - iii. Determine if Council requires more than one employee to hold a 'Blasting explosives user licence', and if so decide which employees, then instruct**

**them to apply for a security clearance. If given a security clearance then provide them with explosives training and when deemed competent in explosives training, instruct them to apply for a 'Blasting explosives user licence'; and**

- iv. Appoint an employee to be the responsible person to review, maintain and insure Council's Security Plan is implemented, to develop procedures for the explosives magazine and the transport/use of explosives within Council, and to ensure that required licences are maintained and recorded.**

Prepared by staff member: Matthew Fletcher - Risk Management and Safety Officer  
TRIM Reference Number:  
Approved/Reviewed by Manager: Elisabeth Brown - Coordinator Governance and Risk Corporate Services  
Department:  
Attachments: Attachment A - Hazard Identification, Risk Assessment & Controls (HIRAC) Form  
Attachment B - NEAR MISS/INCIDENT/HAZARD REPORT FORM  
Attachment C - VEHICLE-PLANT ACCIDENT/DAMAGE/INCIDENT REPORT FORM  
Attachment D - PUBLIC LIABILITY INCIDENT REPORT FORM  
Attachment E - Safe Work Method Statement Template  
Attachment F - Safe Operational Procedure Template  
Attachment G – Risk Matrix with Qualitative Consequence and Likelihood Tables.  
Attachment H – Risk Matrix with Quantitative Consequence and Likelihood Tables.  
Attachment I - Actions from Council's Executive Management Team Meeting 2 April 2019.

Uralla Shire Council					2018-2019
Element	Roads	Bitumen and Asphalt Resurfacing	Playgrounds	Swimming Pools	AVERAGE (Completed)
<b>Strategy</b>	100%	100%	100%	100%	100%
<b>Policy</b>	100%	80%	100%	79%	90%
<b>Resourcing</b>	100%	100%	100%	100%	100%
<b>System</b>	100%	60%	82%	25%	67%
<b>Documentation</b>	100%	90%	11%	22%	56%
<b>Overall</b>	100%	81%	79%	60%	82%
Date Reviewed					
Total Questions	47	52	47	47	
Unanswered	0	0	0	0	
No. of Recommendations	0	10	10	19	



<b>Council</b>	<b>Uralla Shire Council</b>
<b>Review Date</b>	

Rankings	% score
Fully implemented	100
Mostly implemented	70
Partially Implemented	40
No implementation	0

Yes
No

# CIP WORKBOOK

## Roads

Unanswered Criteria	0
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Note: For further explanation of content, please refer to Operational Risk Workbook v1 2012 on Member Centre

### Strategy

Council has developed an Asset Management Strategy for the road network under its care and control that:

Answer	Asset	Element	Criteria	Comments/Evidence
Yes	Roads	Strategy	Has been developed in consultation with the community.	Transport Asset management Plan adopted 2017
Yes	Roads	Strategy	Achieves the relevant objectives stated in Council's Community Strategic Plan.	Linkage in the plan
Yes	Roads	Strategy	Outlines the risk management strategies to enable the successful achievement of Council's objectives for its road network	
Yes	Roads	Strategy	Meets Council's service standard.	As per Transport Asset management Plan adopted 2017

### Policy

Council has a Policy or similar, for the road network under its care and control that:

	Answer	Asset	Element	Criteria	Comments/Evidence
5	Yes	Roads	Policy	Has been adopted by the Council	
6	Yes	Roads	Policy	Is linked to Council's Strategic Objectives	
7	Yes	Roads	Policy	Addresses the requirements of Sections 42 and 45 of the Civil Liability Act 2002	
8	Yes	Roads	Policy	Identifies and complies with relevant legislative or other requirements	
9	Yes	Roads	Policy	Addresses the financial and other resources available to manage Council's road network	
10	Yes	Roads	Policy	Identifies how Council will manage and maintain its road network	
11	Yes	Roads	Policy	Contains information on how resources will be allocated	
12	Yes	Roads	Policy	Specifies Council's intervention standards	

13	Yes	Roads	Policy	Outlines Council's risk management approach in relation to its road network	
14	Yes	Roads	Policy	Identifies accountabilities and responsibilities for the implementation of the policy	
15	Yes	Roads	Policy	Has been communicated to relevant staff	
16	Yes	Roads	Policy	Is being implemented by relevant staff	
17	Yes	Roads	Policy	Is supported by written procedures	
18	Yes	Roads	Policy	Outlines the review process of the policy document (when and by whom)	
19	Yes	Roads	Policy	Identifies audit procedures for the implementation of the policy.	

**Resourcing**

**Council has an Operational Plan for the road network under its care and control that:**

					Comments/Evidence
20	Yes	Roads	Resourcing	Is consistent with Council's Asset Management Plan	
21	Yes	Roads	Resourcing	Has been developed in accordance with Council's Delivery Program	
22	Yes	Roads	Resourcing	Includes a suitably funded budget for the maintenance of roads to meet policy standards	
23	Yes	Roads	Resourcing	Addresses all actions, projects, programmes or activities to be undertaken within a financial year	
24	Yes	Roads	Resourcing	Identifies how resources will be allocated in accordance with the budget	
25	Yes	Roads	Resourcing	Identifies staff responsibilities for the management of the road network	
26	Yes	Roads	Resourcing	Identifies staff training requirements to ensure all staff are suitably qualified to carry out their specified tasks	
27	Yes	Roads	Resourcing	Identifies adequate resources have been allocated to ensure all staff have been trained to carry out their specified tasks	

**System**

**Council has a system for the management of its road network that:**

					Comments/Evidence
28	Yes	Roads	System	Contains a register of Council-managed road assets	
29	Yes	Roads	System	Identifies the classification of roads within the network	
30	Yes	Roads	System	Identifies the frequency and type of inspections to be carried out	
31	Yes	Roads	System	Identifies the type of maintenance works to be undertaken	
32	Yes	Roads	System	Outlines how risks associated with this asset are identified and assessed	
33	Yes	Roads	System	Uses a risk rating or equivalent to allocate priority for works	

34	Yes	Roads	System	Allocates priority to defects identified through inspections or customer requests based on the level of risk	
35	Yes	Roads	System	Identifies the response times for maintenance to be carried out	
36	Yes	Roads	System	Identifies Council's standards and specifications for the repair or construction of roads	
37	Yes	Roads	System	Identifies Council's procedure to ensure that the maintenance, repair or replacement of roads complies with its standards	
38	Yes	Roads	System	Uses documentation tools such as checklists or electronic systems to record each stage of the management and decision making process	

### Documentation

#### Council has an Information Management System in place that:

				Comments/Evidence	
39	Yes	Roads	Documentation	Documents Council's procedures for the management of this asset	
40	Yes	Roads	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, inspections, risk assessments and any other relevant information relating to the management and maintenance of this asset in accordance with the documented procedure	
41	Yes	Roads	Documentation	Documents corrective actions are carried out in accordance with intervention standards and appropriate procedures	
42	Yes	Roads	Documentation	Records how actions have been completed following notification and inspection	To be improved with new software, development of CRM in Authority
43	Yes	Roads	Documentation	Specifically addresses this asset as part of a Council-wide approach to information management	
44	Yes	Roads	Documentation	Contains or is linked to a documented Council procedure for incident management response and recording	
45	Yes	Roads	Documentation	Provides a list of documents for this functional area, including strategic, proactive, reactive and instructional document types, that could be used in any legal action brought against or by Council	
46	Yes	Roads	Documentation	Ensures that all documents and records created for the management of Council's assets meet minimum data requirements for admissibility as evidence in court	Have recently had to provide such evidence to the NSW Coroners Court.
47	Yes	Roads	Documentation	Ensures records are filed or archived in a manner that facilitates timely retrieval if they are required as part of an investigation, or in defence of a claim	In TRIM



### Uralla Shire Council

#### Response Summary

Element Count	Count Yes Responses	Count No Responses		
4	4	0	Strategy	100%
15	15	0	Policy	100%





<b>Council</b>	<b>Uralla Shire Council</b>
<b>Review Date</b>	

Rankings	% score
Fully implemented	100
Mostly implemented	70
Partially Implemented	40
No implementation	0

Yes
No

# CIP WORKBOOK

## Bitumen and Asphalt Resurfacing

Unanswered Criteria	0
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**Note: For further explanation of content, please refer to Operational Risk Workbook v1 2012 on Member Centre**

### Strategy

**Council has developed a Road Resurfacing Strategy for the sealed road network under its control that:**

Answer	Asset	Element	Criteria	Comments/Evidence
1 Yes	Bitumen and Asphalt Resurfacing	Strategy	Has been developed in consultation with the community.	As per Transport AMP 2017
2 Yes	Bitumen and Asphalt Resurfacing	Strategy	Achieves the relevant objectives stated in Council's Community Strategic Plan.	
3 Yes	Bitumen and Asphalt Resurfacing	Strategy	Outlines the risk management strategies to enable the successful achievement of Council's objectives for its resurfacing strategy	
4 Yes	Bitumen and Asphalt Resurfacing	Strategy	Meets Council's service standard.	

### Policy

**Council has a Policy or similar for its Road Resurfacing that:**

	Asset	Element	Criteria	Comments/Evidence
5 Yes	Bitumen and Asphalt Resurfacing	Policy	Has been adopted by the Council.	Infrastructure Asset management Policy 2015
6 Yes	Bitumen and Asphalt Resurfacing	Policy	Is linked to Council's Strategic Objectives.	
7 No	Bitumen and Asphalt Resurfacing	Policy	Addresses the requirements of Sections 42, 43 and 45 of the Civil Liability Act 2002.	
8 No	Bitumen and Asphalt Resurfacing	Policy	Identifies relevant legislative or other requirements.	
9 Yes	Bitumen and Asphalt Resurfacing	Policy	Addresses the financial and other resources available to manage Council's sealed road surfacing program.	
10 Yes	Bitumen and Asphalt Resurfacing	Policy	Identifies how Council will manage and maintain its sealed road surfaces.	
11 Yes	Bitumen and Asphalt Resurfacing	Policy	Contains information on how resources will be allocated.	
12 Yes	Bitumen and Asphalt Resurfacing	Policy	Specifies Council's intervention standards.	
13 No	Bitumen and Asphalt Resurfacing	Policy	Outlines Council's risk management approach in relation to its sealed road surfaces.	



14	Yes	Asphalt Resurfacing	Policy	Identifies accountabilities and responsibilities for the implementation of the policy.	
15	Yes	Asphalt Resurfacing	Policy	Has been communicated to relevant staff.	
16	Yes	Asphalt Resurfacing	Policy	Is being implemented by relevant staff.	
17	Yes	Asphalt Resurfacing	Policy	Is supported by written procedures.	
18	Yes	Asphalt Resurfacing	Policy	Outlines the review process of the policy document (when and by whom).	
19	Yes	Asphalt Resurfacing	Policy	Identifies audit procedures for the implementation of the policy.	

**Resourcing**

**Council has an Operational Plan that:**

				Comments/Evidence	
20	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Is consistent with Council's Asset Management Plan	
21	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Has been developed in accordance with Council's Delivery Program	
22	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Includes suitably funded budget for the management of the resurfacing strategy to meet policy standards	
23	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Addresses all actions, projects, programmes or activities to be undertaken within a financial year	
24	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Identifies how resources will be allocated in accordance with the budget	
25	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Identifies staff responsibilities for Council's resurfacing strategy	
26	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Identifies staff training requirements to ensure all staff are suitably qualified to carry out their specified tasks	
27	Yes	Bitumen and Asphalt Resurfacing	Resourcing	Identifies adequate resources have been allocated to ensure all staff have been trained to carry out their specified tasks	

**System**

**Council has a system for the management of bitumen and asphalt resurfacing operations that:**

				Comments/Evidence	
28	Yes	Asphalt Resurfacing	System	Contains an inventory that identifies which roads/segments are included in Council's programme for the current financial year	
29	Yes	Asphalt Resurfacing	System	Identifies how the work will be undertaken and by whom	
30	No	Asphalt Resurfacing	System	Contains a formal process for the management of the project	
31	No	Asphalt Resurfacing	System	Identifies the frequency and type of inspections to be undertaken before, during and after resurfacing works are carried out	
32	No	Asphalt Resurfacing	System	Clearly defines any transfer of operational responsibility for worksites in the resurfacing programme where a Contractor is engaged	

33	No	Asphalt Resurfacing	System	Identifies hold points where work must not proceed unless appropriate evidence of preceding activities is available	
34	No	Asphalt Resurfacing	System	Includes checklists, flowcharts, traffic management plans and all relevant documentation to define the system for easy reference and consistency of application	
35	Yes	Asphalt Resurfacing	System	Outlines the risk management strategy for these roads, such as environmental, traffic, site safety, and treatment design risks	
36	Yes	Asphalt Resurfacing	System	Provides information on site specific environmental, quality, traffic, or site safety risk factors to the contractor where one is engaged	
37	Yes	Asphalt Resurfacing	System	Ensures that works undertaken comply with Council standards	
38	No	Asphalt Resurfacing	System	Identifies Council's strategy to communicate with contractors and/or the RMS	Not documented. Is engagement by engagement
39	Yes	Asphalt Resurfacing	System	Identifies Council's community notification processes	
40	Yes	Asphalt Resurfacing	System	Includes provision for the ongoing monitoring and review of works	
41	Yes	Asphalt Resurfacing	System	Uses documentation tools such as checklists or electronic systems to record each stage of the management and decision making process	
42	Yes	Asphalt Resurfacing	System	Includes a process of formal inspection to confirm work has been completed to in accordance with relevant standard prior to sign off	

**Documentation**

**Council has an Information Management System in place that:**

				Comments/Evidence	
43	Yes	Asphalt Resurfacing	Documentation	Documents the process used to determine Council's Bitumen & Asphalt Resurfacing approach	
44	Yes	Asphalt Resurfacing	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, inspections, risk assessments, sign off process and any other relevant information relating to the management and maintenance of this asset in accordance with the documented procedure	
45	Yes	Asphalt Resurfacing	Documentation	Documents all inspections have been undertaken in accordance with relevant procedures	
46	Yes	Asphalt Resurfacing	Documentation	Documents corrective actions are carried out in accordance with intervention standards and appropriate procedures	
47	Yes	Asphalt Resurfacing	Documentation	Records how actions have been completed following notification and inspection	To be improved with new software, development of CRM in Authority
48	Yes	Asphalt Resurfacing	Documentation	Specifically addresses this operation as part of a Council-wide approach to information management	
49	Yes	Asphalt Resurfacing	Documentation	Contains or is linked to a documented Council procedure for incident management response and recording	
50	No	Asphalt Resurfacing	Documentation	Provides a list of documents for this functional area, including strategic, proactive, reactive and instructional document types, that could be used in any legal action brought against or by Council	
51	Yes	Asphalt Resurfacing	Documentation	Ensures that all documents and records created for the management of Council's assets meet minimum data requirements for admissibility as evidence in court	Have recently had to provide such evidence to the NSW Coroners Court.
52	Yes	Asphalt Resurfacing	Documentation	Ensures records are filed or archived in a manner that facilitates timely retrieval if they are required as part of an investigation, or in defence of a claim	



**Uralla Shire Council**

**Response Summary**

Element Count	Count Yes Responses	Count No Responses		
4	4	0	Strategy	100%
15	12	3	Policy	80%
8	8	0	Resourcing	100%
15	9	6	System	60%
10	9	1	Documentation	90%
52	42	10	Overall	81%

**0** Not yet Answered

**Search Results - Recommendations**

Select Response	# Criteria for Recommendation
No	10

Answer	Asset	Element	Criteria	Council agree Yes or No	Allocated Responsible Officer	Action required	Due Date
No	and Asphalt Re	Policy	Addresses the requirements of Sections 42, 43 and 45 of the Civil Liability Act 2002.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Policy/Procedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	Policy	Identifies relevant legislative or other requirements.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Policy/Procedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	Policy	Outlines Council's risk management approach in relation to its sealed road surfaces.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Policy/Procedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	System	Contains a formal process for the management of the project	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Pprocedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	System	Identifies the frequency and type of inspections to be undertaken before, during and after resurfacing works are carried out	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Pprocedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	System	Clearly defines any transfer of operational responsibility for worksites in the resurfacing programme where a Contractor is engaged	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Pprocedure to be developed based on StateWide Mutual's BPM.	31/03/2020
No	and Asphalt Re	System	Identifies hold points where work must not proceed unless appropriate evidence of preceding activities is available	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Risk management procedure to be developed based on StateWide Mutual's BPM.	31/03/2020





<b>Council</b>	<b>Uralla Shire Council</b>
<b>Review Date</b>	

Rankings	% score
Fully implemented	100
Mostly implemented	70
Partially Implemented	40
No implementation	0

Yes
No

# CIP WORKBOOK

## Playgrounds

Unanswered Criteria	0
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**Note: For further explanation of content, please refer to Operational Risk Workbook v1 2012 on Member Centre**

### Strategy

Council's Asset Management Plan for playgrounds:

Answer	Asset	Element	Criteria	Comments/Evidence
1 Yes	Playgrounds	Strategy	Has been developed in consultation with the community.	SCCF projects developed in accordance with consultation. Open Spaces Strategy under development
2 Yes	Playgrounds	Strategy	Achieves the relevant objectives stated in Council's Community Strategic Plan.	
3 Yes	Playgrounds	Strategy	Outlines risk management strategies for the successful achievement of Council's objectives for Playgrounds.	
4 Yes	Playgrounds	Strategy	Meets Council's service standard.	

### Policy

Council's Policy or similar document for managing playgrounds:

	Asset	Element	Criteria	Comments/Evidence
5 Yes	Playgrounds	Policy	Has been adopted by the Council.	Infrastructure Asset Management Policy 2015
6 Yes	Playgrounds	Policy	Is linked to Council's Strategic Objectives.	
7 Yes	Playgrounds	Policy	Addresses the requirements of Sections 42 & 43 of the Civil Liability Act 2002.	
8 Yes	Playgrounds	Policy	Identifies relevant legislative or other requirements.	
9 Yes	Playgrounds	Policy	Addresses the financial and other resources available to manage playgrounds.	
10 Yes	Playgrounds	Policy	Identifies how Council will manage and maintain facilities.	
11 Yes	Playgrounds	Policy	Contains information on how resources will be allocated.	
12 Yes	Playgrounds	Policy	Specifies Council's intervention standards.	
13 Yes	Playgrounds	Policy	Outlines Council's risk management approach in relation to playgrounds.	
14 Yes	Playgrounds	Policy	Identifies accountabilities and responsibilities for the implementation of the policy.	

15	Yes	Playgrounds	Policy	Has been communicated to relevant staff.	
16	Yes	Playgrounds	Policy	Is being implemented by relevant staff.	
17	Yes	Playgrounds	Policy	Is supported by written procedures.	
18	Yes	Playgrounds	Policy	Outlines the review process of the policy document (when and by whom).	
19	Yes	Playgrounds	Policy	Identifies audit procedures for the implementation of the policy.	

**Resourcing**

**Council's Operational Plan for playgrounds:**

				Comments/Evidence	
20	Yes	Playgrounds	Resourcing	Is consistent with Council's Asset Management Plan.	AMP under development
21	Yes	Playgrounds	Resourcing	Has been developed in accordance with Council's Delivery Program.	Included in the Council's Operational Plan
22	Yes	Playgrounds	Resourcing	Includes appropriate resources to satisfy policy commitments for playground management and maintenance.	
23	Yes	Playgrounds	Resourcing	Addresses all actions, projects, programmes or activities to be undertaken within a financial year.	
24	Yes	Playgrounds	Resourcing	Identifies how resources will be allocated against the budget.	
25	Yes	Playgrounds	Resourcing	Identifies staff responsibilities for the management of playgrounds.	
26	Yes	Playgrounds	Resourcing	Identifies training requirements to ensure all staff are suitably qualified to carry out their specified tasks.	Training analysis undertaken as part of annual review
27	Yes	Playgrounds	Resourcing	Ensures adequate resources are allocated to ensure all staff are trained to carry out their specific tasks.	

**System**

**Council's playground management system:**

				Comments/Evidence	
28	Yes	Playgrounds	System	Contains a playground inventory or register consistent with AS/NZS 4486:1997.	
29	No	Playgrounds	System	Includes a classification system for playgrounds.	Under development as part of Plan of Management for Council lands review
30	Yes	Playgrounds	System	Contains a formal process for the frequency and type of inspections to be carried out.	
31	No	Playgrounds	System	Identifies a maintenance regime in accordance with the policy.	Not documented. Driven by service levels and resource constraints
32	Yes	Playgrounds	System	Outlines how risks associated with this asset are identified and assessed.	
33	Yes	Playgrounds	System	Uses a risk rating or equivalent to allocate priority for works.	
34	Yes	Playgrounds	System	Identifies response times for maintenance to be carried out.	
35	Yes	Playgrounds	System	Identifies Council's standards and specifications for installation, repair and maintenance of playground equipment.	
36	Yes	Playgrounds	System	Identifies Council's procedure for maintenance, repair and replacement of playground equipment.	



37	Yes	Playgrounds	System	Has a system in place for ongoing monitoring and review of outstanding and/or low risk defects/action requests.	
38	Yes	Playgrounds	System	Uses tools such as checklists or electronic asset management systems to record each stage of the management and decision making process.	

### Documentation

#### Council's Playground Management System:

				Comments/Evidence	
39	No	Playgrounds	Documentation	Documents Council's procedures for playground management.	
40	No	Playgrounds	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, inspections, risk assessments and any other relevant information relating to the management and maintenance of playgrounds in accordance with its documented procedure.	
41	No	Playgrounds	Documentation	Documents corrective actions are carried out in accordance with intervention standards and appropriate procedures.	
42	Yes	Playgrounds	Documentation	Records how actions have been completed following notification and inspection.	To be improved with new software, development of CRM in Authority
43	No	Playgrounds	Documentation	Specifically addresses playgrounds as part of a Council-wide approach to information management.	
44	No	Playgrounds	Documentation	Contains or is linked to a documented Council procedure for incident investigation and management.	
45	No	Playgrounds	Documentation	Provides a list of documents including strategic, proactive, reactive and instructional documents.	
46	No	Playgrounds	Documentation	Ensures documents and records created for playgrounds meet minimum data requirements for admissibility as evidence in court.	
47	No	Playgrounds	Documentation	Ensures records are filed or archived in a manner facilitating timely retrieval if required as part of an investigation or in defence of a claim.	



### Uralla Shire Council

#### Response Summary

Element Count	Count Yes Responses	Count No Responses		
4	4	0	Strategy	100%
15	15	0	Policy	100%
8	8	0	Resourcing	100%
11	9	2	System	82%
9	1	8	Documentation	11%
47	37	10	Overall	79%

0 Not yet Answered

**Search Results - Recommendations**

Select Response	# Criteria for Recommendation
No	10

Answer	Asset	Element	Criteria	Council agree Yes or No	Allocated Responsible Officer	Action required	Due Date
No	Playgrounds	System	Includes a classification system for playgrounds.	Yes	Director of Infrastructure and Development.	Under development as part of Plan of Management for Council lands review	31/12/2019
No	Playgrounds	System	Identifies a maintenance regime in accordance with the policy.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Will be included in procedural document being developed.	31/12/2019
No	Playgrounds	Documentation	Documents Council's procedures for playground management.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Will be included in procedural document being developed.	31/12/2019
No	Playgrounds	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, inspections, risk assessments and any other relevant information relating to the management and maintenance of playgrounds in accordance with its documented procedure.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Will be included in procedural document being developed. StateCover Vault software being evaluated/considered for implementation.	31/12/2019
No	Playgrounds	Documentation	Documents corrective actions are carried out in accordance with intervention standards and appropriate procedures.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	Will be included in procedural document being developed. Utilisation of Pulse Enterprise Risk Management Module and StateCover Vault being evaluated/considered for implementation.	31/12/2019
No	Playgrounds	Documentation	Specifically addresses playgrounds as part of a Council-wide approach to information management.	Yes	Director of Infrastructure and Development.	Under development as part of Plan of Management for Council lands review	31/12/2019
No	Playgrounds	Documentation	Contains or is linked to a documented Council procedure for incident investigation and management.	Yes	Risk Management and Safety Officer	Being developed. Incident Management Software i.e. StateCover Vault being evaluated/considered for implementation	31/12/2019
No	Playgrounds	Documentation	Provides a list of documents including strategic, proactive, reactive and instructional documents.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	To be addressed under the procedural document being developed.	31/12/2019
No	Playgrounds	Documentation	Ensures documents and records created for playgrounds meet minimum data requirements for admissibility as evidence in court.	Yes	Risk Management and Safety Officer/Manager of Infrastructure & Works	To be improved under the procedural document being developed.	31/12/2019
No	Playgrounds	Documentation	Ensures records are filed or archived in a manner facilitating timely retrieval if required as part of an investigation or in defence of a claim.	Yes	New position 'Manager of Assets'	To be improved. 'Manager of Assets' position to be filled, will have this responsibility.	31/12/2019

COUNCIL BUSINESS PAPER - 26 NOVEMBER 2019





Council	Uralla Shire Council
Review Date	

Rankings	% score
Fully implemented	100
Mostly implemented	70
Partially Implemented	40
No implementation	0

Yes
No

# CIP WORKBOOK

## Swimming Pools

Unanswered Criteria	0
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Note: For further explanation of content, please refer to Operational Risk Workbook v1 2012 on Member Centre

### Strategy

Council has developed a strategic management plan that:

Answer	Asset	Element	Criteria	Comments/Evidence
1 Yes	Swimming Pools	Strategy	Has been developed in consultation with the community.	Buildings AMP
2 Yes	Swimming Pools	Strategy	Achieves the relevant objectives stated in Council's Community Strategic Plan.	
3 Yes	Swimming Pools	Strategy	Outlines the risk management strategies to enable the successful achievement of Council's objectives for the provision of Swimming pool facilities	
4 Yes	Swimming Pools	Strategy	Meets Council's service standard.	

### Policy

Council has a Policy or similar, relating to Swimming Pools under its care and control that:

	Asset	Element	Criteria	Comments/Evidence
5 Yes	Swimming Pools	Policy	Has been adopted by the Council	Infrastructure Asset Management Policy Operational policy exists but is not formally endorsed.
6 Yes	Swimming Pools	Policy	Is linked to Council's Strategic Objectives	
7 No	Swimming Pools	Policy	Addresses the requirements of Sections 42 of the Civil Liability Act 2002	
8 No	Swimming Pools	Policy	Identifies and complies with relevant legislative or other requirements	
9 Yes	Swimming Pools	Policy	Addresses the financial and other resources available to manage this asset	
10 Yes	Swimming Pools	Policy	Contains information on how resources will be allocated	
11 Yes	Swimming Pools	Policy	Identifies how Council will manage and maintain the facility/ies	
12 Yes	Swimming Pools	Policy	Outlines Council's risk management approach in relation to this asset	
13 Yes	Swimming Pools	Policy	Identifies accountabilities and responsibilities for the implementation of the policy	

14	Yes	Swimming Pools	Policy	Has been communicated to relevant staff	
15	Yes	Swimming Pools	Policy	Is being implemented by relevant staff	
16	No	Swimming Pools	Policy	Is supported by written procedures	
17	Yes	Swimming Pools	Policy	Outlines the review process of the policy document (when and by whom)	
18	Yes	Swimming Pools	Policy	Identifies audit procedures for the implementation of the policy.	

**Resourcing**

**Council has an Operational Plan for its swimming pool facilities that:**

				Comments/Evidence	
19	Yes	Swimming Pools	Resourcing	Is consistent with Council's Asset Management Plan	No specific Operational plan for the pool.
20	Yes	Swimming Pools	Resourcing	Has been developed in accordance with Council's Delivery Program	
21	Yes	Swimming Pools	Resourcing	Includes suitably funded resources for the maintenance of swimming pool assets to meet policy standards	
22	Yes	Swimming Pools	Resourcing	Addresses all actions, projects, programmes or activities to be undertaken within a financial year	
23	Yes	Swimming Pools	Resourcing	Identifies how resources are going to be allocated in accordance to budget	
24	Yes	Swimming Pools	Resourcing	Identifies staff responsibilities for the management of pools	
25	Yes	Swimming Pools	Resourcing	Identifies staff training requirements to ensure all staff are suitably qualified to carry out their specified tasks	
26	Yes	Swimming Pools	Resourcing	Identifies adequate resources have been allocated to ensure all staff have been trained to carry out their specified tasks	

**System**

**Council has a formal system/procedure for the management of swimming pools that:**

				Comments/Evidence	
27	Yes	Swimming Pools	System	Contains a register of Council-managed and controlled swimming pool facilities	Council has 1 swimming pool facility.
28	No	Swimming Pools	System	Includes the classification of its swimming pool facilities	N/A
29	Yes	Swimming Pools	System	Identifies a maintenance regime in accordance with the standards of the policy	
30	No	Swimming Pools	System	Identifies the programme and frequency of inspections to be carried out	Daily by Pool Manager
31	No	Swimming Pools	System	Clearly identifies minimum staffing/supervision requirements, both in terms of numbers and qualifications	Not formalised
32	Yes	Swimming Pools	System	Contains requirements for Emergency and Incident Management and reporting	
33	No	Swimming Pools	System	Includes the requirement for the identification and assessment of risks, to determine the priority to rectify defects identified through inspections or customer requests	Each CRM is investigated. The majority of queries are dealt with directly by the Pool manager
34	No	Swimming Pools	System	Have a system in place for the ongoing monitoring and review of outstanding and or low risk defects/action requests	Under development CRM system

35	No	Swimming Pools	System	Identifies the response times for maintenance to be carried out	Pool manager
36	No	Swimming Pools	System	Includes documented procedures (SWMS etc.) detailing how activities are to be conducted	
37	No	Swimming Pools	System	Clearly identifies the requirements for hirers/regular users of the facility (i.e.: insurance, user agreements, inductions)	
38	No	Swimming Pools	System	Uses documentation tools such as checklists or electronic asset management systems to record each stage of the management, maintenance and decision making process.	Not applicable - small facility

### Documentation

#### Council has an Information Management System in place that:

				Comments/Evidence	
39	Yes	Swimming Pools	Documentation	Documents Council's procedures for the management of this asset	Buildings TMP
40	No	Swimming Pools	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, daily inspections, risk assessments, agreements, contracts, sign in sheets and any other relevant information relating to the management and maintenance of this asset in accordance with the documented procedure	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
41	No	Swimming Pools	Documentation	Documents corrective actions are carried out in accordance with intervention standards and appropriate procedures	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
42	No	Swimming Pools	Documentation	Records how actions have been completed following notification and inspection	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
43	No	Swimming Pools	Documentation	Specifically addresses this asset as part of a Council-wide approach to information management	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
44	No	Swimming Pools	Documentation	Contains or is linked to a documented Council procedure for incident management response and recording	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
45	No	Swimming Pools	Documentation	Provides a list of documents for this functional area, including strategic, proactive, reactive and instructional document types, that could be used in any legal action brought against or by Council	Under development. Currently offline. Computer access to Council's system to be deployed next season pending funding.
46	No	Swimming Pools	Documentation	Ensures that all documents and records created for the management of Council's assets meet minimum data requirements for admissibility as evidence in court	
47	Yes	Swimming Pools	Documentation	Ensures records are filed or archived in a manner that facilitates timely retrieval if they are required as part of an investigation, or in defence of a claim	Stored in TRIM



Uralla Shire Council

#### Response Summary

Element Count	Count Yes Responses	Count No Responses		
4	4	0	Strategy	100%
14	11	3	Policy	79%
8	8	0	Resourcing	100%
12	3	9	System	25%

9	2	7	Documentation	22%
47	28	19	Overall	60%

0 Not yet Answered

### Search Results - Recommendations

Select Response	# Criteria for Recommendation
No	19

Answer	Asset	Element	Criteria	Council agree Yes or No	Allocated Responsible Officer	Action required	Due Date
No	Swimming Pools	Policy	Addresses the requirements of Sections 42 of the Civil Liability Act 2002	Yes	Risk Management and Safety Officer	Only one pool so on overarching policy. Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	Policy	Identifies and complies with relevant legislative or other requirements	Yes	Risk Management and Safety Officer	Only one pool so on overarching policy. Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	Policy	Is supported by written procedures	Yes	Risk Management and Safety Officer	Only one pool so no overarching policy. Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Includes the classification of its swimming pool facilities	No		Only one pool.	
No	Swimming Pools	System	Identifies the programme and frequency of inspections to be carried out	Yes	Risk Management and Safety Officer	Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Clearly identifies minimum staffing/supervision requirements, both in terms of numbers and qualifications	Yes	Risk Management and Safety Officer	Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Includes the requirement for the identification and assessment of risks, to determine the priority to rectify defects identified through inspections or customer requests	Yes	Risk Management and Safety Officer	Operational procedure to be formalised in coordination with other stakeholders. Improvements to CRM in Authority.	1/10/2019
No	Swimming Pools	System	Have a system in place for the ongoing monitoring and review of outstanding and or low risk defects/action requests	Yes	IT Support Group & Infrastructure and Development Directorate	Under development of CRM system	31/12/2019
No	Swimming Pools	System	Identifies the response times for maintenance to be carried out	Yes	Risk Management and Safety Officer	Operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Includes documented procedures (SWMS etc.) detailing how activities are to be conducted	Yes	Risk Management and Safety Officer	Documented SWMS in place other operational procedure to be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Clearly identifies the requirements for hirers/regular users of the facility (i.e.: insurance, user agreements, inductions)	Yes	Risk Management and Safety Officer	To be formalised in coordination with other stakeholders	1/10/2019
No	Swimming Pools	System	Uses documentation tools such as checklists or electronic asset management systems to record each stage of the management, maintenance and decision making process.	No	Director of Infrastructure and Development	N/A Small facility.	
No	Swimming Pools	Documentation	Records all checklists, notes, requests, complaints, decisions, actions, daily inspections, risk assessments, agreements, contracts, sign in sheets and any other relevant information relating to the management and maintenance of this asset in accordance with the documented procedure	Yes	Risk Management and Safety Officer	Being developed and formalised in coordination with other stakeholders. StateCover Vault software being evaluated/considered for implementation.	1/10/2019



## REPORTS TO COUNCIL



## REPORT TO COUNCIL

<b>Department:</b>	<b>Organisational Services - Finance</b>
<b>Submitted by:</b>	<i>Chief Financial Officer</i>
<b>Subject:</b>	Report 1 - Cash at Bank and Investments

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	4.2 An effective and efficient organisation.
<b>Strategy:</b>	4.2.2 Operate in a financially responsible and sustainable manner.
<b>Activity:</b>	4.2.2.1 Maintain and control financial system and improve long-term sustainability
<b>Action:</b>	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:**

- 1. Council note the cash position as at 31 October, 2019 consisting of cash and overnight funds of \$2,426,755, term deposits of \$14,500,000 totalling \$16,926,755 of readily convertible funds.**
- 2. Council note the loan position as at 31 October, 2019 totalling \$2,348,191.**

### 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 \$14,500,000 spread over the next twelve months will receive a range of interest from 1.35% to 2.75% with an average rate of 2.13%. 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 October, 2019.

### KEY ISSUES:

Interest rates were left on hold this month although the market continues to price in further rate cuts. The current budgeted interest rate (reduced by 0.5%) will therefore not be 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 October, 2019

Diary of Investment Maturity Dates and Amounts



**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

<b>Uralla Shire Council</b>					
<b>Investments at 31 October, 2019</b>					
<b>Cash at Bank – Operating Accounts:</b>					
	<b>Institution</b>	<b>Account</b>	<b>Bank Statement</b>		
	National Australia Bank	Main Account	\$151,432.26		
	National Australia Bank	Trust Account	\$31,226.33		
	Community Mutual	Bundarra RTC	\$25,608.98		
	<b>Total</b>		<b>\$208,267.57</b>		
<b>Business Investment (Cash Management) Account</b>					
	<b>Institution</b>	<b>Interest rate</b>	<b>Balance</b>		
	Professional Funds	0.15% above RBA cash rate	\$2,218,487.23		
	<b>Total</b>		<b>\$2,218,487.23</b>		
<b>Term Deposits:</b>					
	<b>Institution</b>	<b>Term</b>	<b>Interest rate</b>	<b>Maturity</b>	<b>Balance</b>
	National Australia Bank	12 months	2.75%	21/11/2019	\$300,000.00
	ANZ	12 months	2.70%	26/11/2019	\$800,000.00
	Commonwealth Bank	9 months	2.32%	2/01/2020	\$1,200,000.00
	National Australia Bank	12 months	2.75%	16/01/2020	\$700,000.00
	Westpac Banking Corporation	6 months	2.15%	25/01/2020	\$600,000.00
	ANZ	12 months	2.70%	30/01/2020	\$500,000.00
	Westpac Banking Corporation	6 months	1.82%	25/02/2020	\$250,000.00
	Westpac Banking Corporation	9 months	2.27%	5/03/2020	\$500,000.00
	Bank of Queensland	9 months	2.20%	12/03/2020	\$800,000.00
	National Australia Bank	12 months	2.50%	1/04/2020	\$600,000.00
	National Australia Bank	12 months	2.50%	10/04/2020	\$500,000.00
	Commonwealth Bank	10 months	1.80%	30/04/2020	\$500,000.00
	National Australia Bank	12 months	2.34%	6/05/2020	\$600,000.00
	National Australia Bank	9 months	2.70%	22/05/2020	\$1,000,000.00
	Westpac Banking Corporation	12 months	2.22%	19/06/2020	\$1,350,000.00
	Bank of Queensland	10 months	1.55%	10/08/2020	\$800,000.00
	Bank of Queensland	10 months	1.55%	10/08/2020	\$500,000.00
	Commonwealth Bank	12 months	1.55%	24/08/2020	\$800,000.00
	ANZ	12 months	1.35%	10/10/2020	\$400,000.00
	National Australia Bank	12 months	1.45%	14/10/2020	\$500,000.00
	Westpac Banking Corporation	12 months	1.48%	18/10/2020	\$1,300,000.00
	<b>Total</b>				<b>\$14,500,000.00</b>



Uralla Shire Council  
Council Business Paper – 26 November 2019

<b>Uralla Shire Council</b>		
<b>Loans at 31 October, 2019</b>		
<b>Loans:</b>		
<b>Loan no.</b>	<b>Purpose</b>	<b>Balance</b>
165	MGH Property	\$47,357.90
168	Community Centre	\$32,246.40
176	Library Extensions	\$157,782.10
177	Grace Munro Centre	\$126,253.20
181	Creative Village Works	\$2,873.37
186	Public Toilets Pioneer Park	\$4,986.28
187	Undergrounding Power and Main Street Upgrade	\$133,260.38
188	Paving and Power Undergrounding	\$33,582.45
189	Bridge Construction	\$205,648.06
190	Bridge construction & industrial land development	\$1,604,200.97
<b>Total</b>		<b>\$2,348,191.11</b>



## REPORT TO COUNCIL

<b>Department:</b>	<b>Finance</b>
<b>Submitted by:</b>	Chief Financial Officer
<b>Subject:</b>	<b>Report 2 - 2019/20 – 1st Quarter Budget Review Statements</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.2 An effective and efficient organisation
<b>Strategy:</b>	4.2.2 Operate in a financially responsible and sustainable manner
<b>Activity:</b>	4.2.2.1 Maintain and control financial system and improve long term financial sustainability
<b>Action:</b>	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 first quarter of the 2019/20 financial year.

Attached to this report are the quarterly budget review statements for the first quarter ending 30 September 2019.

### OFFICER'S RECOMMENDATION:

- 1. That the first quarter budget review summary for the 2019/20 financial year be received and noted; and**
- 2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted;**
- 3. That expenditure to be revoted from 2018/19 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 first quarterly review for the 2019/20 financial year has been prepared and attached for Council's review.

### REPORT:

The attached budget report statements show a first quarter result for 2019/20 approximately in line with the original budget adopted by Council in June 2019.

There are no proposed changes to budget estimates that would have a major impact on the budget results.

We have not adjusted for the prepayment of FAGS because it is expected, based on prior year experience, that the FAGS payment will be prepaid again this year.

**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

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**Issues**

The first quarter budget review statement usually shows very little in the way of major variations because it is so early in the finance cycle.

Apart from general variations for the first quarter, this report includes revotes from the previous financial year. The amounts disclosed in this summary have previously been discussed with Council. These are budget items from the previous year that were not included in the current Annual Operational Plan as incomplete works and may not qualify as works in progress. As the previous vote of expenditure expired on 30 June they will require a revote from Council to be completed in the current financial year.

**Expenditure to be revoted from 2018/19**

<b>Program</b>	<b>Operating Income</b>	<b>Operating Expenses</b>	<b>Capital Income</b>	<b>Capital Expenses</b>
Waste Management Consultancy		9,945		
Bush Regeneration Activities – Northern Tablelands		3,417		
Road Reseals		648,230		
Community & Governance Items		18,815		
Stronger Country Community Fund Projects				367,958
McMaugh Gardens bathroom upgrade				364,210
MR73 Thunderbolts Way Rehabilitation				77,393
Local Aboriginal cultural display project		13,062		

**Conclusion**

The budget result for the year ended 30 June 2020 is still likely to meet original expectations.

**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 first 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:

David Aber, Acting General Manager

Department:

Finance

Attachments:

1st Quarter Budget Review Statements

**Uralla Shire Council  
 Quarterly Budget Review Statement  
 For the Quarter ended 30 September, 2019**

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**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the Quarter ended 30 September, 2019**

**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 30 September, 2019 indicates that Council's projected financial position at 30 June, 2020 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, 2019 to 30 June, 2020**

***Income & Expenses Budget Review Statement***  
***Consolidated by Fund***  
***Budget review for the quarter ended 30 September, 2019***

(\$000's)	Original Budget 2019/2020	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD Sep-19	
<b>Income</b>						
General Fund	16,412	115		16,527	8,263	50%
McMaugh Gardens	3,223	-		3,223	814	25%
Water Supplies	1,157	-		1,157	509	44%
Sewer Services	3,927	-		3,927	685	17%
<b>Total Income from Continuing Operations</b>	<b>24,719</b>	<b>115</b>		<b>24,834</b>	<b>10,271</b>	<b>41%</b>
<b>Expenses</b>						
General Fund	15,358	55		15,414	3,653	24%
McMaugh Gardens	3,140	-		3,140	742	24%
Water Supplies	1,437	31		1,469	312	21%
Sewer Services	712	25		737	159	22%
<b>Total Expenses from Continuing Operations</b>	<b>20,647</b>	<b>111</b>		<b>20,759</b>	<b>4,866</b>	<b>23%</b>
<b>Net Operating Result from Continuing Operations</b>	<b>4,072</b>	<b>3</b>		<b>4,075</b>	<b>5,405</b>	
Discontinued Operations				-		
<b>Net Operating Result from Continuing Operations</b>	<b>4,072</b>	<b>3</b>		<b>4,075</b>	<b>5,405</b>	
<b>Capital grants and contributions</b>	<b>5,086</b>	<b>-</b>		<b>5,086</b>	<b>640</b>	
<b>Net Operating Result before Capital Grants</b>	<b>(1,014)</b>	<b>3</b>		<b>(1,011)</b>	<b>4,765</b>	

**Uralla Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

***Income & Expenses Budget Review Statement***  
***Consolidated by Activity***  
***Budget review for the quarter ended 30 September, 2019***

(\$000's)	Original Budget 2019/2020	<u>Variations</u> from this QBRs	Notes	Projected Year End Result	Actual YTD Sep-19	
<b>Income</b>						
Organisational Services	5,664	-		5,664	3,979	70%
Community & Culture	6,644	-		6,644	1,847	28%
Infrastructure & Development	7,327	115		7,442	3,250	44%
Water Supplies	1,157	-		1,157	509	44%
Sewer Services	3,927	-		3,927	685	17%
<b>Total Income from Continuing Operations</b>	<b>24,719</b>	<b>115</b>		<b>24,834</b>	<b>10,271</b>	<b>41%</b>
<b>Expenses</b>						
Organisational Services	1,343	40		1,383	531	38%
Community & Culture	7,449	-		7,449	1,588	21%
Infrastructure & Development	9,706	15		9,721	2,276	23%
Water Supplies	1,437	31		1,469	312	21%
Sewer Services	712	25		737	159	22%
<b>Total Expenses from Continuing Operations</b>	<b>20,647</b>	<b>111</b>		<b>20,759</b>	<b>4,866</b>	<b>23%</b>
<b>Net Operating Result from Continuing Operations</b>	<b>4,072</b>	<b>3</b>		<b>4,075</b>	<b>5,405</b>	
Discontinued Operations				-		
<b>Net Operating Result from Continuing Operations</b>	<b>4,072</b>	<b>3</b>		<b>4,075</b>	<b>5,405</b>	
<b>Capital grants and contributions</b>	<b>5,086</b>	<b>-</b>		<b>5,086</b>	<b>640</b>	
<b>Net Operating Result before Capital Grants</b>	<b>(1,014)</b>	<b>3</b>	3	<b>(1,011)</b>	<b>4,765</b>	



**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**  
**Budget review for the quarter ended 30 September, 2019**

Budget Variations include the following material items:

<b>Notes</b>	<b>Amount</b>	<b>Details</b>
1	\$ 16,000	Exec Officer labour hire & casual rate, GM shadow week
2	\$ 4,000	50% accommodation cost for Acting GM, airfares Exec Officer
3	\$ 14,000	Complaint handling policy budget approval 15.08/19
4	\$ 6,259	Temp staff through agency whilst awaiting appointments
5	\$ 15,000	Council resolution 12.08/19 re Stronger Country Communities Fund plans and costs
6	-\$ 114,903	Carry over funding received for MR124 works
7	\$ 43,097	Being additional staff cost for Water Fund per council resolution 37.06/19
8	-\$ 11,600	Lower allocation of insurance costs for water fund properties
9	-\$ 3,000	Lower allocation of insurance costs for sewer fund properties
10	\$ 27,690	Being additional staff cost for Sewer Fund per council resolution 37.06/19
11		
12		
13		
14		
15		
16		

**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Capital Budget Review Statement**

**Budget review for the quarter ended 30 September, 2019**

**Capital Budget - Consolidated by Fund**

(\$000's)	Original Budget 2019/2020	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
<b>Capital Expenditure</b>					
- General	7,507	60		7,567	1,195
- McMaugh Gardens	180	-		180	1
- Water	490	7		497	3
- Sewer	4,862	-		4,862	20
<b>Total Capital Expenditure</b>	<b>13,039</b>	<b>67</b>		<b>13,106</b>	<b>1,219</b>
<b>Capital Funding</b>					
Consolidated Fund Income	5,754	60		5,814	556
Unrestricted Cash Reserves				-	
Capital Grants & Contributions	5,086	-		5,086	640
Loan Funds	-	-		-	-
Receipts from Sale of Assets	-	-		-	-
<i>Reserves:</i>					
- Developer Contributions				-	
- General Restricted Assets				-	
- Water & Sewer Restricted Assets	2,148	7		2,155	23
- McMaugh Gardens Restricted Assets	50			50	
<b>Total Capital Funding</b>	<b>13,039</b>	<b>67</b>		<b>13,106</b>	<b>1,219</b>
<b>Net Capital Funding</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Capital Budget Review Statement**

**Budget review for the quarter ended 30 September, 2019**

**Capital Budget - Consolidated by Activity**

(\$000's)	Original Budget 2019/2020	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
<b>Capital Expenditure</b>					
Organisational Services	90	60		150	3
Community & Culture	180	-		180	1
Infrastructure & Development	7,417	-		7,417	1,191
Water Supplies	490	7		497	3
Sewer Services	4,862	-		4,862	20
<b>Total Capital Expenditure</b>	<b>13,039</b>	<b>67</b>		<b>13,106</b>	<b>1,219</b>
<b>Capital Funding</b>					
Consolidated Fund Income	2,551	60		2,611	1,196
Unrestricted Cash Reserves		-		-	
Capital Grants & Contributions	5,086	-		5,086	
Loan Funds	-	-		-	
Receipts from Sale of Assets	-	-		-	-
<i>Reserves:</i>					
- Developer Contributions	-	-		-	
- General Restricted Assets	-	-		-	-
- Water & Sewer Restricted Assets	5,351	7		5,358	23
- McMaugh Gardens Restricted Assets	50	-		50	-
<b>Total Capital Funding</b>	<b>13,039</b>	<b>67</b>		<b>13,106</b>	<b>1,219</b>
<b>Net Capital Funding</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Cash & Investments Budget Review Statement**  
**Budget review for the quarter ended 30 September, 2019**  
**Consolidated**

(\$000's)	Original Budget 2019/2020	Variations Other than by a QBRS	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
<b>Externally Restricted</b>						
Developer Contributions - General	764	(109)	-		655	664
Developer Contributions - Water Fund	-		-		-	-
Developer Contributions - Sewer Fund	-		-		-	-
Specific Purpose Unexpended Grants	555	823	-		1,378	1,378
Water Supplies	1,643	855	(38)		2,460	2,691
Sewerage Services	678	1,562	-		2,240	2,746
McMaugh Gardens	1,918	399	-		2,317	2,317
Unexpended Loans	-	525	-		525	525
	-		-		-	-
<b>Total Externally Restricted</b>	<b>5,558</b>	<b>4,055</b>	<b>(38)</b>		<b>9,575</b>	<b>10,322</b>
<b>Internally Restricted</b>						
Plant & Vehicle Replacement	-	1,746	-		1,746	1,732
Employees Leave Entitlement	883	185	-		1,068	1,068
Tip Remediation	138	18	-		156	156
Stormwater Drainage	15	(15)	-		-	25
Strategic Development	388	(68)	-		320	320
FAGS Received in advance	1,319	10	-		1,329	1,329
Carry Forward Works	293	680	-		973	973
<b>Total Internally Restricted</b>	<b>3,036</b>	<b>2,556</b>	<b>-</b>		<b>5,592</b>	<b>5,603</b>
<b>Unrestricted</b> (ie. available after the above Restrictions)	<b>-</b>	<b>1,299</b>	<b>(25)</b>		<b>(545)</b>	<b>779</b>
<b>Total Cash &amp; Investments</b>	<b>8,594</b>	<b>7,910</b>	<b>(64)</b>		<b>14,621</b>	<b>16,704</b>

**Note:** Variations other than by QBRS represent alignment of opening balances to final 2019 financial statement balances.

**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Capital Budget Review Statement**  
**Recommended changes to revised budget**  
**Budget review for the quarter ended 30 September, 2019**

Budget Variations being recommended include the following material items:

Notes	Amount	Details
1	\$ 60,000	Implementation of new GIS system per council resolution 37.06/19
2	\$ 7,000	Additional cost for CCTV equipment per council resolution 37.06/19
3		
4		
5		
6		
7		
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15		
16		

**Uralla Shire Council**  
**Quarterly Budget Review Statement**  
**For the period 01 July, 2019 to 30 June, 2020**

**Key Performance Indicators Statement**

**Budget review for the quarter ended 30 September, 2019**

**LTFP KPI's**

	<b>Target</b>	<b>30/06/2020</b>	<b>30/06/2019</b>	<b>30/06/2019</b>	<b>30/06/2018</b>
Operating ratio	>0	-5.12%	-0.09%	2.16%	11.57%
Debt service ratio	>2.0x	9.93	11.43	13.18	16.74
Own source operating revenue ratio	>60%	60%	70.03%	69.45%	71.30%
Rates & charges outstanding %	<8%	10.74%	7.37%	5.38%	4.33%
Asset renewals ratio	>100%	185%	95%	63%	84%

**Quarterly Budget Review Statement  
For the period 01 July, 2019 to 30 June, 2020**

**Contracts Budget Review Statement**

**Budget review for the quarter ended 30 September, 2019**

**Part A - Contracts Listing**

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
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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	\$ 304,181	Y
Legal Fees	\$ -	Y

**Note:** 1. All consultancy amounts were included in the 2019/20 budget except for items adjusted in this QBRS.

**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, 2019 to 30 June, 2020**

**Cash & Investments Budget Review Statement  
Budget review for the quarter ended 30 September, 2019**

**Comment on Cash & Investments Position**

No material variations to Council's Cash and Investments have occurred in the first 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 -\$17,414.

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this reconciliation was 30 September, 2019.

**Reconciliation Status**

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

Cash at Bank (as per bank statements)		73,070
Investments on Hand		16,721,090
less: Unpresented Cheques	(Timing Difference)	(96,041)
add: Undeposited Funds	(Timing Difference)	5,556
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	-
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	-
<b>Reconciled Cash at Bank &amp; Investments</b>		<b>16,703,675</b>
<b>Balance as per Review Statement:</b>		<b>16,703,675</b>





## REPORT TO COUNCIL

<b>Department:</b>	<b>Corporate Services</b>
<b>Submitted by:</b>	<i>Executive Manager Corporate Services</i>
<b>Reference/Subject:</b>	<b>Report 3 – Monthly Report - Library</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	1.3	A diverse and creative culture
<b>Strategy:</b>	1.3.1	Provide enhanced and innovative library services that support and encourage lifelong learning.
<b>Activity:</b>	1.3.1.1	Provide library services and programs
<b>Action:</b>	1.3.1.1.3	Operate the library services to meet the agreed service levels

### SUMMARY:

This report provides an outline of activities at the Library for the month of October 2019.

### OFFICER'S RECOMMENDATION:

**That the report be received and noted.**

### REPORT:

Uralla Library welcomed 13 new members and loaned 1,325 loanable resources during the month of October. Loans were down to the month of September by 582 or 30%. This includes 525 loanable resources that were exchanged with Bundarra Library in September.

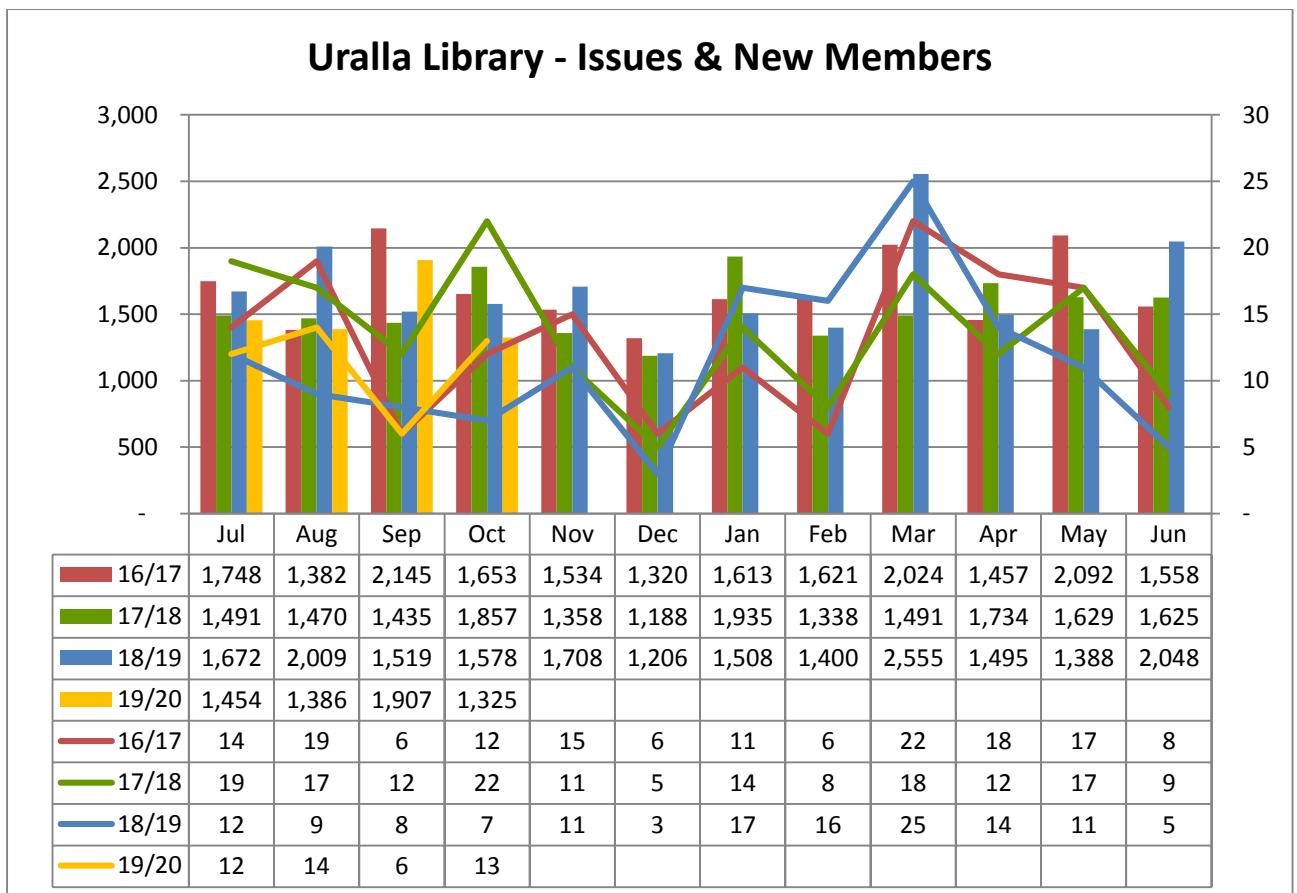
Activities held at the Library during October included:

- The school holidays occurred during the month of October with the new Public Access computers being highly used. Further positive comments were received from users.
- Ongoing monthly activities such as Children's Storytime, Lego Club and Chess & Checkers Club continue to be well attended and valued by the community, as do the adult programs such as Knattering Knitters, Book Discussion Group, Quilters and Colouring Group.
- Seven visits to Home Library Service customers occurred during October.
- History Hub volunteers assisted with local family and history enquiries. Ancestry.com (accessible free of charge within Uralla Library) was utilised to complete the research.

Uralla Shire Council  
Council Business Paper – 26 November 2019

**Figures to-date for 2019-20 Financial Year**

Month	Loans	New Members
July	1,454	12
August	1,386	14
September	1,907	6
October	1,325	13
<b>Total</b>	<b>4,747</b>	<b>32</b>



Prepared by staff member: Susan Glasson, Executive Manager Corporate Services  
 TRIM Reference Number: UINT/19/5840  
 Approved/Reviewed by Manager: Susie Glasson, Executive Manager Corporate Services  
 Department: Corporate Services  
 Attachments: Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Corporate Services</b>
<b>Submitted by:</b>	Tourism Promotions and Operations Officer
<b>Reference/Subject:</b>	<b>Report 4 - Monthly Report - Visitor Information Centre</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.1	An attractive environment for business, tourism and industry
<b>Strategy:</b>	2.1.1	Promote Uralla Shire and the region as a place to live, visit and invest
<b>Activity:</b>	2.1.1.1	Promote Uralla Shire through the Visitor Information Centre
<b>Action:</b>	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 month of October 2019.

### OFFICER'S RECOMMENDATION:

**That the report be received and noted.**

### BACKGROUND:

As part of Council's standing reports, Council is kept updated about functions and activities at the Visitor Information Centre, including monthly visitor numbers since January 2011.

### REPORT:

October showed its usual strengthening visitor numbers prior to a trend of a quieter end of year. We recorded a total of 869 visitors: an increase of 31.27% on the September figure of 662 and a decrease of 9.01% on the October 2018 figure of 955 visitors. The eight-year average for October is 1,029 visitors.

The majority of visitors who came through the Visitor Information Centre (VIC) in October came from New South Wales (70.43%), then Queensland (14.61%) and Victoria (4.03%). There was a notable rise of 38 international visitors, principally from UK (31%), New Zealand (19%), then Switzerland (14%) with others made welcome from Denmark, Eire, Peru, USA, Canada, China, Germany and The Netherlands.

Sales for October 2019 totalled \$2,539 (ex GST) - a 69.49% increase on the September figure of \$1,498 and a 3.05% decrease on the October 2018 figure of \$2,619.

We continue to hear concerns from visitors about the severity of the drought, along with their alarm about the amount of smoke and ongoing bushfires. All visitors are encouraged to use the keys apps and / or websites: "Fires Near Me" and "Live Traffic" when travelling.

**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

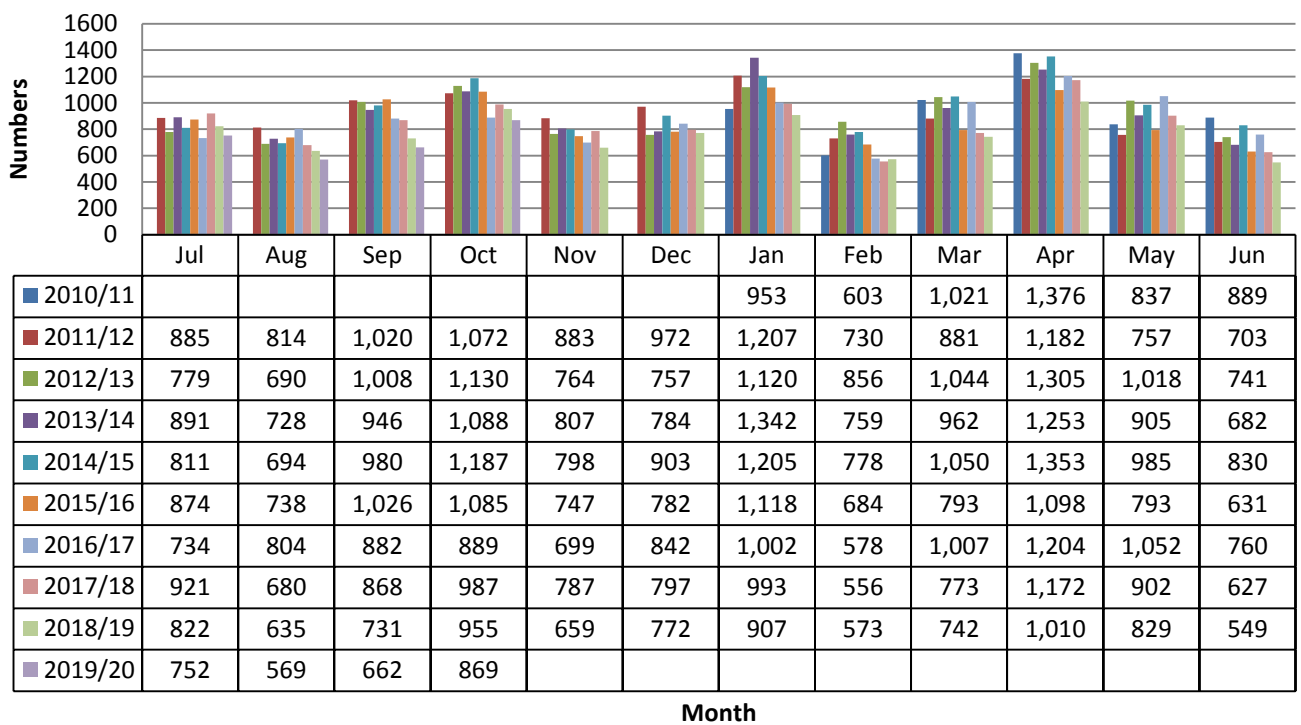
**Sales to-date for 2019-20**

Month	Total (ex. GST)
July	\$1,617
August	\$1,336
September	\$1,498
October	\$2,539
<b>Total (\$)</b>	<b>\$6,990</b>

**Annual October Sales**

Year	Total (ex GST)
2014/15	\$1,881
2015/16	\$2,799
2016/17	\$909
2017/18	\$1,844
2018/19	\$2,619
2019/20	\$2,539

**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:	Tourism Promotions and Operations Officer
TRIM Reference Number:	UINT/19/6411
Approved/Reviewed by Manager:	Executive Manager, Corporate Services
Department:	Corporate Services
Attachments:	Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	<i>Senior Executive Officer</i>
<b>Reference/Subject:</b>	<b>Report 5 - Schedule of Actions as at 26 November 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.1	A strong, accountable and representative Council
<b>Strategy:</b>	4.1.1	Provide clear direction for the community through the development of the Community Strategic Plan, Delivery Program, and Operational Plan
<b>Activity:</b>	4.1.1.2	Deliver integrated strategic planning and reporting requirements

### SUMMARY:

The purpose of this report is to provide Council with the Schedule of Actions updates as at 26 November 2019.

### OFFICER'S RECOMMENDATION:

**That Council receive and note the Schedule of Actions as at 26 November 2019.**

### BACKGROUND:

Following every council meeting, the resolutions of council which require action by council staff are compiled into a single document. This document is referred to as the Schedule of Actions. The purpose of the Schedule of Actions is to track the progress of and to provide confirmation to council when these actions are complete. The Schedule of Actions is presented to Council at its ordinary meetings.

### REPORT:

The Schedule of Actions as at 26 November 2019 shows a total of 44 resolutions with actions which are either currently pending or completed. Actions which were completed as at the date of Council's last ordinary meeting, 22 October 2019, have been removed from the document.

Prepared by staff member:	Bethany White, Senior Executive Officer
TRIM Reference Number:	UINT/19/6220
Approved/Reviewed by Manager:	David Aber, Acting General Manager
Department:	General Manager's Office
Attachments:	A. Schedule of Actions as at 26 November 2019

**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 Mar 2015	26.03/15	<b>Land Disposal – Karava Place, Uralla</b>	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.	MDP/DID	2/6/15	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	<b>Bergen Road Land Acquisition and Exchange for Road Works</b>	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.	DID	Feb 2020	Survey plans completed. Awaiting result of other like applicants. Item to be revisited.	B
25 July 2016	17.07/16	<b>2.18.06.9 Gazetting of Compulsorily Acquired Land for Thunderbolts Way realignment</b>	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	DID  DID	Feb 2020	Gazettal pending for Lots 1, 2 and 3. Referred to Council’s solicitors.  Lot 7 (Crown Land) to be progressed separately with the Lands Department.	B  B
25 July 2016	18.07/16	<b>2.18.06.10 Gazetting of Land Acquired for approaches to new Emu Crossing Bridge</b>	That Council: 1. 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.  2. 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.	DID  DID	Feb 2020	1. Noted.  August 2019. Department of Planning, Industry and Environment, Lands and Water has advised of no objection to the compulsory acquisition of Lot 110.  Advice referred to Council solicitors to progress.	B  B

COUNCIL BUSINESS PAPER - 26 NOVEMBER 2019

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**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 Feb 2017	23.02/17	<b>Dept: I&amp;R Submitted by: Director I &amp; R Reference/Subject: Report 13 - Uralla Local Traffic Committee</b>	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.	DID DID		1. Noted 2. Completed 3. Under preparation. Draft to be circulated to LTC. 4. Completed	C C B C
28 Feb 2017	26.02/17	<b>Dept: I&amp;R Submitted by: DIR Reference/Subject: Report 16 - Rowan Avenue, Stormwater Drainage</b>	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. 2. A low level trash rack/screen be fitted to the stormwater outlet under Rowan Avenue. 3. The residents of 21 and 23 Rowan Avenue be advised of councils resolution.	DID DID DID	Dec 2019 April 18 Dec 17	1. Budgeted for construction in 17/18. Rescheduled to be completed by Feb 2020. Design completed. 2. Installed during December 2017. 3. Completed	B C C
25 July 2017	22.07/17	<b>Dept: I&amp;R: Submitted by: Dir I&amp;R Reference/Subject: Report 11 - Uralla Sporting Complex</b>	That Council; (a) endorse the proposed upgrades to the Uralla Sports complex including the construction of the canteen facilities and disabled toilets and access, (b) provide additional seating around the perimeters of the fields and oval if residual funding is available, and (c) develop a plan of management for the sharing of the facilities among the user groups, (d) staff investigate relocation and redevelopment of the playground area.	DID		a) Completed b) No residual funding available. SCCF Round 2 funding has provision for seating. c) Under preparation. d) Playground completed – turf to be placed in the spring. Funded under Stronger Country Communities Fund Round 1.  Further works to the playground are being undertaken under SCCF Round 2.	C C B C

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**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
19 Dec 2017	15.12/17	<b>Dept: Community &amp; Governance</b> <b>Submitted by: Dir C&amp;G</b> <b>Reference/Subject: Report 8 – Report of the Audit and Risk Committee Meeting held on 21 November 2017</b>	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 That Council:				
			a) Set the meeting schedule for 2018 as follow: <ul style="list-style-type: none"> <li>• 9am Tuesday, 10 April 2018</li> <li>• 9am Tuesday, 10 July 2018</li> <li>• 9am Tuesday, 16 October 2018 - Draft 2017/18 Financial Statements</li> <li>• 9am Tuesday, 27 November 2018 - Presentation 2017/18 Audited Financial Statements, prior to Ordinary Council Meeting held at 12:30pm)</li> </ul>	RMSO		Noted	C
			b) Note the resignation of independent external Committee member Mr Sean Johnston and thank him for his contribution.	RMSO		Noted	C
			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.	RMSO	28/2/18	c) EOI called and reported to March Ordinary Meeting	C
			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.	RMSO	31/1/18	d) Noted for inclusion in 2018 Audit & Risk Committee Forward Plan.	C
			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	CFO	27/11/17	a) Email sent to senior staff seeking feedback	C
			b) the Chief Financial Officer make minor amendments as might be identified in the review process to improve functionality, and c) report the draft Procurement Policy to Council recommending public exhibition for 28 days prior to adoption.	CFO/EMCS	5/1/18	b) Prepare Council paper to put policy on public exhibition for 28 days. c) Tendering provisions expected to be drafted in the next three months (by 30 Sept 2019).	B
3. Council:							
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.	CFO	21/11/17	Noted. Internal audit completed; draft report provided to ARIC. Final report to go to ARIC 16/4/19	C			
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.	RMSO	31/1/18	members with final report to go to next ARIC meeting	C			

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**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	<b>Dept: C&amp;G Submitted by: RMSO Reference/Subject: Report 4 – Report of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018</b>	1. That Council note the minutes of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018, Attachment A.	RMSO	27/4/18	Noted	C	
			2. Report No. 2 Chair's Review of Committee Performance. Committee Recommendation 2.1: <i>That Council receive and note the Audit, Risk and Improvement Committee Chair's Review of Committee Performance Report [Attachment B].</i>	RMSO	27/4/18	Noted	C	
			3. Report No. 3 Policy Risk Management 2018. Committee Recommendation 3.1: <i>That Council:</i>					
			a. <i>place the draft Policy: Risk Management 2018, as amended by the Committee, on public exhibition for a period of 28 days [Attachment C].</i>	CGR		Placed on Exhibition from 27 April to 25 May 2018. No submissions received, added to Policy Register	C	
			b. <i>adopt the draft Policy: Risk Management 2018 to replace the Risk Management Policy adopted in 2014, subject to no public submissions being received.</i>	CGR			C	
			4. Report No. 4 2018 Internal Audit Program Committee Recommendation 4.1: <i>That Council receive and note the:</i>					
			a. <i>Charter: Internal Audit 2018, as modified by the Committee [Attachment D].</i>	RMSO		Noted	C	
			b. <i>2018 Internal Audit Program, as modified by the Committee [Attachment E].</i>	RMSO		Noted	C	
			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>			RMSO	Noted	C
			6. Report No. 6 Policy: Fraud and Corruption Control 2018 and Strategy: Fraud and Corruption Control 2018. Committee Recommendation 6.1: <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>	CGR		Placed on Exhibition from 27 April to 25 May 2018. No submissions received, added to Policy Register.	C	
			ii. <i>adopt the Policy: Fraud and Corruption Prevention Policy 2018, subject to no public submissions being received.</i>	CGR			C	
			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>	CGR		Strategy added to Corporate Documents Register following adoption.	C	
			7. Report No. 7 Risk Management Action Plan 2017-18 Committee Recommendation 7.1: <i>That Council:</i>					

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**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
			<p>a. 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].</p> <p>b. 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.</p>	DID		Noted	C
				DID		Pending.	B
24 April 2018	50.04/18	<b>Dept: I&amp;R Submitted by: DID Ref/Subject: Late Report 2 – Industrial Land Subdivision</b>	<p>That Council resolve to:</p> <ul style="list-style-type: none"> <li>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,</li> <li>Progress detailed design of the subdivision and the construction of Stage 1,</li> <li>Install billboard signage at the property indicating the endorsed layout and undertake additional marketing of the project.</li> </ul>	DID		Noted	C
				DID		Detailed design completed.	B
				DID		Signage installed. Valuation received. Probity advice received and probity plan developed. DA Consent concluded.	B
24 July 2018	35.07/18	<b>Dept: DIR Submitted by: MDP Ref/Subject: Report 14 - Petition for a Primitive Campground at The Glen recreation area.</b>	<p>That; Council consider the proposal detailed in the petition in the preparation of the Uralla Open Spaces Strategy.</p>	MDP		Pending funding for Open Spaces Strategy.	B
25 Sept 2018	30.09/18	<b>Dept: DID Submitted by: MDP Ref/Subject: Report 16 – Recommendations of Uralla Township and Environs Committee July and August 2018 meetings</b>	<p>That Council resolve to:</p> <ol style="list-style-type: none"> <li>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</li> <li>Consider installation of "Find Yourself" street banners in Uralla should the slogan be readopted through the future development of a Destination Marketing Plan.</li> <li>Engage with Uralla Arts in relation to their proposal to design a makeover for The Glen recreation area information shelter.</li> <li>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.</li> </ol>	MDP		<ol style="list-style-type: none"> <li>Noted</li> <li>Noted</li> <li>Engagement commenced</li> <li>Pending</li> </ol>	<p>B</p> <p>B</p> <p>B</p> <p>B</p>

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**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
			<ol style="list-style-type: none"> <li>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.</li> <li>6. Incorporate minor “Fibonacci” design components within a prominent existing park or other public area within Uralla to gauge public interest in the concept.</li> <li>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.</li> <li>8. Advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of Fay Porter.</li> <li>9. Provide a copy of this report and Council’s resolution to the Uralla Township and Environs Committee.</li> </ol>			<ol style="list-style-type: none"> <li>5. Pending – will be undertaken as part of the development of the Open Spaces Strategy</li> <li>6. Pending</li> <li>7. Complete</li> <li>8. Complete</li> <li>9. Complete</li> </ol>	<p>B</p> <p>B</p> <p>C</p> <p>C</p> <p>C</p>
28 Nov 2018	21.11.18	<b>Dept: Infrastructure and Regulation Submitted by: MDP Ref/Subject: Report 8 - Recommendations of Uralla Township and Environs Committee September and October 2018 meetings</b>	<p>That Council;</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. Investigate options for suitable visual enhancement of the dump point and toilet at the Pioneer Cemetery.</li> <li>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.</li> <li>6. Review the information available on tourist sites within Uralla and possible means of imparting information on significant sites to the travelling public.</li> <li>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.</li> </ol>	MDP		<ol style="list-style-type: none"> <li>1. Pending funding for Open Spaces Strategy.</li> <li>2. Refer April Heritage Officer’s report</li> <li>3. Refer April Heritage Officer’s report</li> <li>4. Pending</li> <li>5. Pending</li> <li>6. Pending</li> <li>7. Completed</li> </ol>	<p>A</p> <p>C</p> <p>C</p> <p>A</p> <p>C</p> <p>A</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	29.11/18	Dept: I & R Submitted by: DID Ref/Subject: Report 15 - Heritage Advisory Services Summary Nov 2018	That; 1. The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and 2. That consideration be given to utilising the bronze plaques prepared for the Old Cemetery in Uralla as part of the Open Spaces Strategy.	DID/MDP		1. Complete  2. Pending funding for Open Spaces Strategy.	C  B
18 Dec 2018	34.12/18	Submitted by: Cr Tara Toomey Ref/Subject: Notice of Motion 1 – Bridge St Design Project	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.	DID		Noted. Funding not yet received.	B
26 Feb 2019	18.02/19	Committee: Budget Review & Finance Submitted by: GM Ref/Subject: Report 1 - LTFP – Horizontal Service Review – Priority Actions	That Council: Address the actions identified in the ‘First Tranche of Potential Actions’ list, in the Report, as follows: 1. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.	GM		1. <u>Item 1</u> : VIC stock pricing continuously reviewed as stocks are reordered and replenished. <u>Item 3</u> : Business case being prepared for energy initiatives <u>Item 4</u> : Stewart Brown business plans to address overhead com-	B  B  B

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**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
						budget item. Council determined not to fund in 2019/20 year. <u>Item 15</u> : Pending <u>Item 17</u> : See item 7 above  IV. Noted	B B C
26 Feb 2019	31.02/19	<b>Dept: Community &amp; Governance Submitted by: CGR Ref/Subject: Report 10 - Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019</b>	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; and 4. Review council’s panel of conduct reviewers as required by the Draft Code. 5. Request the Mayor to ask the New England Joint Organisation to consider the establishment of a regional panel of Conduct Reviewers for the member Councils of the Organisation.	EMCS	Feb 2018	1. Complete 2. Complete  3. Policies adopted with no submissions received  4. Pending 5. Pending	C C  C  B B
26 Feb 2019	48.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: MDP Ref/Subject: Report 25 - Recommendations of UTEC November and December 2018 meetings</b>	That Council: receive and note the minutes of Uralla Township and Environs Committee for Tuesdays 13 November and 11 December 2018 and adopt the following suggestions as recommendations: 1. Council provide clear parameters to the Uralla Township and Environs Committee. 2. Council explore the concept of Uralla 2358 in the development of a Fibonacci Discovery Park or other options in the Pioneer Park Precinct with the Uralla community and seek avenues of funding as part of the development of the Open Space Strategy.	MDP		1. Completed  2. Pending funding for Open Spaces Strategy.	C  B
26 Feb 2019	54.02/19	<b>Submitted by: Cr Tara Toomey Ref/Subject: Uralla VIC</b>	That Council: 1) Resolve to progress the detailed design, costings and tender documentation of the VIC in accordance with the plans put on display; and 2) Draw on the VIC Restricted Funds to meet the costs.	DID		1. Consultant engaged. Construction drawings and costings provided. 2. Noted	B C
26 March 2019	21.03/19	<b>Dept: Community and Governance Submitted by: CCDE Ref/Subject: Report 5 – 2019 Bush Bursary/ CWA’s Scholarship Program</b>	That a) Council participate providing one of the Uralla based medical practices commits to hosting a medical student in the Bush Bursary, CWA Scholarship Program 2019. b) Council allocate \$3,000 for the sponsorship of one medical student into the 2019/20 Operational Plan and Budget.	CCDE	August 2019	a) Confirmed Uralla Clinic, 32 Bridge Street will host a medical student in January 2020. b) Noted. Invoice from NSW Rural Doctors Network Ltd received and paid.	B

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**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
26 March 2019	45.03/19	<b>Dept: Infrastructure and Development Submitted by: MWSS Ref/Subject: Confidential Report Acquisition of land Bundarra Sewerage Treatment Plant</b>	That; Council authorise the General Manager to effect the purchase of a 20 ha portion of Lot 38 DP 753656 as detailed in this report, for the agreed Land Acquisition (Just Terms Compensation) value of up to \$132,000 plus GST (if applicable) and reasonable associated costs, including reasonable legal costs incurred by the landowners in entering into the Private Treaty Agreement.	DID	October 2019	In progress.	B
23 Apr 2019	09.04/19	<b>Dept: General Manager's Office Submitted by: SEO Ref/Subject: Report 3 – Northern Inland Academy of Sport Proposal</b>	That Council; Enter into the partnership agreement with the Northern Inland Academy of Sport at Attachment A and allocate \$2,000.00 in the 2019/20 Budget for the NIAS Associate Partnership.	GM	Oct 2019	Partnership agreement signed.	B
23 Apr 2019	27.04/19	<b>Submitted by: Cr Toomey Ref/Subject: Notice of Motion 1 – Uralla Return and Earn</b>	That Council; a) Progress discussions with the Uralla community with a view to finding a suitable location to host a Return and Earn facility for the Uralla Shire. b) As part of these discussions, direct people to the TOMRA Cleanaway website ( <a href="http://www.tcnsw.com.au/">http://www.tcnsw.com.au/</a> ) and the Return and Earn website ( <a href="https://returnandearn.org.au/">https://returnandearn.org.au/</a> ) to ensure that people and organisations who may be interested in being involved, are aware of the 3 return and earn systems and their hosting obligations and benefits. c) In the absence of any other location becoming available, Council Staff should give strong consideration to a location on Council land that provides the community with 24hrs access to an automated Return and Earn facility.	MWWSS	June 2019	a) Advertising undertaken b) Persons directed to web sites for information. c) Pending – if required.	C C A
28 May 2019	30.05/19	<b>Dept: General Manager's Office Submitted by: GM Ref/Subject: Confidential Report 1 – General Manager Mid Term Performance Review 1/07/18 to 31/12/18</b>	That Council; 1. Acknowledge the General Manager received an average result of 'Exceeds Expectations' for his 2018-2019 mid-term performance review conducted on Thursday 4th April 2019. 2. Engage with Local Government NSW to develop a General Manager's Performance Agreement for Uralla Shire Council that better reflects the needs of Council.	GM	June 2019	1. Noted  2. Pending – to be reviewed as part of the new GM's package.	C  A



**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 June 2019	10.06/19	<b>Dept: Infrastructure &amp; Regulation Submitted by: MWWSS Ref/Subject: Late Report 2 – Funding Approval Safe and Secure Water Program Bundarra Sewer Scheme</b>	<ol style="list-style-type: none"> <li>Note the advice from Hon. Minister Melissa Pavey MP regarding revised NSW Government funding of up to \$6.557 million to complete the Bundarra Sewerage Scheme; and</li> <li>Authorise the General Manager to undertake the necessary negotiations to extinguish the funding agreement with Infrastructure NSW and enter into a new funding agreement with NSW Department of Industry – Water.</li> </ol>	MWWSS		<ol style="list-style-type: none"> <li>Noted</li> <li>Pending. Draft funding deed received and under review.</li> </ol>	<p>C</p> <p>B</p>
23 July 2019	32.07/19	<b>Submitted by: Cr R Crouch Ref/Subject: Notice of Motion - Modification of Uralla Development Control Plan to Accommodate Renewable Electricity Generation</b>	That Council, in conjunction with the development of the Local Strategic Planning Statement, undertake a review of the Uralla Development Control Plan to include sections on wind and solar powered generating developments which may be proposed to be located within the Shire.	MDP	Dec 2019	Pending	B
27 Aug 2019	12.08/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Reference/Subject: Late Report #1 - Funding for Stronger Country Communities Round 3</b>	<p>That Council place on public exhibition the following proposed projects to determine community support for its consideration in determining the application for funding under the Stronger Country Communities Round Three.</p> <p>Youth focussed:</p> <ul style="list-style-type: none"> <li>▶ Bundarra multipurpose courts at \$265,000</li> <li>▶ Upgrade to toilet block and canteen at the Uralla swimming pool including disabled and family change rooms and toilets at \$190,000</li> <li>▶ Library improvements – Uralla and Bundarra – including building works and equipment (High Technology Hub) and study spaces at \$200,000</li> </ul> <p>Total Youth focussed \$655,000</p> <p>Community focussed:</p> <ul style="list-style-type: none"> <li>▶ McMaugh Gardens improvements at \$100,000 including generator, insulation improvements and provision for shortfall (if required) for ensuite upgrade project</li> <li>▶ Toilet at Gilmore Park at \$50,000</li> <li>▶ Memorial Hall additional works including painting and windows at \$125,000</li> <li>▶ Digital Community including visual electronic displays and Free WiFi in the Uralla CBD – at \$50,000</li> </ul>	DID		Completed	C



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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
27 Aug 2019	19.08/19	<b>Dept: General Manager's Office</b> <b>Submitted by: GM</b> <b>Reference/Subject: Report 6 - Recommendations from the Communications Workshop Discussion</b>	That the results of the communication workshop on the 13th August 2019 be noted by the Council and that the first tranche of communication improvement recommendations be: <ol style="list-style-type: none"> <li>1. Prepare an A3 version of the newsletter to be posted on community noticeboards.</li> <li>2. Establish space at community noticeboards in the villages for council materials such as the newsletter, press releases and advertisements.</li> <li>3. Establish email address registers of people who would like to be on a regular emailing list for council information or with links to council's latest website updates and social media posts.</li> <li>4. Establish an email address register for local contractors who wish to be informed of opportunities to provide services to council.</li> <li>5. Have a standard item for communication on the Council's Ordinary Meeting agenda to discuss communication of council's decisions at that meeting.</li> <li>6. Provide letters to adjoining owners prior to construction works being carried out in the vicinity.</li> <li>7. The weekly works report be published on the Council's web page.</li> </ol>	CDE CDE CDE DID GM DID DID	Sept 2019	<ol style="list-style-type: none"> <li>1. Process to prepare A3 version of newsletter implemented, community noticeboards being established</li> <li>2. Pending</li> <li>3. Newsletter Email Distribution List established</li> <li>4. Completed</li> <li>5. Ordinary Meeting agendas updated.</li> <li>6. Noted</li> <li>7. Commenced September 2019</li> </ol>	B A B C C C C
27 Aug 2019	31.08/19	<b>Dept: Infrastructure &amp; Development</b> <b>Submitted by: EMC</b> <b>Reference/Subject: Report 12 – Public exhibition and consultation outcomes for proposed resignation of management from selected Council managed Crown Reserves</b>	That Council make a written application to the Minister for Department of Industry - Crown Lands requesting approval of Uralla Shire Council's resignation as Crown Land Manager of Crown land reserves identified as: <ul style="list-style-type: none"> <li>• Lot 31 DP 755838 Kentucky South Reserve;</li> <li>• Lot 153 DP 755838 Kentucky South Reserve;</li> <li>• Lot 7010 DP 93183 Bundarra CBD Reserve; and</li> <li>• Lot 7002 DP 1072010 Rocky River Recreation Reserve.</li> </ul>	EMC		In progress	B
27 Aug 2019	39.08/19	<b>Submitted by: Cr R Bell</b> <b>Reference/Subject: Notice of Motion 2 – Electricity and telecommunications supply to rural residential Subdivision/Development</b>	That Council lay the matter on the table until the October 2019 Ordinary Meeting of Council.	MDP	Sept 2019	Matter raised from the table.	C
27 Aug 2019	42.08/19	<b>N/A</b>	That Council commence the recruitment process for a new General Manager utilising the services of Local Government NSW Employment Solutions.	Mayor	Sept 2019	Recruitment process with LGNSW commenced.	B

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**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 Sept 2019	13.09/19	<b>Dept: Corporate Services Submitted by: CGR Ref/Subject: Report 5 – Code of Conduct Annual Statistical Report 2018-19</b>	That Council; a) Receive and note this report; and b) Provide the Office of Local Government with the Code of Conduct Annual Statistical Report for the period 1 September 2018 to 31 August 2019, by 31 December 2019.	EMCS		a) Noted b) Underway	C B
24 Sept 2019	14.09/19	<b>Dept: Corporate Services Submitted by: CGR Ref/Subject: Report 5 – Code of Conduct Annual Statistical Report 2018-19</b>	The Uralla Shire Council (“the Council”) resolves: 1. Pursuant to s. 296(2), (3) and (5A) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council. 2. Pursuant to s. 296(2), (3) and (5A) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council. 3. Pursuant to s. 296(2), (3) and (5A) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council. 4. That the NSW Electoral Commissioner (NSWEC) be notified of Council’s resolution. 5. That provision be made in council’s budget for associated costs.	EMCS	Nov 2019	Completed. Contract with Electoral Commission signed.	C
24 Sept 2019	25.09/19	<b>Dept: Infrastructure &amp; Development Submitted by: MDP Ref/Subject: Report 13 – Uralla Development Control Plan 2011 Amendment No 5</b>	That Council: 1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a period of not less than 28 days; and 2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received from the public or the Department of Planning, Industry and Environment.	CFO	Sept 2019	1. On public exhibition until 23 October 2019 2. Noted – submissions received. Further report to Council required.	C C
24 Sept 2019	26.09/19	<b>Dept: Infrastructure &amp; Development Submitted by: EMC</b>	That Council make a written application to the Minister for Department of Industry - Crown Lands to request reclassification of the following Crown land reserves from Community to Operational:	MDP	Sept 2019		C
24 Sept 2019	26.09/19	<b>Dept: Infrastructure &amp; Development Submitted by: EMC</b>	That Council make a written application to the Minister for Department of Industry - Crown Lands to request reclassification of the following Crown land reserves from Community to Operational:	EMC	Nov 2019	Submission form for reclassification of the listed Crown land reserves from Community to Operational sent to Crown Lands	B

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**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															
		Ref/Subject: Report 14 – Reclassification of Council Managed Crown Lands to Operational Land	<table border="1"> <thead> <tr> <th>Property</th> <th>Legal Description</th> <th>Locality</th> </tr> </thead> <tbody> <tr> <td>Bundarra Urban Reserve (Bundarra Caravan Park)</td> <td>Lot 7014 DP 93182, Lot 12 Section 17 DP 758181 Parish Bundarra County Hardinge</td> <td>BUNDARRA</td> </tr> <tr> <td>Kingstown Rubbish Depot</td> <td>Lot 96 DP 42118 Parish Baldwin County Hardinge</td> <td>KINGSTOWN</td> </tr> <tr> <td>Uralla Landfill</td> <td>Lot 172 DP 755846 Parish Uralla County Sandon</td> <td>URALLA</td> </tr> <tr> <td>Bundarra Landfill</td> <td>Lot 100 DP 753656 Parish Darbysleigh County Hardinge</td> <td>BUNDARRA</td> </tr> </tbody> </table>	Property	Legal Description	Locality	Bundarra Urban Reserve (Bundarra Caravan Park)	Lot 7014 DP 93182, Lot 12 Section 17 DP 758181 Parish Bundarra County Hardinge	BUNDARRA	Kingstown Rubbish Depot	Lot 96 DP 42118 Parish Baldwin County Hardinge	KINGSTOWN	Uralla Landfill	Lot 172 DP 755846 Parish Uralla County Sandon	URALLA	Bundarra Landfill	Lot 100 DP 753656 Parish Darbysleigh County Hardinge	BUNDARRA				
Property	Legal Description		Locality																			
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8 Oct 2019	X06.10/19	Dept: General Manager Submitted by: GM Ref/Subject: Report 1 – Appointment of New General Manager	<ol style="list-style-type: none"> <li>i. The screening of the applicants by the Committee facilitated by Christian Morris from Local Government Management Solutions be held at 10:00am on 10th October 2019;</li> <li>ii. The first interviews commence at 9:00am on Monday, 21st October 2019; and</li> <li>iii. The final interviews of the most meritorious applicant(s) be held at 9:00am on the 12th November 2019.</li> </ol>	GM	Oct 2019	<ol style="list-style-type: none"> <li>i. Noted</li> <li>ii. Noted</li> <li>iii. Pending</li> </ol>	C C C															
22 Oct 2019	08.10/19	Dept: Infrastructure and Development Submitted by: MDP Ref/Subject: Report of Committee 1 – Recommendations of Uralla Township and Environs Committee August and September 2019 meetings	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receive and note the minutes of the 13<sup>th</sup> August and 10<sup>th</sup> September 2019 meetings of the Uralla Township and Environs Committee, and</li> <li>2. Endorse the officer’s recommendations that: <ol style="list-style-type: none"> <li>a) Council take no further action regarding the war memorials in Alma Park;</li> <li>b) That the existing established conifers in Hill Street be retained; and</li> <li>c) Council supply and install a suitably worded plaque acknowledging the work of Reg Rutten.</li> </ol> </li> <li>3. Remove the current design for the tower for the Visitor Information Centre Upgrade and consider alternatives as part of the project review which are consistent with the Uralla Shire Council Development Control Plan; and</li> <li>4. Consider the UTEC recommendations regarding Bridge and Hill Streets in the development of the detailed design.</li> </ol>	MDP	Nov 2019	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. a) Noted b) Noted c) Under preparation.</li> <li>3. Noted</li> <li>4. Noted</li> </ol>	C B C C															
22 Oct 2019	12.10/19	Dept: Finance Submitted by: CFO Ref/Subject: Report 2 – Annual Financial Statements 2018/19	<ol style="list-style-type: none"> <li>1. That Council adopt the Financial Statements for the year ended 30 June 2019 incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules;</li> </ol>	CFO		<ol style="list-style-type: none"> <li>1. Adopted.</li> <li>2. Signed.</li> </ol>	C C															

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**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
			2. That Council approve the signing of the Statement by Councillors and Management included in the General Purpose Financial Statements as required under section 413 (2) (c) of the Local Government Act; 3. That Council approve the signing of the Statement by Councillors and Management included in the Special Purpose Financial Statements as required by the Local Government Code of Accounting Practice and Financial Reporting; 4. That Council exhibit the Financial Statements and Auditor’s Report and call for public submissions on those documents with submissions closing on 3 December 2019 in accordance with section 420 of the Local Government Act 1993; and 5. That the Audited Financial Statements and Auditor’s Report be presented to the public at the Ordinary Meeting of Council scheduled for 26 November 2019 in accordance with Section 418(1) of the Local Government Act 1993.			3.Signed.  4.On exhibition.  5.Presented to this meeting of Council.	C  C  C
22 Oct 2019	18.10/19	<b>Dept: Corporate Services Submitted by: EMCS Ref/Subject: Report 4 – Model Code of Conduct Consultation - Gifts and Benefits</b>	That Council: 1. Determine the following in relation to the questions posed by the Minister for Local Government (the Minister): <i>a. That \$50 is an appropriate monetary value for the cap on the value of gifts that may be accepted by councillors.</i> <i>b. If the \$50 cap on the value of gifts that may be accepted by councillors is not appropriate, at what value should it be set? – Not applicable</i> <i>c. Not applicable, but if it is suggested that the cap on the value of gifts that may be accepted should be raised, it should be raised uniformly for all council officials.</i> <i>d. If it is suggested that the cap on the value of gifts that may be accepted should be raised for councillors and not for other council officials such as council staff, why does your council believe that councillors should be subject to a different standard than the one that applies to other classes of council officials in relation to the acceptance of gifts. – Not applicable.</i> 2. Provide the Office of Local Government with a submission based on the determination at point 1 above.	EMCS		1. Noted 2. Completed	C C
22 Oct 2019	19.10/19	<b>Dept: Corporate Services Submitted by: EMCS</b>	That Council: 1. Note the tabling of the Disclosure of Interest Returns as required by the Uralla Shire Council Code of Conduct 2019; and	EMCS		1. Completed 2. Completed	C C

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**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
		<b>Ref/Subject: Report 5 – Tabling of Interest Disclosure Returns</b>	2. Publish returns of interest made by councillors and designated persons to the Uralla Shire Council website after redacting any information that applies the public interest test factors listed in the Table in section 14 of the Government Information (Public Access) Act 2009.				
22 Oct 2019	24.10/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Ref/Subject: Report 10 – Works Progress Report as at 30 September 2019</b>	That: 1. The report be received and noted for the works completed or progressed during September 2019, and works programmed for October 2019; and 2. That the Local Roads to Recovery Construction Projects be provided to the next ordinary Council meeting.	MCI	Nov 2019	1. Noted 2. Included in November Report	C C
22 Oct 2019	30.10/19	<b>Submitted by: Cr R Bell Ref/Subject: Notice of Motion 1 – Electricity and telecommunications supply to rural residential Subdivision/ Development</b>	That the Notice of Motion regarding alternate methods of providing telecommunications and electricity for new subdivisions/developments be received as a submission to the current review of the DCP, and be referred to the Manager of Development and Planning for review and report back to council.	MDP	Nov 2019	Addressed in DCP revision	C
22 Oct 2019	31.10/19	<b>Submitted by: Cr R Crouch Ref/Subject: Notice of Motion 2 – Provision of portable Grandstands for the Australian Medieval Combat Federation Tournament</b>	That Council: 1. Set the fee for the hire of the three grandstands for the weekend of 26-27 October by the Australian Medieval Combat Federation at no charge; 2. Permit the Australian Medieval Combat Federation to transport the grandstands to the site of Combat with the proviso that they are returned to their current location on the Monday after the event; 3. The Australian Medieval Combat Federation be liable to repair any damage to the grandstand as a result of their movement; 4. That this be treated as a one off and that any further use of the stands be subject to a policy determined by the Council within the next three months; and 5. That Uralla Shire Council be acknowledged as a supporter during the event.	DID	Feb 2019	1. Completed 2. Completed 3. Completed 4. Noted. Policy to be developed. 5. Communicated to recipient	C C C B C

COUNCIL BUSINESS PAPER - 26 NOVEMBER 2019

## 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
• SEO	Senior Executive Officer	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 Waste, Water and Sewerage Services	Infrastructure and Development
• MDP	Manager Development and Planning	Infrastructure and Development
• MCI	Manager Civil Infrastructure	Infrastructure and Development
• AM	Asset Manager	Infrastructure and Development
• EMCS	Executive Manager Corporate Services	Corporate Services
• CCDE	Coordinator Community Development and Engagement	Corporate Services
• CTI	Coordinator Technology and Information	Corporate Services
• TPOO	Tourism Promotion and Operations Officer	Corporate Services
• RMSO	Risk Management and Safety Officer	Corporate Services
• EMACC	Executive Manager Aged and Community Care	Aged and Community Care
• MMG	Manager McMaugh Gardens Aged Care	Aged and Community Care
• MCC	Manager Community Care	Aged and Community Care





## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director Infrastructure & Development
<b>Reference/Subject:</b>	<b>Report 6 - Heritage Advisory Services Summary for November 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3.1	To preserve, protect and renew our beautiful natural environment
<b>Strategy:</b>	3.1.2	Protect the Shire's historic buildings and sites, recognising their value to the community
<b>Activity:</b>	3.1.2.1	Provide heritage services and support
<b>Action:</b>	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 November 2019. His next visit will be Tuesday, 3 December 2019.

### OFFICER'S RECOMMENDATION:

**That the Heritage Advisory Services Summary for November 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 and Planning
TRIM Reference Number:	UINT/19/6503
Approved/Reviewed by Manager:	Director Infrastructure and Development
Department:	Infrastructure and Development
Attachments:	Attachment 1 - Heritage Advisor Summary



research | interpretation | education | tours | project management

## HERITAGE ADVISORY MEMO

**No. 74**

**date: 5 November 2019**

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### **ITEM 1: Review of Uralla DCP 2011**

I have been requested to review Chapter 9 – Development and Heritage Conservation of Uralla DCP 2011.

In reviewing the DCP I note that the existing text tends, in the main, to address only aspects of heritage relative to town centres or precincts within the Uralla Shire and does not adequately address heritage outside of these.

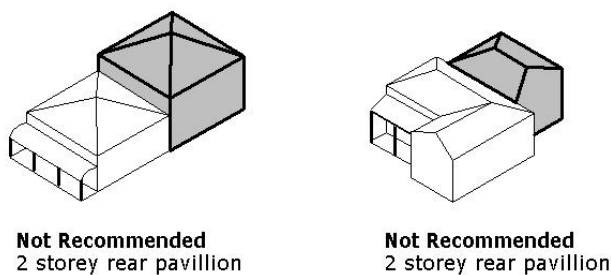
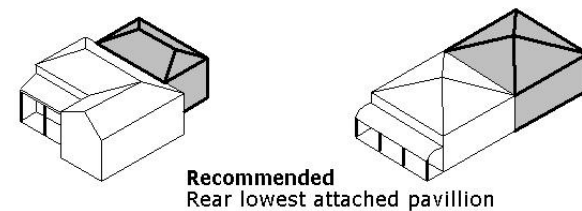
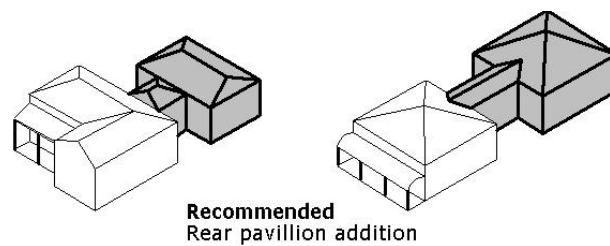
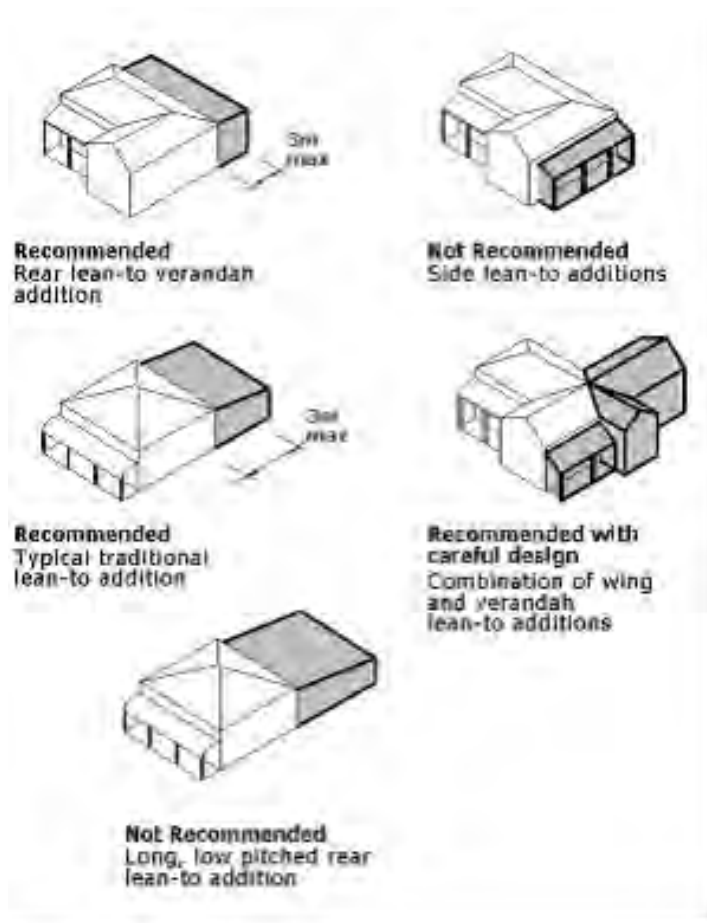
I would suggest any review of the Uralla DCP take a more holistic approach to heritage and provide greater guidance for alterations and additions, roof form, materials and details, verandahs and awnings, windows and doors, painting, fences, garages and carports and services and technologies such as solar panels, air conditioning ducts and units, TV antennae and satellite dishes.

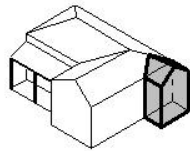
In addition the Reference section of the Uralla DCP could be supplemented with the inclusion of the following publications:

- Australian House Styles, Stapleton, I & M Flannel Flower Press Sydney 1997.
- **Australian Houses of the 20's & 30's, Cuffley, P, The Five Mile Press 1989.**
- Australian Houses of the 40's & 50's, Cuffley, P, The Five Mile Press 1993.
- Caring for Old Houses, Evans I, Flannel Flower Press Mullumbimby 1998.
- Getting the Details Right – Restoring Australian Houses 1890's - 1920's. NSW Department of Planning The Flannel Flower Press, Yeronga, 1989.
- Identifying Australian Architecture, Apperly R, Irving R and Reynolds P. Angus and Robertson, Sydney, 1989.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, Sydney, 2013.

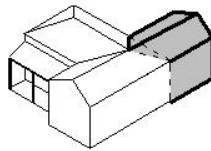
The inclusion of images or sketches would benefit the DCP, provide guidance to owners and help explain sections of text.

Images could include the following:

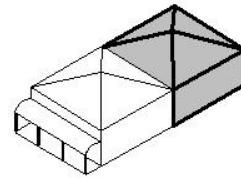




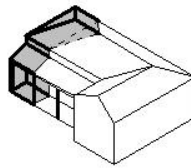
**Recommended**  
Side wing addition



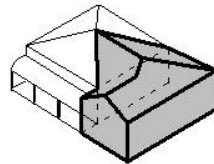
**Recommended**  
Rear wing addition



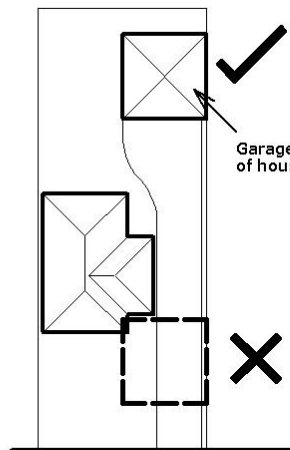
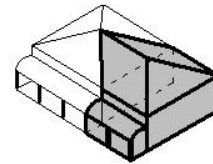
**Occasionally**  
Very small addition



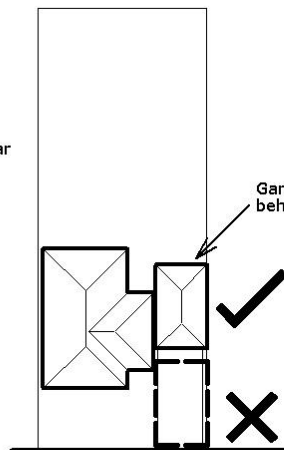
**Not Recommended**  
Rear wing addition  
under the same roofline



**Not Recommended**  
Reshaping the whole roof



Garage at rear  
of house



Garage/ carport setback  
behind house



Garage at rear  
of house

Garage setback  
behind house

Garage dominating  
house

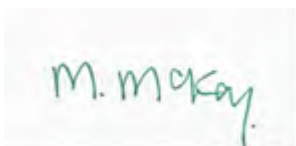
The heritage sections of the following DCPs have been viewed:

- Armidale Dumaresq DCP 2012
- Blayney DCP 2018
- Bellingen Shire DCP 2017
- Blue Mountains DCP 2015
- Inverell DCP 2013
- Kempsey DCP 2013
- Maitland DCP 2011
- Moree Plains DCP 2013
- Taree DCP 2010
- Tenterfield Development Control Plan 2014
- Upper Hunter DCP 2015

and text and images from these DCPs could readily be incorporated into the Uralla DCP.

Of the DCPs viewed I consider Armidale Dumaresq DCP 2012 to have substance and be more relevant to the Uralla Shire than the others viewed.

Bellingen Shire DCP 2017, Blayney DCP 2018 and Upper Hunter DCP 2015 also have some merit.

A rectangular box containing a handwritten signature in green ink that reads "M. McKay".



**Heritage**

research | interpretation | education | tours | project management

**HERITAGE ADVISORY MEMO**

**No. 74**

**date: 5 November 2019**

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**ITEM 2: Next Heritage Advisor visit**

The Heritage Advisor's next visit will be 3 December, 2019.

M. McKay



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director Infrastructure & Development
<b>Reference/Subject:</b>	<b>Report 7 - Works Progress Report as at 31 October 2019</b>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	<b>2.3</b>	A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycle ways that are adequate, interconnected and maintained
<b>Strategy:</b>	<b>2.3.1</b>	Provide an effective road network that balances asset conditions with available resources and asset utilisation
<b>Activity:</b>	<b>2.3.1.1</b>	Deliver road and drainage maintenance services and capital works programs

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### SUMMARY:

The purpose of this report is to inform Council of the works that have been completed or progressed for the previous month, 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 October 2019, and works programmed for November 2019.**

### BACKGROUND:

This report is to inform Council on the progress of maintenance and construction works within the Shire.

### REPORT:

#### A. Works Undertaken in October 2019

<b>1. Main Road Maintenance</b>	
MR73 Thunderbolts Way	General maintenance, Patching
MR124 Bundarra Road	General maintenance, Patching
<b>2. Sealed Roads Maintenance</b>	
Uralla Streets	Patching, mowing, repainting holding lines
Bundarra Town Area	Patching, mowing
MR73 (North) Thunderbolts Way	Final Seal
Bendemeer Street (Bundarra)	Reseal
Kingstown Road	Reseal
<b>3. Unsealed Roads Maintenance Grading</b>	
Warrabah Road	Graded
Kingstown / Bendemeer Road	Graded



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Sawmill Lane	Graded
Athol Road	Graded
<b>4. Construction</b>	
Bingara Road 11.1km to 13.2km	Commenced bitumen sealing Installation of drainage pipes
John Street	Commenced replacing Kerb and Gutter
Maitland Street shared path	Completed construction
Bundarra CBD footpath	Ongoing construction
MR73 North Rehabilitation	Final Seal 1.5km
MR73 South Heavy Patching	Commenced heavy patching
Bundarra Urban Streets	Reseal (Bakers Cr Road to the Lone Pine Bridge)
Torryburn Road	Reseal 3km (from Thunderbolts Way intersection)
Kingstown Road	Reseal 4km (ch 24.0km to 28.0km from Queen Street)
Retreat Road	Seal 1.2klm (from Kingstown Road intersection)
<b>5. Bridge / Signages</b>	
Uralla Streets	Replace old signs on Rural and Main Roads and in town
Rural and Main Roads	Complete Shared Footpath in Maitland Street Commence Kerb and Gutter in John Street between Bridge Street and Queen Street ready for asphalt Renew damaged storm water pit lids around town
<b>6. Town Area</b>	
Uralla	Recreational area maintenance, Cemetery maintenance, Sporting field maintenance, tree pruning. Concrete slab around flag post and footpath at Memorial Gates at Alma Park Watering of trees in Alma Park Installation of new memorial rock for the Korean War memorial

**B. Works to be continued/undertaken in November 2019**

<b>1. Main Road Maintenance</b>	
Bitumen patching	
Guide posting	
Sign maintenance	
<b>2. Sealed Roads Maintenance</b>	
Bitumen patching	
Guide posting	
Resealing of urban streets	
<b>3. Unsealed Roads Maintenance</b>	
1. Gap Road, Bakers Creek, Gap Road, Carlon-Menzies Road, Hillview Road	Grading (subject to availability of water supply)
<b>4. Bridge/Sign</b>	
Bingara Road	Myall Swamp Box Culvert works
<b>5. Construction</b>	
Bingara Road 11.1 km to 13.2 km	Reinstate signage
Bingara Road 8.9 km to 11.1 km	Preparation of Myall Swamp Box Culvert extension Preparation and commence re-construction
Noalimba Avenue rehabilitation (Roads To Recovery)	
<b>6. Town Area</b>	
Routine maintenance	
Resealing	

**C. Roads To Recovery**

Advice has been received that 2019/20 R2R funding has again been increased as the Drought Extension - Roads to Recovery Program November 2019 from \$596,106 to \$894,159. The allocation for the 2019/20 to 2023/24 has increased from \$2,980,528 to \$3,576,634.

The following projects have so far been identified, and submitted for approval;

1. **Project 1:** Noalimba Avenue (chainage 4.0km to 5.0km, between Eastern Avenue and Burton Lane) from Kentucky intersection  
**Scope of works:** Reconstruction of existing single lane formation and pavement widening to 6 metres with additional base course  
**Estimate:** \$345,000  
**Commencement:** November 2019
2. **Project 2:** Leece Road (chainage 0.0km to 0.35km, west from Wilkins Street / Leece Street intersection to T-intersection)  
**Scope of works:** Pavement design, reconstruction and stabilisation of the existing single lane formation, pavement widening to 6 metres with additional base course  
**Estimate:** \$120,000  
**Commencement:** Feb/Mar 2020
3. Pending approval:  
Project: John Street (Bridge Street to Uralla Square)  
Scope of works: Asphalt overlaying  
**Estimate:** \$200,000  
**Commencement:** To be determined

**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
7. **Legal and Risk Management**  
Maintaining Council assets to minimise legal and risk exposure
8. **Performance Measures**  
Works completed to appropriate standards
9. **Project Management**  
Works Manager, Overseer & Director Infrastructure & Development

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Council Business Paper – 26 November 2019

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Prepared by staff member:           Manager Civil Infrastructure  
Approved/Reviewed           by    Director Infrastructure & Development  
Manager:                                 Infrastructure & Development  
Department:  
TRIM Reference Number:            UINT/19/6543  
Attachments:                         1.       Works Program to 31 October 2019

**Capital Works Program at 31 October 2019**

ID	Task Name	Comments	Estimates	Actual Costs to date	Timeline																												
					June	July	August	September	October	November	December	January	February	March	April	May	June	July	M	E	B	M	E	B	M	E	B	M	E	B	M	E	B
1	<b>Upgrades</b>		\$3,256,000.00	\$1,574,962.00	▼																												
2	Bingara Road upgrade, ch 6680 to 15000.	Sealing 19/20 completed. Myall Swamp Box Culvert in-progress	\$2,856,000.00	\$1,574,962.00	■																												
3	Mount Mitchel Road (Sealed & Install guardrails)		\$400,000.00		▼																												
4	<b>Renewals</b>		\$480,000.00	\$16,257.29	▼																												
5	<b>Regional Roads</b>		\$480,000.00		▼																												
6	Thunderbolts Way(MR73), reconstruction ch 22000 to 23650 (start from Gwydir River bridge)		\$400,000.00		▼																												
7	Thunderbolts Way(MR73) Final Seal - Drought Relief Project	Final seal completed	\$40,000.00	\$16,257.29	■																												
8	Bundarra Rd (MR124) Final Seal - Invergowrie Rd		\$40,000.00		▼																												
9	<b>Local Roads (Rural) - Construction -R2R</b>		\$465,000.00		▼																												
14	Leece Road (ch. 350m from Wilkens St)		\$120,000.00		▼																												
15	Noalimba Avenue (ch. 4.0 to 5.0km from Kentucky Road)		\$345,000.00		▼																												
16	<b>Local Roads - Urban</b>		\$190,000.00		▼																												
17	John St - Bridge St to Queen St (K&G, asphalt overlay)		\$100,000.00		▼																												
18	John St - Queen St to Phillip Ave (asphalt overlay)		\$45,000.00		▼																												
19	Uralla Square - John St to Uralla St (asphalt overlay)		\$45,000.00		▼																												
20	<b>Construction Projects</b>		\$260,544.00	\$113,140.15	▼																												
21	Cyclepath - Maitland St	In-progress	\$86,000.00	\$68,559.46	■																												
22	Footpath - (Bundarra CBD - Court St)	In-progress	\$59,544.00	\$39,380.69	■																												
23	Kerb and Gutter (King St & Everett St)		\$70,000.00		▼																												
24	Stormwater - Rowan Ave Box Culvert	Design completed	\$45,000.00	\$5,200.00	▼																												
25	<b>Heavy Patching Prior to Reseals</b>		\$420,000.00		▼																												
26	Thunderbolts Way South	In-progress	\$260,000.00		■																												
27	Bundarra Road		\$160,000.00		▼																												
28	<b>Reseals</b>		\$564,300.00		▼																												
29	Bundarra Town (Darby St to Gwydir River Bridge)	Completed	\$16,500.00		■																												
30	Kingstown Road (ch. 24.0 to 28.0km from Uralla/New England Highway)	Completed	\$124,000.00		■																												
31	Torryburn Road (ch. 0.0 to 4.0km from Thunderbolts Way)		\$120,000.00		▼																												
32	Retreat Road (ch. 0.0. to 7.0km from Kingstown Road)		\$209,500.00		▼																												
33	Uralla Urban Streets		\$62,000.00		▼																												
34	Invergowrie Road (1.0km)		\$32,300.00		▼																												
35	<b>Resheeting</b>		\$20,000.00		▼																												
36	Barraba Road (subject to availability of water)		\$20,000.00		▼																												

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Task	■	Inactive Task	□	Manual Summary Rollup	■	External Milestone	◇
Split	⋯	Inactive Milestone	◇	Manual Summary	▬	Deadline	↓
Milestone	◆	Inactive Summary	▬	Start-only	▬	Progress	▬
Summary	▬	Manual Task	▬	Finish-only	▬	Manual Progress	▬
Project Summary	▬	Duration-only	▬	External Tasks	▬		



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director of Infrastructure & Development
<b>Reference/Subject::</b>	<b>Report 8 - Development Approvals and Refusals for October 2019</b>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.1	An attractive environment for business, tourism and industry
<b>Strategy:</b>	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
<b>Activity:</b>	2.1.4.1	Process building and development applications
<b>Action:</b>	2.1.4.1.1	Assess and determine development, construction, and other regulatory applications

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### SUMMARY:

The following details the development approvals issued by Council and by private certification for October 2019 for the entire local government area. A listing of development applications outstanding with a status as at the end of October 2019 has also been provided.

For information purposes a summary of the development values is provided from January 2009 until the end of October 2019. Similarly, a summary of the number of dwellings approved within the local government area from 1 January 2008 until the end of October 2019 is provided.

### OFFICER'S RECOMMENDATION:

**That Council receive and note the development approvals and refusals for October 2019.**

**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

**REPORT:**

**Development Applications**

**Approved:**

Development Application Number	Applicant	Property	Development
DA-49-2019	Mr R & Mrs J Kaehler	41 Saumarez War Service Road, Saumarez	Change of Use – Dual Occupancy – Conversion of Shed to Dwelling
DA-55-2019	PONZ Armidale Pty Ltd	31 Hill Street, Uralla	Extension to Existing Building
DA-60-2019	Mr C & Mrs K Cooper	36 Uralla Street North, Uralla	Dwelling
DA-61-2019	Mr C & Mrs T Dawson	200 Burtons Lane, Kentucky South	Dwelling Relocation & Extension
DA-62-2019	Dr E Baker, Dr A Knirsch & Seritron Pty Ltd	2007 Bundarra Road, Yarrowyck	Dwelling
DA-65-2019	Mr A & Mrs D Archer	1292 Enmore Road, Mihi	Dwelling Alterations & Additions
<b>Monthly Estimated Value of Approvals: \$821,898.00</b>			

**Cancelled:** Nil

**Withdrawn:**

Development Application Number	Applicant	Property	Development
DA-58-2019	Mr A & Mrs J Thurlow	2 Barleyfields Road, Uralla	Shed including Workshop
DA-70-2019	Mr J & Mrs M Piddington	40 Kalinda Road, Invergowrie	Dual Occupancy

**Refused:** Nil

**Comparison to October 2018:**

October 2018:	\$252,830.00	October 2019:	\$821,898.00
Year to date: (Calendar Year)	\$3,294,638.00	Year to date: (Calendar Year)	\$6,399,611.00

**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-26-2018-3	Mr G & Mrs A Ward	56 Salisbury Street & 26 Uralla Street, Uralla	Subdivision of Two Urban Lots to Create Three Urban Lots	Under Assessment
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

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**Development Applications Outstanding (continued)**

Application Number	Applicant	Property	Development	Status
DA-42-2019	Mr W Howard	82 Bridge Street, Uralla	Staged Interior Alterations, First Floor Accommodation, Kitchen, Bar & Toilet	Under Assessment
DA-43-2019	Ms G Alexander	1425 Bundarra Road, Invergowrie	Change of Use (Conversion of Shed to Dwelling)	Awaiting Applicant
DA-59-2019	Mr M & Mrs R Neuer	39 Baker Road, Invergowrie	Conversion of Shed to Dwelling	Under Notification
DA-63-2019	Mr K & Mrs S Grant	296 Noalimba Avenue, Kentucky South	Warehouse	Under Assessment
DA-64-2019	Mr M & Mrs C Bynes	4 Park Street, Uralla	Shed	Under Assessment
DA-66-2019	Mr D & Mrs T Williams	94 Quartz Gully Road, Uralla	Dual Occupancy & Garage	Under Assessment
DA-67-2019	Mr C Lute	5 Hill Street, Uralla	Replace Existing Retaining Wall	Under Assessment
DA-68-2019	Mrs S Egan	33 McCrossin Street, Uralla	Glass Enclosure	Under Assessment
DA-69-2019	Mr R & Mrs D Nies	14 Souter Street, Bundarra	Verandah	Under Assessment
DA-71-2019	Ms R England	22 Fitzroy Street, Uralla	Studio, Carport & Laundry/Store Area	Under Notification
DA-72-2019	Mr J Birnie & Ms J Lewis	127 Dumaresq Road, Saumarez Ponds	Verandah	Under Assessment
DA-73-2019	Mr S & Mrs L Byrnes	19 East Street, Uralla	Alterations to Bathroom, Relocate Laundry to Garage, Conversion of Garage to Family Room, & Extension to Deck	Under Assessment
<b>Total: 16</b>				

**Construction Certificates**

**Approved:**

Application No.	Applicant	Property	Construction
CC-55-2019	PONZ Armidale Pty Ltd	31 Hill Street, Uralla	Extension to Existing Building

**Refused:** Nil

**Issued by Private Certifier:**

Application No.	Applicant	Property	Construction
CC-25-2019-2	Mr P & Mrs K Power	5 Depot Road, Uralla	Additions & Alterations to Dwelling – Front Entrance, Verandah Enclosure, Carport Enclosure & Covered Entertainment Area
CC-41-2019	Mrs J Gray	55 King Street, Uralla	Dual Occupancy – Tourist & Visitor Accommodation

**Total Monthly Estimated Value of Construction Certificate Approvals: \$194,398.00**

**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

**Complying Development Certificate Applications**

**Approved:**

Application Number	Applicant	Property	Construction
CDC-14-2019	Mr D & Mrs S French	42 Amaroo Road, Invergowrie	Shed

**Refused/Withdrawn:** Nil

**Issued by Private Certifier:**

Application Number	Applicant	Property	Construction
CDC-3-2019	Mr T & Mrs N Meredith	143 Panseyfield Road, Saumarez Ponds	Dwelling Alterations & Additions including Carport
CDC-13-2019	Mr T & Mrs E Polson	799 Bundarra Road, Saumarez Ponds	Dwelling Additions – Verandah

**Total Monthly Estimated Value of Complying Development Certificate Approvals: \$171,801.00**

**Comparison to October 2018:**

October 2018:	\$465,580.00	October 2019:	\$171,801.00
Year to date: (Calendar Year)	\$3,045,520.00	Year to date: (Calendar Year)	\$1,491,801.00

**Calendar Year Development Values**

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
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	7,891,412	93,945	6,399,611	1,491,801

2019 to date



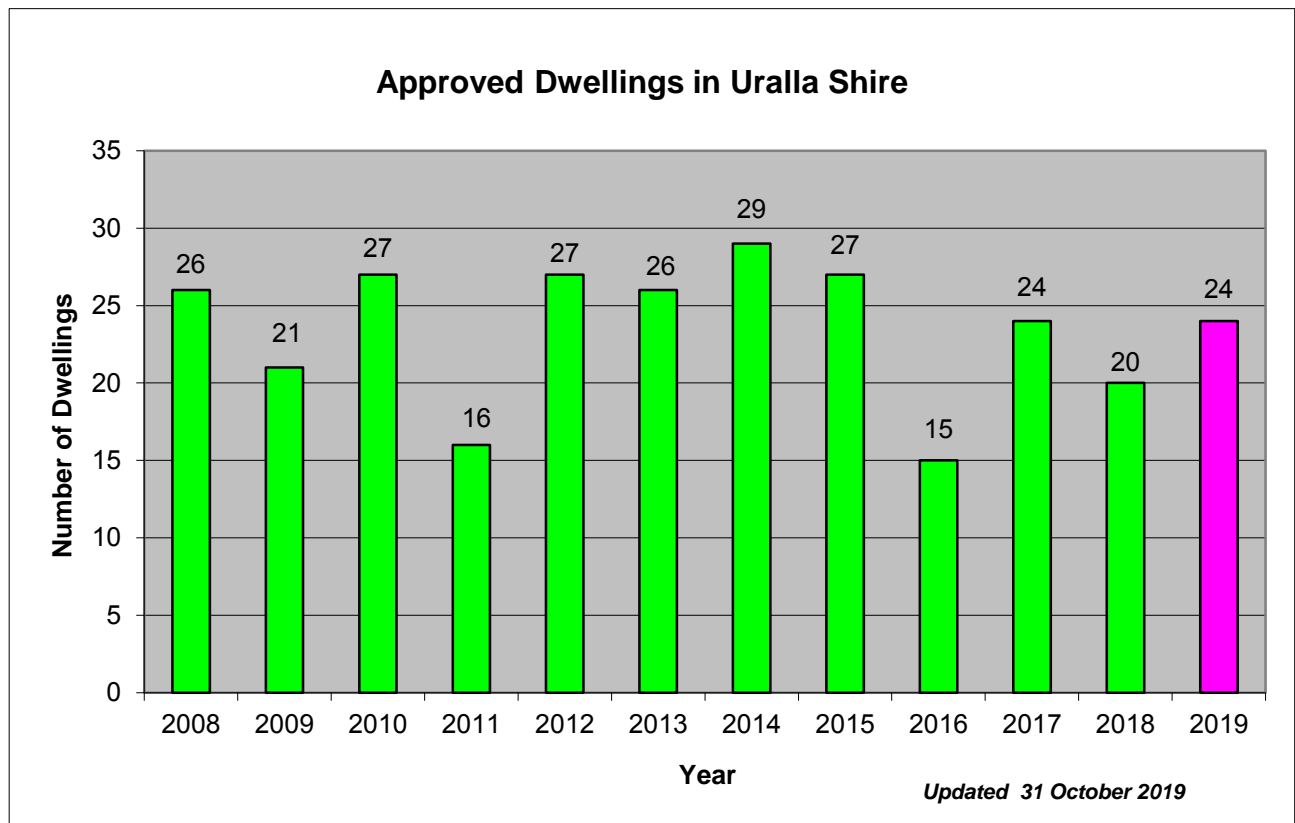
**Uralla Shire Council**  
**Council Business Paper – 26 November 2019**

**Financial Year Development Values**

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
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	8,378,082	93,090	5,173,128	3,204,954
2019-2020	2,707,939	79,645	2,287,638	420,301

2019-2020 to date

**Approved Dwellings 2008-2019**



**KEY ISSUES:**

- *Development Applications approved by Council for October 2019 – 6*
- *Development Applications refused by Council for October 2019 – 0*
- *Development Applications cancelled by Council for October 2019 – 0*
- *Development Applications withdrawn by Applicant for October 2019 – 2*
- *Outstanding Development Applications as at 31 October 2019 – 16*
- *Construction Certificates approved by Council for October 2019 – 1*
- *Construction Certificates refused by Council for October 2019 – 0*
- *Construction Certificates issued by private certification for October 2019 – 2*
- *Complying Development Applications approved by Council for October 2019 – 1*
- *Complying Development Applications refused by Council for October 2019 – 0*
- *Complying Development Applications withdrawn by Applicant for October 2019 – 0*
- *Complying Development Applications issued by private certification – 2*
- *Total Development Value for 2019 as at 31 October 2019 – \$7,891,412*
- *Average Development Value for 2019 as at 31 October 2019 – \$93,945*
- *Development Application Value for 2019 as at 31 October 2019 – \$6,399,611*
- *Complying Development Application Value for 2019 as at 31 October 2019 – \$1,491,801*
- *Approved dwellings as at 31 October 2019 – 24*

**COUNCIL IMPLICATIONS:**

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

The Development Approvals and Refusals for October will be placed in the next available newsletter.

**10. Policy and Regulation**

*Environmental Planning & Assessment Act, 1979*

*Environmental Planning & Assessment Regulations, 2000*

**11. Financial (LTFFP)**

Nil

**12. Asset Management (AMS)**

Nil

**13. Workforce (WMS)**

Nil

**14. Legal and Risk Management**

Nil

**15. Performance Measures**

Nil

**16. 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:	Environmental Management Coordinator
Reference/Subject:	<b>Report 9 - Transfer ownership of a section of Mount Butler Lane from Department of Industry - Crown Lands and Water Division to Uralla Shire Council</b>

### 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.
Action:	2.3.1.1.4	Deliver unsealed roads grading program in line with established service levels and intervention points – per Transportation Asset Management Plan.

### SUMMARY:

The purpose of this report is to recommend that Council accepts transfer of ownership to Uralla Shire Council of a section of Mount Butler Lane that is currently a Crown road, as proposed by NSW Department of Industry - Crown Land & Water Division.

### OFFICER'S RECOMMENDATION:

***That Council resolve to accept the transfer of ownership to Uralla Shire Council of the 1.28km section of Mount Butler Lane that is currently a Crown road as proposed by NSW Department of Industry - Crown Land & Water Division.***

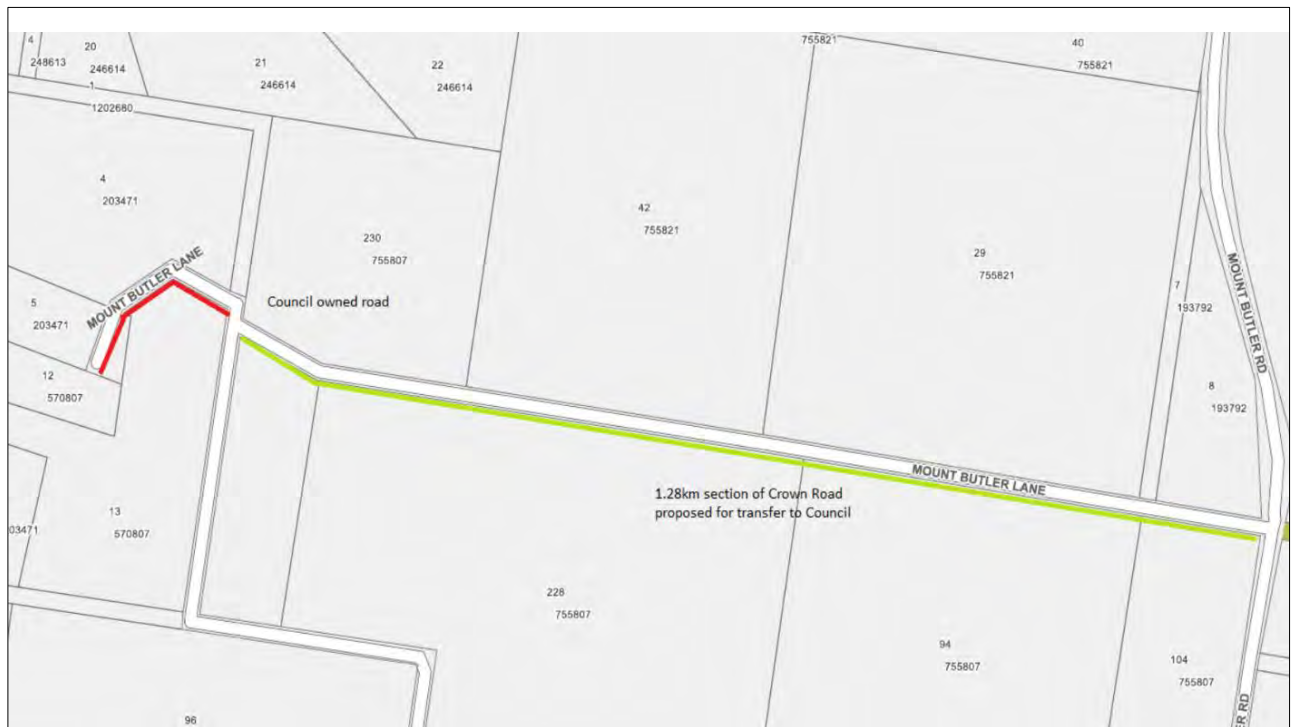
### BACKGROUND:

Mount Butler Lane refers to a 1.28km section of Crown road providing external access to Mount Butler Road for the following rural residential landholdings;

1. Lot 13 DP 570807
2. Lot 12 DP 570807
3. Lot 5 DP 203471

The subdivision of Lots 6 and 8 of DP 203471 in 1974, provided two new lots; Lot 12 DP 570807 and Lot 5 DP 203471 (Attachment 1).

Access to the subdivision required an extension of Mount Butler Lane from the existing western terminus. This extension is owned and maintained by Council.



Following the development of the subdivision, Mount Butler Lane became the connecting road for residents of Lot 13 DP 570807, Lot 12 DP 570807 and Lot 5 DP 203471 to Mount Butler Road and beyond.

**REPORT:**

The subdivision of Lots 6 and 8 of DP 203471 in 1974 resulted in the formation of a Council owned road which is connected to Mount Butler Road via Mount Butler Lane, which is a Crown road. Mount Butler Lane is subsequently a link road connecting Council owned roads at the western and eastern terminus. Mount Butler Lane is maintained by Council.

On 7 May 2019, Council received a request from the Department of Industry - Crown Land and Water Division to transfer ownership of Mount Butler Lane from the Crown to Council (Attachment 2). The request includes an unformed road reserve as shown by the map received from Crown Lands (Attachment 3). The Department's request is considered appropriate given that Council is already undertaking the maintenance over most of the lane.

The transfer of ownership for Mount Butler Lane should be limited to the section that connects Mount Butler Road directly with the subdivision road owned by Council. The determination therefore excludes transfer of the unformed road reserve to Council as shown in Attachment 3.

Under section 152I of the Roads Act 1993;

- (1) the roads authority may, by order published in the Gazette, transfer a specified Crown road to another roads authority.

**KEY ISSUES:**

- Council will formally take ownership and associated responsibilities of the link section of Mount Butler Lane.

**CONCLUSION:**

Mount Butler Lane is currently maintained by Council and provides the road access between Lot 13 DP 570807, Lot 12 DP 570807, Lot 5 DP 203471 and Mount Butler Road. Accordingly, it is considered appropriate to accept the transfer of ownership of the link section of Mount Butler Lane that is currently a Crown Road from Department of Industry - Crown Land and Water Division to Uralla Shire Council.

**COUNCIL IMPLICATIONS:**

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

Nil

**18. Policy and Regulation**

**19.** Under section 152I of the *Roads Act 1993*, a roads authority may request transfer of a Crown road.

**20. Financial (LTFP)**

The maintenance of Mount Butler Lane is currently funded by Council.

**21. Asset Management (AMS)**

Ongoing maintenance of this section of Mount Butler Lane will be the responsibility of Council.

**22. Workforce (WMS)**

Nil

**23. Legal and Risk Management**

Nil

**24. Performance Measures**

Nil

**25. Project Management**

Nil

Prepared by staff member:	Environmental Management Coordinator
TRIM Reference Number:	UINT/19/6380
Approved/Reviewed by Manager:	Manager Development and Planning
Department:	Infrastructure & Development
Attachments:	Attachment 1 - Mount Butler Lane subdivision plan. Attachment 2 - Email correspondence with Crown Lands. Attachment 3 - Mount Butler Lane Map as received from Crown Lands.



Council Clerk's Certificate

Surveyor's Certificate

PLAN OF SUBDIVISION OF LOTS 6 & 8 IN D.P. 203471 BEING PARTS OF PORTION 229

15/74  
16.

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

~~\*(b) the requirements of section 34B of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended. †Hunter District Water, Sewerage, and Drainage Act, 1938, as amended.~~

have been complied with by the applicant in relation to the

proposed Subdivision

(Insert "new road", "subdivision" or "consolidated lot") set out herein

Subdivision No. 15/74

Date 3-6-74

(Signature) [Signature]  
Council Clerk

\*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.  
†Delete if inapplicable.

I, John Storry Hawkins

of P.O. BOX 656 Armidale 2350

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that ~~the survey represented in this plan~~

is accurate and has been made \*(1) by me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on 1

17-5-1974

Signature [Signature]

Surveyor registered under Surveyors Act, 1929, as amended.

~~Datum Line of Azimuth.~~  
\*Strike out either (1) or (2). †Insert date of survey.

Mun./Shire URALLA

Locality: ARDING

Parish: ARDING

County: SANDON

Reduction Ratio: 2500

Lengths are in metres

Registered: DP 248041

C.A.: DP 570807

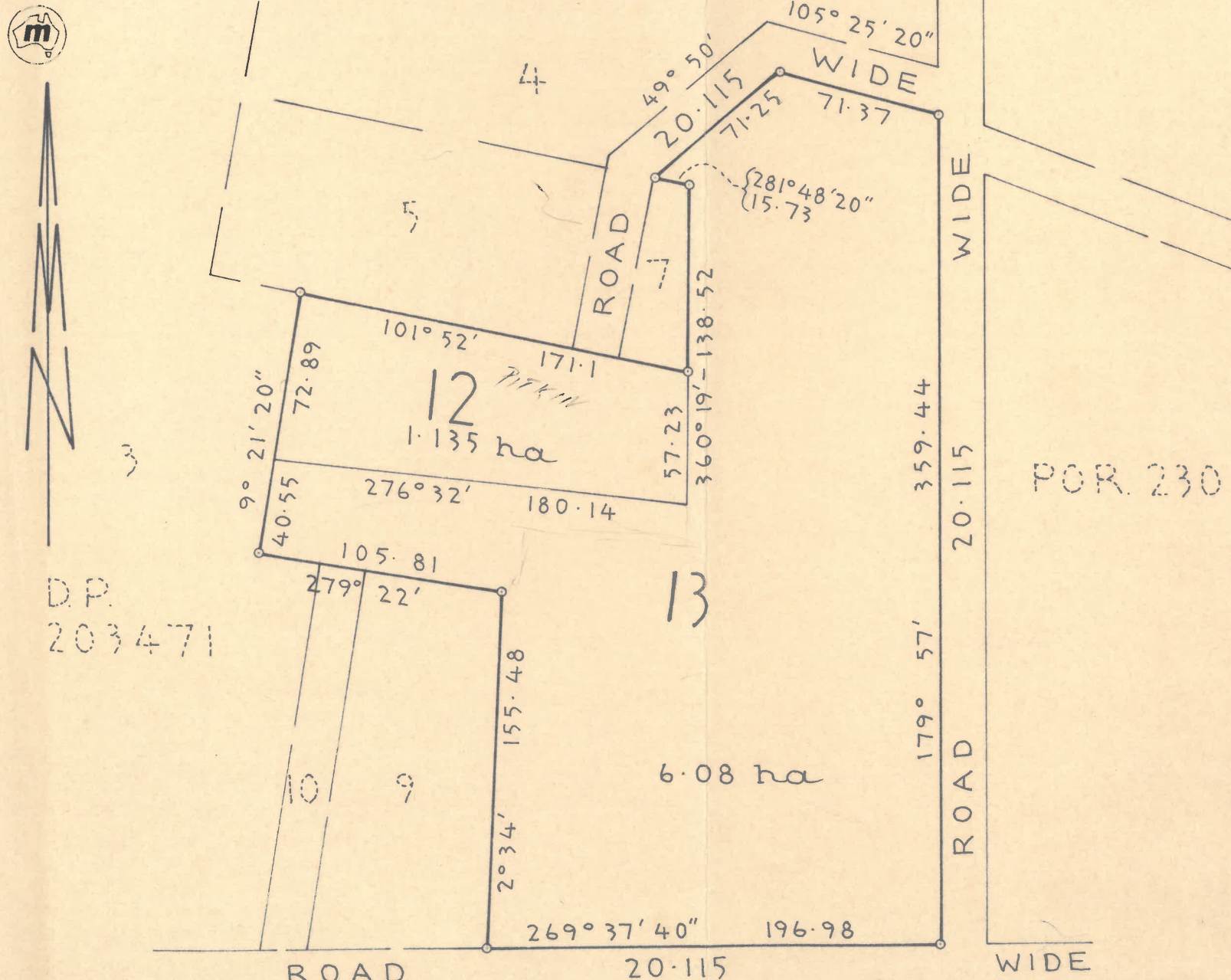
Title System:

Purpose:

Ref. Map:

Last Plan:

Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.



COUNCIL BUSINESS PAPER - 26 NOVEMBER 2019

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Plan Drawing only to appear in this space

**From:** [Rodney O'Brien](#)  
**To:** [Des Andersen](#)  
**Subject:** Mount Butler Lane  
**Date:** Tuesday, 7 May 2019 3:24:36 PM  
**Attachments:** [R340571.pdf](#)  
[Mt Butler Lane.pdf](#)

---

Hi Des

As outlined today on the phone please find attached a plan of subdivision showing the new road.

The second map shows Mount Butler Lane as Crown Road and as outlined by you Council is maintaining this road, therefore it should be transferred to council control.

Please let me know ASAP so I can arrange for this to happen.

Thanks

Regards

**Rodney O'Brien** I Group Leader Armidale & Moree

**NSW Department of Industry - Crown Land & Water Division**

K Block TAFE campus Allingham Street Armidale NSW 2350

PO Box 2185 Dangar NSW 2309

Direct T: 02 6770 3101 M: 0400 529 660 E: [rodney.obrien@crowland.nsw.gov.au](mailto:rodney.obrien@crowland.nsw.gov.au)

Generic T: 1300 886 235 F: 02 6773 9393

Generic E: [armidalecrowlands@crowland.nsw.gov.au](mailto:armidalecrowlands@crowland.nsw.gov.au)

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

**Please Note:** Our office opening hours are by appointment only



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This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of their organisation.



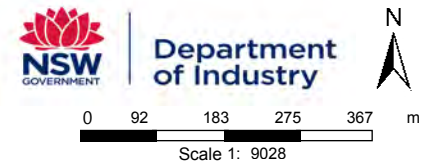


**Legend**

	Aboriginal Land Claim Boundary		Non Crown Land
	Licence (Structure Point)		Crown Land - Undefined Status
	Licence (Structure Line)		Crown Road
	Licence (Structure Polygon)		Shared Crown / Council Road
	Licence (Land Area)		Crown Road - Undefined Status
	Crown Lease		Crown Waterway
	Enclosure Permit		All Crown (Land, Road & Water)
	Crown Reserve		Local Government Area
	Crown Land (Other)		Suburb
	Crown Land		National Parks Reserve
	Crown Land - Status Unknown		State Forest

**Crown Account Details**

Parish: ARDING  
 Country: SANDON  
 LGA: URALLA  
 Suburb: INVERGOWRIE  
 Author: DPllobrien  
 Map Created: 7/05/2019 3:20:15 PM



Projection: WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 Disclaimer: Scale is not accurate. DI Lands must not be liable for any loss or damage (including loss of profits, business, revenue or data) whether in contract, tort (including negligence) or otherwise arising from or in connection with any defect, error or inaccuracy of information or any part thereof or any products or services.  
 Copyright: Department of Industry, Lands and Water 2019.





## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Manager of Development and Planning
<b>Reference/Subject::</b>	<b>Report 10 - Amended Uralla Development Control Plan 2011 Amendment No 5</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.2	Growing diversified employment, education and tourism opportunities
<b>Strategy:</b>	2.2.1	Provide land use planning that facilitates employment creation
<b>Activity:</b>	2.2.1.1	Optimise land use planning instruments to support employment creating business and industries
<b>Action:</b>	2.2.1.1.1	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents.

### 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:

The purpose of this report is to recommend that Council endorse and resolve to publicly exhibit the draft amendment No. 5 of the Uralla Development Control Plan (DCP) 2011 for a period of 28 days.

### OFFICER'S RECOMMENDATION:

#### That Council:

1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a period of not less than 28 days; and
2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received from the public or the Department of Planning, Industry and Environment.

### BACKGROUND:

The Uralla DCP was prepared in 2011. The DCP was amended in August 2012 for minor housekeeping reasons and to include a section concerning regulatory advice to Council regarding the land known as the former Koppers Timber Treatment Site.

The DCP amendment No. 2 provided controls for emerging land uses such as the use of shipping containers, secondary dwellings and bed and breakfast accommodation; new flood planning controls

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based on the Rocky and Uralla Creeks Flood Study, 2014; and general housekeeping amendments to correct typographical errors and to update the document to Council’s documentation standards.

The DCP was amended for a third time to support rural detached dual occupancy and boundary adjustment clauses included in the Uralla Local Environmental Plan (LEP) 2012.

The fourth amendment was Chapter 17 ‘Barleyfields’ of the Uralla Development Control Plan 2011 which was prepared to provide additional controls and guidelines to ensure the logical and sequential development of the Barleyfields residential subdivision.

The proposed fifth amendment which has been recently exhibited dealt with minor housekeeping matters, setbacks in rural areas, notification, and minimum lot sizes for manufactured homes, strata subdivisions, as well as multi dwelling housing. This amendment was exhibited for 28 days with 11 submissions received.

The amendment has now been modified in response to the submissions and the Notice of Motion regarding renewable power supply and telecommunications presented at the 22 October Council meeting.

**REPORT:**

**Submissions:**

Submission maker	Issue	Comment
Colin Hull	Minimum area per dwelling and minimum lot size for strata subdivision.	Removed from draft.
Jo Hull	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.
Daniel Brown	Minimum area per dwelling and minimum lot size for strata subdivision.	Removed from draft.
Ross Burnet	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.
Myles Doran	Minimum area per dwelling and minimum lot size for strata subdivision.	Removed from draft.
Warren Sellings	Inconsistency with Complying Development Codes	Complying Development is a separate approval pathway to which the DCP doesn’t apply.
Teresa French	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.
Dale Goodwin	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.
John Goode	Minimum area per dwelling and minimum lot size for strata subdivision.	Removed from draft.
Anna Sutherland	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.
Felicity Nivison	Consent requirements for sandwich boards.	Consent for exposing items within the road reserve is a statutory requirement.

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Key issues:

*Minimum area per dwelling and minimum lot size for strata subdivision* – Based on the submissions and phone calls received during the exhibition period, it is reasonable to suggest that these changes are unpopular, particularly with people who have purchased vacant land in Uralla.

*Consent requirements for sandwich boards* – It is a statutory requirement to obtain consent prior to installation of a sandwich board with in the road reserve, and Council cannot provide an exemption in the DCP. With regard to the fee for approval, Council can set a fee under the Local Government Act 1993 or the Roads Act 1993.

*Inconsistency with Complying Development Codes* - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provide a fast track approval for some development and does not require consideration of the DCP. For this reason there is no reason for the DCP to be consistent with these codes.

*Notice of Motion regarding renewable power supply and telecommunications* – These changes were discussed at the 22 October 2019 and have been included to reflect changes in legislation since the introduction of the DCP and changes in technology.

The Uralla DCP has been amended to include development standards and guidelines which reflect current legislation and community expectations. Key changes are, specifically:

Section	Current wording	Proposed wording
Chapter 2 - Subdivision	The maximum height of the access way fencing shall be 900mm between the front of the adjacent dwelling and the street, and 1800mm between the front of the adjacent dwelling and the rear of the lot.	Nil. This section has been deleted as fencing up to 1200mm is exempt from requiring approval in most applications.
	Nil	If wireless NBN connection is proposed, it must be demonstrated that a valid exemption exists under the provisions of Telecommunications (Fibre-ready Facilities –Exempt Real Estate Development Projects) Instrument 2016.
	Nil	If Council has agreed that provision of reticulated electricity to the subdivided lot(s) is not viable, provision of alternative methods of supply must: <ul style="list-style-type: none"> <li>• Demonstrate compliance with Australian Standards;</li> <li>• Have certification from the manufacturer that they are fit for purpose, and</li> <li>• It must be noted on the property title that reticulated power is not provided to the lot.</li> </ul>
Chapter 2 - Subdivision - Large Lot Residential Areas	Nil.	Access handles for battle-axe blocks are to be excluded from the lot area for the purposes of minimum lot size calculations if the average width is below 25 metres.

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Chapter 3 – Residential Development	Nil.	Driveways are to be concrete or bitumen sealed from the road to the property boundary.
	Nil.	Manufactured homes are not permitted below the corresponding LEP minimum lot size for a dwelling house.
	The maximum height of a side or front fence between the front of the dwelling and the street shall be 900mm. Side or rear fences behind the front building line may be built to a maximum height of 1,800mm.	The maximum height of a side or front fence between the front of the dwelling and the street shall be 1200mm, and be open –style with no solid panels. Side or rear fences behind the front building line may be built to a maximum height of 1,800mm. No barbed wire is permitted.
Chapter 4 – Rural Development	For RU1 and RU2 zones: The dwelling is not within 50m of any boundary of the holding.	For RU1 and RU2 zones: The dwelling may not be within 50m of any boundary of the holding. Where possible, ancillary structures such as sheds must be located so as to preserve the amenity of neighbouring properties, and are not to be within 25m of any boundary. In some circumstances these development standards may be varied due to the environmental or physical constraints of the site (such as when the lot size is well below the minimum lot size of the zone). If relaxation of this development standard is proposed, neighbour notification is required.
	For R5, E3 and E4 zones: The dwelling is not within 25m of any boundary of the holding.	For R5, E3 and E4 zones: The dwelling may not be within 25m of any boundary of the holding. Where possible, ancillary structures such as sheds must be located so as to preserve the amenity of neighbouring properties, and are not to be within 15m of any boundary. . In some circumstances these development standards may be varied due to the environmental or physical constraints of the site (such as when the lot size is well below the minimum lot size of the zone). If relaxation of this development standard is proposed, neighbour notification is required.
Chapter 7 Commercial Use of Public Footways	As a condition of any approval Council will request that at all times the applicant shall have in force a Public Liability Insurance policy in the sum of not less than \$10,000,000 or otherwise as specified by Council.	As a condition of any approval Council will request that at all times the applicant shall have in force a Public Liability Insurance policy in the sum of not less than \$20,000,000 or otherwise as specified by Council.
	No Council approval is required for the placement of a sandwich board sign within the road reserve (footpath) provided that it complies with the following requirements: <ul style="list-style-type: none"> <li>• One (1) sandwich board type sign will be permitted for each business house, with business houses having a street frontage of 10 metres or greater allowed to have one additional sign (total of 2 sandwich board signs);</li> </ul>	<ul style="list-style-type: none"> <li>• Sandwich boards are to be secured to ensure stability; and</li> <li>• Sandwich boards shall not interfere with safe pedestrian use of the footpath, and</li> <li>• Sandwich boards shall have a maximum area of 1m<sup>2</sup> for each face.</li> </ul>

	<ul style="list-style-type: none"> <li>• The sign(s), when located on the footpath must not obstruct pedestrian or vehicular traffic and shall be located in front of the business premises to which they refer;</li> <li>• A minimum 2 metre clear pedestrian pathway shall be maintained at all times along the footpath, and a clear space of 2m shall be maintained at all times between a sandwich board and any street furniture located wholly or partly within the clear pathway;</li> <li>• The sign should not exceed 1m x 1m in size;</li> <li>• Sandwich board signs must not be located at any time on roadside blisters;</li> <li>• The sign must be removed from the road reserve (footpath) at night;</li> <li>• The board is to be anchored to the satisfaction of the Council, e.g. suitably designed weight (minimum 5kg) or an approved recessed ring; and</li> <li>• Shopkeepers/proprietors are responsible for adequate Public Risk Insurance coverage (to a minimum of \$10m) is taken out to indemnify Council against any claims for damages that may arise from claims of damage from the signs. A copy of the current Policy is to be submitted to Council annually.</li> </ul>	
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**CONCLUSION:**

It is appropriate that Council endorse the modified draft DCP and resolve to publicly exhibit another period of not less than 28 days.

**COUNCIL IMPLICATIONS:**

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

The draft DCP will be placed on public exhibition for a minimum of 28 days (Cl 18 (2) Division 2 Public Participation of Environmental Planning and Assessment Regulation 2000).

**27. Policy and Regulation**

Uralla Local Environmental Plan 2012  
 Uralla Development Control Plan 2011  
 Environmental Planning & Assessment Act 1979

**28. Financial (LTFP)**

Nil

**29. Asset Management (AMS)**

Nil

**30. Workforce (WMS)**

Nil

**31. Legal and Risk Management**

Ensuring that the DCP meets the current state legislative standards improves Council's risk management.

**32. Performance Measures**

Nil

**33. Project Management**

Nil

Prepared by staff member:	Manager of Development and Planning
TRIM Reference Number:	UINT/19/6466
Approved/Reviewed by Manager:	Director of Infrastructure and Development
Department:	Infrastructure and Development
Attachments:	Attachment 1 - Uralla Development Control Plan 2011 Amendment No. 5. Attachment 2 – Submissions (redacted).



# Development Control Plan

Adopted xxx

As Amended

To be read in conjunction with the Uralla Local Environmental Plan 2012  
Gazetted 23 March 2012



## Acknowledgements

The Uralla Council recognises the traditional inhabitants of the land and recognises their rich culture and intrinsic connection to the land that stretches back over thousands of years. The Uralla Council also acknowledges Aboriginal Elders past and present and pays respect to them and their heritage.

Uralla Council wishes to thank all interested stakeholders for their valuable contributions towards the development of the Uralla Development Control Plan 2011.

## Disclaimer

Information in this document is based on available data at the time of writing this strategic document which deals with technical issues in a summary way. All figures and diagrams are indicative only and should be referred to as such. Whilst Uralla Council has exercised reasonable care in preparing this document it does not warrant or represent that it is accurate or complete. Council or its officers accept no responsibility for any loss occasioned to any person acting or refraining from acting in reliance upon any material contained in this document.

## For Further Information

Visit [www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au) or contact Council on 02 6778 6300 or by email at [council@uralla.nsw.gov.au](mailto:council@uralla.nsw.gov.au)

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**Prepared By:** Uralla Shire Council

Version: v27082012

<b>Version no.</b>	<b>Updated by:</b>	<b>Date:</b>	<b>Nature of changes</b>
1	E Cumming & J Wolfenden	19.12.2011	Preparation due to the template Conversion LEP and review of existing DCP's.
2	E Cumming	27.8.2012	Housekeeping.
3	K Hunter, Consultant	23.3.2015	Bed & Breakfast, Shipping Containers, Flood Controls, Lane Widening, Review Code SEPP Compliance and Housekeeping.
4	K Hunter, Consultant	26.10.2015	Detached Dual Occupancy Dwelling.
5	K Hunter, Consultant	15.8.2016	Chapter 17 – Barleyfields.
6	M Clarkson	6.9.2019	Housekeeping and setbacks for rural ancillary development. Minimum lot size for strata subdivision and multi dwelling housing. Minimum lot size for manufactured homes.



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## 1. INTRODUCTION AND GENERAL PROVISION

This plan is known as the Uralla Development Control Plan (DCP) 2011. It applies to the Shire of Uralla unless otherwise specified elsewhere in this Plan.

The DCP was adopted by Council on 19 December 2011 and becomes operational upon gazettal of the Uralla Local Environmental Plan 2012 on 23 March 2012.

This DCP repeals the following Development Control Plans:

- Uralla Development Control Plan No. 1 Rural Subdivision
- Uralla Shire Council Development Control Plan No. 2 Rural Building Development
- Uralla Development Control Plan No. 3 Section 18 Town of Uralla Rear Service Lane & Off Street Carpark
- Uralla Shire Council Development Control Plan No. 4 Outdoor Advertising
- Uralla Shire Council Development Control Plan No. 5 Business Development
- Uralla Shire Council Development Control Plan No. 6 Exempt and Complying Development
- Uralla Shire Council Development Control Plan No. 7 Residential Development and the Public Notification of Development Applications
- Uralla Shire Council Development Control Plan Contaminated Land

It may be necessary to refer to more than one chapter in this DCP to ensure that all relevant controls are applied to any specific development. Applicants are encouraged to consult with Council to ensure applicable policies are considered, and to undertake a formal pre-lodgement meeting with Council as part of early considerations for any application.

Where special circumstances exist, the General Manager or Council staff acting under delegation may require standards greater than those specified as acceptable solutions in this DCP. Alternatively, Council may, at its discretion, relax the requirements of this DCP where these are considered unreasonable or unnecessary in the circumstances of the case.

### 1.2 Amendment of the plan

The plan may be amended in accordance with the provisions of the Regulations under the *Environmental Planning and Assessment Act 1979*.

This plan was amended by Council on 27 August 2012, 4 May 2015, 26 October 2016, 15 August 2016, and 6 September 2019.

### 1.3 Interpretation of Legislative References

Various references are made to legislation in this DCP. Legislation may include Acts, Regulations and Environmental Planning Instruments. Where such legislation changes during the currency of this DCP, reference in the DCP to the legislation should be taken as a reference to the most recent version of that legislation or as a reference to legislation that has replaced the referenced legislation.

### 1.4 Repeal of the plan

The plan may be repealed under the provisions of the Regulations under the EP&A Act.



## 1.5 Relevant Local Environmental Plan

The plan relates to Uralla Local Environmental Plan 2012 (Uralla LEP), as amended. In the event of any conflict between this DCP and that Plan, Uralla LEP takes precedence.

## 1.6 Planning Pathways

There are three distinct planning pathways that most developments<sup>1</sup> will need to follow. These are outlined below.

### Exempt Development

Under the [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (the Codes SEPP), development of a minor nature can be undertaken without the need for formal approval to be obtained. If undertaking such work without approval, the onus is on the developer to ensure that the works are in fact exempt from approval. This can be done through direct reference to the Codes SEPP, use of the Electronic Housing Code or by contacting Council's planning staff. The Codes SEPP can be downloaded via links provided at the NSW Legislation website ([www.legislation.nsw.gov.au/#/view/EPI/2008/572](http://www.legislation.nsw.gov.au/#/view/EPI/2008/572)).

### Complying Development

Under the Codes SEPP, a range of specified development can be undertaken via a simplified approvals process called Complying Development. Various conditions must be met for the development to be undertaken as Complying Development including meeting the requirements of the National Building Code.

Specific development types that could be undertaken ***provided that prescribed conditions are met*** include:

- Dwelling construction;
- Housing alterations;
- Commercial and industrial works;
- Subdivision;
- Demolition; and
- Temporary Uses and structures.

Further details about what works would be permissible as Complying Development can be found in the Codes SEPP. To ascertain whether the development is complying development, direct reference to the Codes SEPP or by contacting Council's planning staff are the best methods.

### Full Development Application

All other development requires approval via a formal development application (DA). Council's DA proforma provides details about the information requirements for a DA. This DCP provides additional information about design and planning considerations that must be taken into account as part of the assessment of a DA. Prospective applicants should refer to the relevant chapters of the DCP in order to check what matters they will need to attend to prior to lodgement of a DA.

## 1.7 State Environmental Planning Policies (SEPPs)

Some development types can be undertaken in accordance with the provisions set out within a particular SEPP which would take precedence over both Uralla LEP and this document.

## 1.8 National Construction Code (NCC )

The NCC applies for all building construction works. Irrespective of any other control in this document, the NCC will take precedence.

## 1.9 Contributions

Where a development will, or is likely to, increase the demand for public services and amenities then Council may require a contribution towards the cost of providing those services and facilities.

Under Council's Section 94 Contributions Plan, contributions may be required for the following services and amenities:

- **Roads.** Development which will impact on the condition of existing roads, or require construction of new roads, will be required to make a contribution to such works so as to improve or upgrade existing roads or construct new roads. Where the existing population will benefit from these works the cost will be apportioned between new and existing development;
- **Traffic management measures.** Any development which is of such a magnitude as to require upgrading or new traffic management measures will be required to make a contribution towards the cost of providing these measures. Depending on the pressure of new development on existing traffic management measures, Council will consider apportioning the cost of the upgrading of current works or providing new works. Works may include the construction of median strips, shoulder widening and deceleration and overtaking lanes;
- **Car parking.** Contributions for car parking may be required where provision of on-site parking is not able to meet demand. Contributions will be based upon the number of spaces, rate of total parking demand and Council's ability to provide parking;
- **Community facilities.** Provision of any necessary facilities;
- **Rural Fire Service.** Contributions for the provision of necessary infrastructure; and
- **Drainage.** Any internal drainage will be wholly provided by the developer unless otherwise specified by Council. If new development contributes additional undesirable run-off, contributions may be sought for drainage augmentation or provision made for retention structures. Contributions may also be sought in any area where erosion and sedimentation processes result as a consequence of development to provide preventative and controlling measures.

**NB: For reticulated water supply and sewerage services, the developer is responsible to meet all of the cost of providing the services including any upgrading of existing facilities.**

## 1.10 Planting of Vegetation

As a general rule, any vegetation that is planted should be located so as to avoid present or future interference with infrastructure including roads, buildings, water and sewer lines or service easements. This will require a consideration of the type of the vegetation and its root system.

## 1.11 Definitions

Within this DCP words have the meaning as set in this clause:

**adjoining land** means land which abuts an application site or is separated from it only by a roadway, pathway, driveway or similar thoroughfare;

**advertisement** means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of work;

**advertiser** in relation to an advertisement or an advertising structure, means:

- (a) the person who caused the advertisement to be displayed or the advertising structure to be erected; or
- (b) the owner of the building or land, or the occupier of land, on which the advertisement is displayed or the advertising structure is erected;

**advertising structure** means a structure used or to be used principally for the display of an advertisement;

**AHD** means Australian Height Datum;

**ancillary development** means development on land for a purpose that is ancillary or incidental to a use under the Uralla LEP 2011;

**application site** means the parcel of land to which a Development Application relates, and includes all lands required for the carrying out of the application proposal;

**area** of an advertisement in the form of a sign means the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side; or for any other sign (eg, multi-sides signs), one third of the total surface area of the sign;

**asset protection zone (APZ)** is a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack;

**building height** means the distance from the natural ground level to the ridgeline of the building;

**building line** see *front building line*;

**bushfire prone land** means land identified on the Uralla LGA – Bushfire Prone Land Map as published by the NSW Rural Fire Service;

**Code SEPP** means [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#);

**contaminated land** means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment;

**directional sign** means a sign erected for purposes of directing vehicular or pedestrian traffic, advising or restricting the public;

**EP&A Act** means the *Environmental Planning and Assessment Act 1979* (as amended);

**front building line** is a line drawn parallel with the primary street frontage at the point of a building closest to the street. This line is expected to be no closer to the street frontage than specified for the primary street frontage setback;

**hazardous material** anything that, when produced, stored, moved, used or otherwise dealt with without adequate safeguards to prevent it from escaping, may cause injury or death or damage to life, property or the environment;

**integrated development** is development (not being Exempt or Complying) that, in order for it to be carried out, requires development consent and one or more approvals set out in Clause 91 of the *Environmental Planning and Assessment Act 1979* (as amended);

**land** includes any building or part building erected on the land;

**neighbouring land** means any land, other than adjoining land, which is near to a development site (and may include land in a neighbouring local Council area);

**notification plan** means the plan showing the height and external configuration of buildings, which accompanies a Development Application;

**owner** means:

- the person or persons who appear on Council’s computer property records to be the owner of the land at the date of notification
- in the case of land that is the subject of a strata scheme under the Strata Titles Act 1973, or a leasehold strata scheme under the Strata Titles (Leasehold) Act 1986, the Owners’ Corporation
- in the case of land that is community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the Association for the parcel;

**residential development** means dwellings, residential flat buildings, motels, boarding houses, hostels, caravan parks, units for the aged and any place where persons would ordinarily be expected to reside and sleep;

**structural adequacy certificate** means certification from a practicing structural or civil engineer that a proposed development can withstand expected flood velocities, including scour, debris and buoyancy forces;

**temporary sign** means an advertisement of a temporary nature which:

- (a) announces any local event of a religious, educational, cultural, political, social, or recreational character or relates to any temporary matter in connection with such an event; and
- (b) does not include advertising of a commercial nature [except for the name(s) of an event’s sponsor(s)].

These signs must not be displayed earlier than 28 days before the day on which the event is to take place and must be removed within 14 days after the event.

*Note: Advertisements, such as bill posters, which are not removed by the advertiser within 14 days after the advertised event would not be considered “temporary signs”. Temporary signs may include advertisements such as banners, bunting, posters, inflatable structures, etc.;*

**Uralla LEP** means the Uralla Local Environmental Plan 2012.

## 2. SUBDIVISION

### 2.2 About this Chapter

Subdivision is a process whereby land is broken up into a number of lots, and a Plan of Subdivision is lodged with the Land and Property Management Authority to provide the legal basis for ownership of the new lots created. It will ultimately result in an intensification of land use and as such it is important that the potential impacts of this intensification are considered as part of the approvals process.

This chapter provides information about the matters that Council is required to consider for this type of development under the provisions of the EP&A Act and the Uralla LEP. The Uralla LEP provide the principal development standards relating to subdivision, while this chapter provides additional information about specific controls that Council has implemented to ensure that the likely environmental impacts of subdivision are managed appropriately.

The matters that need to be considered for subdivision will vary depending on where in the Shire it is to be undertaken. This Chapter provides some general information about subdivision in the section 'General Advice to Applicants for Subdivision' and then provides specific information for particular areas in the sections that follow.

### 2.3 Where this Chapter applies

This Chapter applies to all land within the Uralla Shire.

### 2.4 General Advice to Applicants for Subdivision

Prior to lodging a Development Application for a subdivision, it is strongly recommended that applicants follow these steps:

- Request a Section 149(2) Planning Certificate from Council to provide information about any restrictions on the land (such as bush fire hazard or flooding);
- Identify the land use zone in which it is planned to undertake the subdivision (this information is provided in the Planning Certificate), and then read the relevant section in this Chapter;
- Draw a rough sketch map of the proposed subdivision indicating approximate lot sizes and the location of any new roads;
- Make an appointment for a meeting with Council's Manager of Planning to discuss the proposed subdivision and to determine the particular requirements that will need to be addressed prior to lodgement of the Development Application;
- Arrange for any reports that may be required to be undertaken. The purposes of the reports are:
  - To determine the suitability of the land for the proposed subdivision,
  - To identify any potential adverse environmental impacts and to propose ways to ensure that any such impacts are avoided or mitigated to an acceptable level.

The reports could include some or all of the following depending on the size and location of the land and other circumstances:

- Flora and fauna report
- Archaeological report
- Flood investigation report
- Traffic report
- Bush fire hazard assessment report;

- Prepare a conceptual Plan of Subdivision drawn to an appropriate scale. It is recommended that the Plan of Subdivision be drawn by a surveyor (as this will be required anyway before issue of a subdivision certificate prior to finalisation of the subdivision), however a less formal drawing is acceptable for Development Application purposes provided it includes the following information:
  - Description of the land,
  - Property boundaries of the development site and of the lots immediately adjacent,
  - Direction and degree of slope (or the contours of the land and the contour interval),
  - Location of existing built and natural items on or adjacent to the land (e.g. buildings, roads, sewer, town water, electricity, telephone, trees, streams, dams, depressions, rock outcrops etc.),
  - Location of all existing drainage reserves, easements and rights of way affecting or likely to affect the land,
  - The proposed new lots (showing lot size) and any new roads (note that the boundaries of the proposed new lots will need to be relatively accurately shown, as once the consent is issued for the Development Application the plans will be stamped and will form the basis of the subsequent formal Plan of Subdivision to be lodged with the Land and Property Management Authority);
  - Proposed names for new roads,
  - Proposed method for disposing of stormwater from future dwellings or right-of-way or access pavements. Where it is necessary to drain the water from the site across adjoining private property to a suitable discharge point, evidence of a legal agreement with the affected property owners for the creation of appropriate easements will be required prior to subdivision approval being granted,
  - The plan will need to include a north arrow, a scale bar and the date of preparation.
- Prepare a servicing strategy to indicate how the following services will be provided:
  - Water supply
  - Sewer (or alternative solution in non-sewered areas)
  - Storm water drainage

The above steps will usually provide enough information to enable a Development Application to be lodged. When development consent issues, it will include a number of requirements that must be met as part of the development process, including the preparation by a practising civil engineer of engineering plans and specifications for the construction of roads, footpaths, drains and other infrastructure associated with the proposed subdivision. These plans will need to be provided prior to the issue of a construction certificate which then permits the commencement of construction.

## 2.5 Subdivision of Bushfire Prone Land

When designing subdivisions for bushfire prone land, it is important to ensure that steps are taken to ensure that subdivision design facilitates safety of residents and firefighters and the defence of property in case of fire. The following specific objectives for residential and rural residential subdivision are from *Planning for Bushfire Protection 2006* published by the NSW Rural Fire Services. Any development of bushfire prone land will need to meet these objectives:

- minimise perimeters of the subdivision exposed to the bush fire hazard. Hourglass shapes, which maximise perimeters and create bottlenecks, should be avoided;
- minimise bushland corridors that permit the passage of bush fire;
- provide for the siting of future dwellings away from ridge-tops and steep slopes – particularly up-slopes, within saddles and narrow ridge crests;

- ensure that separation distances (Asset Project Zones - APZ) between a bush fire hazard and future dwellings enable conformity with the deemed to-satisfy requirements of the NCA. In a staged development, the APZ may be absorbed by future stages;
- provide and locate, where the scale of development permits, open space and public recreation areas as accessible public refuge areas or buffers (APZs);
- ensure the ongoing maintenance of asset protection zones;
- provide clear and ready access from all properties to the public road system for residents and emergency services; and
- ensure the provision of and adequate supply of water and other services to facilitate effective firefighting.

Among other things the implementation of these objectives will require that specified performance criteria be met for the provision of the following:

- Asset protection zones;
- Access roads (public, property access, fire trails); and
- Dedicated water supplies (although these are more likely to be implemented as part of building construction rather than at subdivision).

## 2.6 Subdivision in Residential Areas

### Where this Section Applies

The Section applies to the following land use zones:

- R1 General Residential
- R2 Low Density Residential

### Aims and Objectives

- To provide safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice of good quality housing and associated community facilities,
  - Encouraging walking and cycling,
  - Minimising energy consumption,
  - Promoting a sense of place through neighbourhood focal points and the creation of a distinctive identity which recognises and, where relevant, preserves the natural environment;
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards;
- To ensure that the intensification of land use does not result in undesirable environmental consequences; and
- To implement the 'user pays' principle for the provision of services to the subdivision.

### Performance Outcomes

- Minimum subdivision size is implemented as per the Uralla LEP;
- Subdivision design and construction meets Council's relevant engineering guidelines;
- Upgrading of lane width to enable the efficient provision of services.



## Acceptable Solutions

- In addition to minimum lot size requirements,
  - Lots shall have a **minimum frontage** of 16 metres,
  - **Lots fronting cul-de-sacs** shall have a minimum frontage of 16 metres at the line of the approved street setback,
  - **Corner lots** shall have a minimum frontage of 18 metres to each street and the minimum lot size shall be met after allowing for area lost at corners which are to be splayed to a minimum of 3 metres and dedicated as public road;
- If the land is **bushfire prone**, then the provisions of the NSW Rural Fire Service's publication *Planning for Bushfire Protection 2006* will need to be considered and implemented as appropriate;
- Where no other alternative is possible, (e.g. access or laneway), Council may **battle axe allotments**. The specifications for these allotments shall be:
  - The access handle is to be excluded from calculation of area of the lot for the purposes of minimum lot size calculations,
  - Minimum width of access handle - 3.65 metres,
  - The access handle is to be concreted or sealed,
  - The access handle shall have a setback of at least that specified for a side setback in the section Setbacks and Building Envelopes in the Residential Development chapter,
  - A maximum of one battle axe lot per existing lot to have access over the handle,
  - The prime objective in designing the access way is to provide for vehicles to be able to move in a forward direction when entering or leaving the site. However, this does not generally apply to the road frontage lot, unless there is a special problem concerning available sight distance,
  - Turning facilities are to be provided within the terms of the access/right-of-carriageway or within each lot, as determined by the Council. This is to be provided for in a Section 88B Instrument as required;
- In subdivisions involving ten or more lots the subdivider shall be required to provide a financial contribution in accordance with the relevant Section 94 plan with the funds to be applied by the Council in acquiring or improving recreation reserves;
- **New roads** created by the subdivision shall be constructed and sealed according to Council's technical specifications;
- Council may require that a **traffic study** to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- Council may require that **existing roads be upgraded** to a suitable standard to cater for any expected increase in traffic;
- The following **services** shall be provided to each lot at the subdivider's cost:
  - reticulated water,
  - a sewerage connection,
  - electricity,
  - telephone service,
  - the necessary underground conduits for the passage of future service lines,
  - any easements required to facilitate the provision of services and/or inter-allotment drainage;
- **Council will carry out all works associated with connection to the existing reticulated water and sewerage network** with full costs to be met by the developer;
- Proof of **satisfactory arrangements concerning the provision of electricity and telephone service** shall be provided prior to issue of the subdivision certificate;
- In general, for any new lot created by a subdivision, the applicant is to meet 100 percent of the **costs of constructing kerbing and guttering** and all necessary associated stormwater drainage infrastructure. A more detailed treatment of this is provided in Chapter 16 – Kerbing and Guttering;



- Lane Widening: Where land facing an existing lane is to be subdivided, Council requires the provision of a strip of land no more than 4.57m wide across the frontage to be dedicated as a public road at no cost to Council, for the purpose of **lane widening**. The width of this strip will depend upon:
  - the width of the pavement required;
  - the width required to locate services in the road reserve; and
  - the logical extension of footpaths on both sides of the road
- If wireless NBN connection is proposed, it must be demonstrated that a valid exemption exists under the provisions of Telecommunications (Fibre-ready Facilities –Exempt Real Estate Development Projects) Instrument 2016.

**Note:** Council requires the minimum road reserve width of 13.7 metres to provide services to new lots and to provide a road carriageway and pedestrian footpaths. The consistent application of this development control will enable Council to continue its policy of upgrading lanes. Road reserve width refers to the width of the whole road area from fence to fence.

### Alternative Solutions

Council may consider alternative approaches provided it can be demonstrated that they would meet the aims, objectives and performance outcomes of this Section.

## 2.7 Subdivision in Village Areas

### Where this Section Applies

The Section applies to the following land use zones:

- RU5 Village

### Aims and Objectives

- To provide safe, convenient and attractive village neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice of good quality housing and associated community facilities,
  - Encouraging walking and cycling,
  - Minimising energy consumption,
  - Promoting a sense of place through neighbourhood focal points and the creation of a distinctive identity which recognises and, where relevant, preserves the natural environment,
  - Providing flexibility in land use.
- To ensure that subdivision will not result in increased risk from bushfire or flood;
- To ensure that the intensification of land use does not result in undesirable environmental consequences; and
- To implement the 'user pays' principle for the provision of services to the subdivision.

### Performance Outcomes

- Minimum subdivision size is implemented as per the Uralla LEP, , noting that strata subdivision below the LEP minimum lot size is not permitted;
- Subdivision design and construction meets Council's relevant engineering guidelines.

### Acceptable Solutions

- In addition to minimum lot size requirements,
  - Lots shall have a **minimum frontage** of 16 metres,

- **Lots fronting cul-de-sacs** shall have a minimum frontage of 16 metres at the line of the approved street setback,
- **Corner lots** shall have a minimum frontage of 18 metres to each street and the minimum lot size shall be met after allowing for area lost at corners which are to be splayed to a minimum of 3 metres and dedicated as public road,
- Lots shall provide a dedicated area for the installation of effluent disposal facilities which will ideally be installed above the flood planning level. If this cannot be achieved, the effluent disposal system will need to be an aerated system. This will be determined on a case-by-case basis, and could have the effect of significantly increasing the minimum lot size that will be required for the subdivision to be approved (also see Council's On-Site Waste Water Management Strategy);
- If the land is **bushfire prone**, then the provisions of the NSW Rural Fire Service's publication *Planning for Bushfire Protection 2006* will need to be considered and implemented as appropriate;
- Where no other alternative is possible, (e.g. access or laneway), Council may consider **battle axe allotments**. The specifications for these allotments shall be:
  - The access handle is to be excluded from calculation of area of the lot for the purposes of minimum lot size calculations,
  - Minimum width of access handle - 3.65 metres,
  - The access handle shall have a setback of at least that specified for a side setback in the section Setbacks and Building Envelopes in the Residential Development chapter,
  - A maximum of one battle axe lot per existing lot to have access over the handle,
  - The prime objective in designing the access way is to provide for vehicles to be able to move in a forward direction when entering or leaving the site, However, this does not generally apply to the road frontage lot, unless there is a special problem concerning available sight distance,
  - Turning facilities are to be provided within the terms of the access/right-of-carriageway or within each lot, as determined by the Council. This is to be provided for in a Section 88B Instrument as required;
- In subdivisions involving ten or more lots the subdivider shall be required to provide a financial contribution in accordance with the relevant Section 94 plan with the funds to be applied by the Council in acquiring or improving recreation reserves;
- **New roads** created by the subdivision shall be constructed and sealed according to Council's technical specifications;
- Council may require that a **traffic study** to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- Council may require that **existing roads be upgraded** to a suitable standard to cater for any expected increase in traffic;
- The following **services** shall be provided to each lot at the subdivider's cost:
  - reticulated water (if a Town Water Supply system is provided by Council),
  - electricity,
  - telephone service,
  - the necessary underground conduits for the passage of future service lines,
  - any easements required to facilitate the provision of services and/or inter-allotment drainage;
- **Council will carry out all works associated with connection to the existing reticulated water and sewerage network** with full costs to be met by the developer;
- Proof of satisfactory arrangements concerning the provision of electricity and telephone service shall be provided prior to issue of the subdivision certificate;
- The provision of kerbing and guttering is not required.

## Alternative Solutions

Council may consider alternative approaches provided it can be demonstrated that they would meet the aims, objectives and performance outcomes of this Section.

### 2.8 Subdivision in Large Lot Residential Areas

Land that has been zoned for rural residential purposes (i.e. R5 Large Lot Residential) has been assessed as being generally suitable for such purposes. However, there are still a number of factors which must be considered before subdivision and further development of the land can proceed. This section addresses these factors.

#### Where this Section Applies

The Section applies to the following land use zone:

- R5 Large Lot Residential

#### Aims and Objectives

- To ensure that subdivision in Rural Residential Areas is appropriate within the landscape;
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards;
- To ensure that the intensification of land use does not result in undesirable environmental consequences; and
- To implement the 'user pays' principle for the provision of services to the subdivision.

#### Performance Outcomes

- Minimum subdivision size is implemented as the Uralla LEP, , noting that strata subdivision below the LEP minimum lot size is not permitted;
- Subdivision design and construction meets Council's relevant engineering guidelines.
- Access handles for battle-axe blocks are to be excluded from the lot area for the purposes of minimum lot size calculations if the average width is below 25 metres.

#### Acceptable Solutions

- In addition to meeting the lot size requirements of the Uralla LEP, any new lots created in a subdivision must provide at least one building envelope with the following attributes:
  - If bushfire prone land, there must be an existing cleared area or one which can be cleared (subject to restrictions in the *Native Vegetation Act 2003* and the *Threatened Species Conservation Act 1995* ) that is suitable to provide an asset protection zone that meets the requirements of the NSW Rural Fire Services as articulated in *Planning for Bushfire Protection 2006*,
  - Should minimize the clearing of existing vegetation,
  - An existing all weather access or a feasible route for one to be constructed,
  - If bushfire prone land, the site may require a second alternative access route in accordance with *Planning for Bushfire Protection 2006*,
  - Not within a known or potential flood planning area (see 11 - FLOODPLAIN DEVELOPMENT AND MANAGEMENT),
  - Not contaminated land,
  - Must not be on a ridgeline visible from adjacent roads, and
  - Should have suitable locations for the disposal of septic tank overflow (or an alternative aerobic disposal system) (see Council's On-Site Waste Water Management Strategy);
- New roads created by the subdivision shall be constructed and sealed according to Council's technical specifications;

- Council may require that a traffic study to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- Council may require that existing roads be upgraded to a suitable standard to cater for any expected increase in traffic;
- Property accesses must **not** be constructed at points which present traffic difficulties in terms of sight distance, or construction difficulties in terms of stable earthwork slopes in cut or fill batters. They must be in accordance with Council's technical specifications and may require concurrence of the RMS in some circumstances;
- All prominent hilltops and ridges are to be preserved. Subdivisions should be designed so as to:
  - Exclude roads, powerlines and other services and amenities from hilltops,
  - Exclude dams and other earthworks from hilltops,
  - Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment, and
  - Any clearing of vegetation for fence lines, building site, access tracks and asset protection zones shall be undertaken to comply with the provisions of the *Native Vegetation Act 1997*;
- If bushfire prone land, the relevant provisions of *Planning for Bushfire Protection 2006* will need to be addressed, and particular attention is drawn to the following:
  - Rural-residential developments include blocks often associated with lifestyle choices rather than focusing on some form of primary production. Where agricultural pursuits are undertaken they are considered secondary to the residential component of the use of the land. Consideration should be given, where practical, to grouping of rural-residential buildings into clusters which allow for the establishment of APZs (asset protection zones) around a group of dwellings rather than having to ensure individual protection for a large number of scattered dwellings. The clustering of dwellings provides for better protection with reduced vegetation clearance and hence less environmental impact.

This approach would require the subdivision to be designed in a manner to facilitate the recommended location of dwellings.

- If the lot to be subdivided has an area greater than 1 hectare, or, together with any adjoining land in the same ownership, an area of more than 1 hectare, then the provisions of *State and Environmental Planning Policy 44 Koala Habitat Protection* apply. Among other things, this means that:
  - Council must satisfy itself that the land is not potential or actual koala habitat before giving consent to a development application;
  - Council may only satisfy itself based on information obtained from a person who is qualified and experienced in tree identification;
  - If the land proves to be core koala habitat, then a formal plan of management will need to be prepared by the applicant prior to development consent being granted.

### Alternative Solutions

Council may consider alternative approaches provided it can be demonstrated that they would meet the aims, objectives and performance criteria of this Section.

## 2.9 Subdivision in Rural Areas

Subdivision in rural areas will result in the creation of relatively large lots with the minimum lot size constrained by the Lot Size Map which forms part of Uralla LEP. Depending on the particular area, the minimum lot size can be 200ha or 400ha. As such, it is expected that suitable sites for dwellings would be able to be readily found, and undesirable impacts from land use intensification would be kept to a minimum. A fairly flexible approach can thus be taken to planning controls for subdivision in rural areas.

## Where this Section Applies

The Section applies to the following land use zones:

- RU1 Primary Production
- RU2 Rural Landscape

## Aims and Objectives

- To ensure that subdivision in Rural Areas is appropriate within the rural landscape;
- To minimize fragmentation of agricultural lands;
- To allow for boundary adjustments and subdivision that facilitate flexibility in the arrangement of agricultural holdings;
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards; and
- To implement the 'user pays' principle for the provision of services to the subdivision.

## Performance Outcomes

- Minimum subdivision size and dwelling permissibility are implemented as per the Uralla LEP;
- If, for any reason, subdivision would result in the creation of a lot of less than 25ha upon which a dwelling would be permissible, then the provisions of the section Subdivision in Rural Residential Areas shall apply; and
- Subdivision design and construction meets Council's relevant engineering guidelines.

## Acceptable Solutions

- In addition to meeting the requirements of the Uralla LEP, any new lots created in a subdivision where a dwelling would be permissible must provide at least one building envelope with the following attributes:
  - If bushfire prone land, there must be an existing cleared area or one which can be cleared (subject to restrictions in the *Native Vegetation Act 2003* and the *Threatened Species Conservation Act 1995* ) that is suitable to provide an asset protection zone (including inner & outer protection areas) that meets the requirements of the NSW Rural Fire Services as articulated in *Planning for Bushfire Protection 2006*,
  - An existing all weather access or a feasible route for one to be constructed,
  - If bushfire prone land, the site may require a second alternative access route in accordance with *Planning for Bushfire Protection 2006*,
  - Not within a known or potential flood planning area,
  - Not contaminated land,
  - Must not be on a ridgeline visible from adjacent roads,
  - Should have suitable locations for the disposal of tank effluent (or an alternative aerobic disposal system) (see Council's On-Site Waste Water Management Strategy), and
  - Should minimize the clearing of existing vegetation;
- Property accesses must **not** be constructed at points which present traffic difficulties in terms of sight distance, or construction difficulties in terms of stable earthwork slopes in cut or fill batters. They must be in accordance with Council's technical specifications and may require concurrence of the RMS in some circumstances;
- New roads created by the subdivision shall be constructed and sealed according to Council's technical specifications;
- Council may require that a traffic study to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- Council may require that existing roads be upgraded to a suitable standard to cater for any expected increase in traffic;

- All prominent hilltops and ridges are to be preserved. Subdivisions should be designed so as to:
  - Exclude roads, powerlines and other services and amenities from hilltops,
  - Exclude dams and other earthworks from hilltops,
  - Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment, and
  - Any clearing of vegetation for fence lines, building site, access tracks and asset protection zones shall be undertaken to comply with the provisions of the *Native Vegetation Act 1997*;
- If bushfire prone land, other requirements in *Planning for Bushfire Protection 2006* may need to be implemented, or advice in the form a Bush Fire Hazard Assessment Report by a suitably qualified accredited person; and
- The provisions of *State and Environmental Planning Policy 44 Koala Habitat Protection* apply to development of rural land. Among other things, this means that:
  - Council must satisfy itself that the land is not potential or actual koala habitat before giving consent to a development application;
  - Council may only satisfy itself based on information obtained from a person who is qualified and experienced in tree identification;
  - If the land proves to be core koala habitat, then a formal plan of management will need to be prepared by the application prior to development consent being granted.
- If Council has agreed that provision of reticulated electricity to the subdivided lot(s) is not viable, provision of alternative methods of supply must:
  - Demonstrate compliance with Australian Standards;
  - Have certification from the manufacturer that they are fit for purpose, and
  - It must be noted on the property title that reticulated power is not provided to the lot.
- If wireless NBN connection is proposed, it must be demonstrated that a valid exemption exists under the provisions of (Fibre-ready Facilities –Exempt Real Estate Development Projects) Instrument 2016.

### Alternative Solutions

Council may consider alternative approaches provided it can be demonstrated that they would meet the aims, objectives and performance criteria of this Section.

## 2.10 Subdivision in Commercial and Industrial Areas

### Where this Section Applies

The Section applies to the following land use zones:

- B2 Local Centre
- B4 Mixed Use
- B6 Enterprise Corridor
- IN1 General Industrial
- IN2 Light Industrial

### Aims and Objectives

- To provide safe, convenient and attractive employment land neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice in land for commercial and industrial purposes,

- Facilitating development that is consistent with the objectives for the Commercial and Industrial zones in the LEP;
- To ensure that the intensification of land use does not result in undesirable environmental consequences; and
- To implement the 'user pays' principle for the provision of services to the subdivision.

### Performance Outcomes

- Subdivision design and construction meets Council's relevant engineering guidelines.

### Acceptable Solutions

- **Minimum dimensions** for the size and shape of proposed allotments do not apply. However, a development application for subdivision must be able to demonstrate that the size and shape of the allotments are appropriate for their proposed use and are able to accommodate business premises, car parking, landscaping and other requirements of the proposed development;
- **New roads** created by the subdivision shall be constructed and sealed according to Council's technical specifications;
- Council may require that a **traffic study** to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- A **single shared access** for newly created lots fronting the New England Highway should be considered to limit the number of access points onto the highway. The need for a shared access will depend on factors such as the length of the frontages of the proposed lots and the location of the subdivision development. Access to the New England Highway will require the concurrence of the RMS;
- Council may require that **existing roads be upgraded** to a suitable standard to cater for any expected increase in traffic;
- The following **services** shall be provided to each lot at the subdivider's cost:
  - reticulated water,
  - a sewerage connection,
  - electricity,
  - telephone service,
  - the necessary underground conduits for the passage of future service lines,
  - any easements required to facilitate the provision of services and/or inter-allotment drainage;
- **Council will carry out all works associated with connection to the existing reticulated water and sewerage network** with full costs to be met by the developer;
- Proof of satisfactory arrangements concerning the provision of electricity and telephone service shall be provided prior to issue of the subdivision certificate;
- In general, for any new lot created by a subdivision, the applicant is to meet 100 percent of the **costs of constructing kerbing and guttering** and all necessary associated stormwater drainage infrastructure. A more detailed treatment of this is provided in *Chapter 16 – Kerbing and Guttering*; and
- For subdivision for the purposes of residential development in zone B4, the provisions about lot frontage, corner lots and battle axe shaped allotments of the section Subdivision in Residential Areas shall also apply.

### Alternative Solutions

Council may consider alternative approaches provided it can be demonstrated that they would meet the aims, objectives and performance criteria of this Section.



## 3. RESIDENTIAL DEVELOPMENT

### 3.2 About this Chapter

This chapter of the DCP has been prepared as a guide to applicants developing low and medium density residential development (Class 1, 2 and 3 buildings) in Uralla and Bundarra. Together with the LEP, this chapter is intended to provide additional controls and guidance so that development within residential zones is appropriate and serves to enhance the overall character and amenity of neighbourhoods.

### 3.3 Where this Chapter applies

This Chapter applies to the following zones under Uralla LEP:

- R1 General Residential;
- R2 Low Density Residential;
- RU5 Village

This chapter of the DCP uses ideas from the Australian Model Code for Residential Development (Edition 2) and the NSW Office of Planning & Environment's Residential Development Controls No.1.

### 3.4 General Advice to Applicants for Residential Development

#### Aim

The aim is to enhance and protect the amenity of the new and the existing residential areas by:

- Providing design controls for residential development; and
- Setting reasonable and attainable environmental standards for solar access, privacy, view, vehicular access, and parking and landscaping; while recognising that zones require controls that match the zone objectives, and that lower density development should be subject to less stringent controls as their amenity impacts are lower.

Vehicular access and parking requirements are outlined in Chapter 6.

#### Application of Controls

In assessing development proposals, Council must consider all the matters specified in Section 79(C) of the EP&A Act. Council may refuse a development, which does not comply with the Heads of Consideration under that Section or may seek to modify a non-complying development by imposing conditions designed to make it comply.

### 3.5 Site Design and Layout

#### Aims

- To provide flexibility in the layout of buildings;
- To promote good site functioning; and
- To minimise impacts on adjoining properties.

#### Performance Outcomes

- Site design integrates the controls within this chapter of the DCP to produce attractive and functional development; and
- Development respects neighbouring development, by arranging buildings and uses of areas so as to minimise amenity impacts on neighbours, including noise, overlooking and overshadowing.



### Acceptable Solutions

- For two or more dwellings on a lot, a site analysis diagram and design response statement are provided that demonstrate the way in which the site has been developed within the constraints and opportunities of the site;
- Dwellings at the street frontage "address the street" by presenting their front doors and windows to the street;
- Driveways are to be concrete or bitumen sealed from the road to the property boundary;
- Manufactured homes are not permitted below the corresponding LEP minimum lot size for a dwelling house;
- For developments of more than 3 dwellings on a lot,
  - Straight driveways longer than 10m without relief are avoided.
  - A single driveway access may serve a maximum of two dwellings.
  - Walls longer than 10m are to be avoided.
  - Views down a driveway shall be to a landscaped area at the end of the driveway.

### Alternative approaches and design suggestions

Use of a registered architect or experienced designer of multi-unit housing is recommended for developments of 3 or more dwellings.

## 3.6 Density

### Introduction and General Provisions

Density is one of the key aspects of the different residential zones, which have varying minimum lot sizes. The density provisions of the DCP are designed to ensure that the density of development reflects the aims and objectives of the zone.

### Aims

- To ensure that development respects the density characteristics of the zone; and
- To protect neighbourhood character.

### Performance Outcomes

- The minimum site area for a dwelling complements the density of the zone.

### Acceptable Solutions

- Density of dwellings is in accordance with **Table 3.1**.

**Table 3.1 Density**

Dwelling Size	Minimum site area per dwelling	
	Zones R1 and RU5	Zone R2
Small (<55m <sup>2</sup> )	130m <sup>2</sup>	182m <sup>2</sup>
Medium (55-84m <sup>2</sup> )	200m <sup>2</sup>	280m <sup>2</sup>
Large (85-125m <sup>2</sup> )	290m <sup>2</sup>	406m <sup>2</sup>
Extra Large (>125 m <sup>2</sup> )	<50% site cover	<30% site cover

## Alternative approaches and design suggestions

Consideration can be given to variations on the minimum areas, where all other standards in the DCP are fully achieved and, in the opinion of the Council, the aims and performance outcomes of the clause are achieved.

### 3.7 Setbacks and Building Envelopes

#### Introduction and General Provisions

Setbacks are one of the key determinants of neighbourhood character. The setbacks in this chapter have been designed to reflect the character, aims and objectives of the various residential zones within Uralla Shire. Setbacks are to be measured against the walls of buildings 1.4m above ground level.

#### Aims

- To minimise impacts on adjoining properties; and
- To maintain streetscape.

#### Performance outcomes

- The streetscape is maintained with setbacks which are consistent with existing development;
- Buildings with wall heights over 3m have greater side and rear setbacks to improve amenity for adjoining properties;
- Side and rear setbacks respect the density character of the zone to which they are applied; and

#### Acceptable solutions

- The maximum building height shall be eight (8) metres; and
- Setbacks are provided in accordance with **Table 3.2**.

**Table 3.2 Setbacks**

#### *Zone R1 – General Residential*

#### *Zone RU5 – Village*

Standard	Conditions
Street setback (from primary street frontage) – at least the average distance of the setback of the two adjoining dwelling houses located within 40m of the lot on which the dwelling house is to be erected; or, where there are not two dwelling houses located within 40m of the lot, the front setback shall be a minimum of 6m.	Nil
Street setback (from secondary street frontage if applicable) – as per the Codes SEPP.	Nil
Side and rear setback – Build to boundary	Walls less than 3.5m in height; Fire rated (e.g. brick or masonry); No windows; Not more than 10m along the boundary;

Standard	Conditions
	Not more than 50% of the boundary length or the total length of adjoining wall built to boundary, whichever is the greater; Complies with overshadowing requirements of this DCP.
Side setback – 900mm	Walls less than 3.5 m in height
Side setback – as per the Codes SEPP	Walls equal to or greater than 3.5 m in height
Rear setback – 2.4m	Walls less than 3.5 m in height
Rear setback – 2.4m + 0.5m for each metre wall is over 3.5 m	Walls equal to or greater than 3.5 m in height
Projection into setbacks – 450mm	Projection is one of the following: fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds, unroofed terraces, landings, steps and certain ramps. (As per Cl. 3.7.1.7 of the National Building Code Vol. 2)

#### **Zone R2 – Low Density Residential**

Standard	Conditions
Street setback (from primary street frontage) – at least the average distance of the setback of the two adjoining dwelling houses located within 40m of the lot on which the dwelling house is to be erected; or, where there are not two dwelling houses located within 40m of the lot, the front setback shall be a minimum of 8m.	Nil
Street setback (from secondary street frontage if applicable) – minimum of 6m.	Nil
Side setback – 1.6 m	Walls less than 3.5 m in height
Side setback – as per the Codes SEPP	Walls greater than 3.5 m in height
Rear setback – 3.2 m	Walls less than 3.5 m in height
Rear setback – 3.2m + 0.5 m for each metre wall is over 3.5 m	Walls greater than 3.5 m in height
Projection into setbacks – 600mm	Projection is one of the following: fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds,

Standard	Conditions
	unroofed terraces, landings, steps and certain ramps. (As per Cl. 3.7.1.7 of the National Building Code Vol. 2)

### Alternative approaches and design suggestions

Other proposed setbacks may be considered provided that they would achieve the Aims and Performance Outcomes for Setbacks and would satisfy relevant NBC requirements.

Visitor parking (uncovered) may occupy up to 30% of the front setback area (by width) provided that the development is compatible with the existing streetscape, and any parking spaces are set back at least 1m from the front boundary of the property.

## 3.8 Open Space

### Introduction and General Provisions

Open space is required with all new residential development to enhance residents' amenity and shall be provided in accordance with the standards in this section. Areas used for driveways, car parking, drying areas and service areas shall not be included as landscaped areas or as part of the usable private open space.

### Aims

- To provide a landscaped setting for new development;
- To promote the planting of shade trees; and
- To provide for secluded private open space.

### Performance Outcomes

- New development is within a landscaped setting which is compatible with or improves the streetscape of the locality and which softens the appearance of new development;
- Landscaped areas provide for shade trees to enhance the character of the town and to improve solar performance of the development in summer; and
- Open space areas provide adequate area for secluded private open space for each ground floor dwelling and to provide functional private open space for upper floor dwellings. *Note: An upper floor dwelling is a dwelling which, apart from access or parking, is located above another dwelling.*

### Acceptable Solutions

- Landscaped areas are provided in accordance with **Table 3.3**.

**Table 3.3 Landscaping**

Dwelling Size (Ground floor dwelling)	Landscaped area per dwelling		
	Zones R1 and RU5	Zone R2	Zone R5
Small (<55m <sup>2</sup> )	45m <sup>2</sup>	60 m <sup>2</sup>	No minimum
Medium (55-84m <sup>2</sup> )	45m <sup>2</sup>	60 m <sup>2</sup>	No minimum
Large (85-125m <sup>2</sup> )	45m <sup>2</sup>	60 m <sup>2</sup>	No minimum
Extra Large (>125 m <sup>2</sup> )	45m <sup>2</sup>	60 m <sup>2</sup>	No minimum

Dwelling Size (Upper floor dwelling)	Landscaped area per dwelling		
	Zone R1 and RU5	Zone R2	Zone R5
Small (<55m <sup>2</sup> )	30m <sup>2</sup>	50 m <sup>2</sup>	No minimum
Medium (55-84m <sup>2</sup> )	45m <sup>2</sup>	90 m <sup>2</sup>	No minimum
Large (85-125m <sup>2</sup> )	100m <sup>2</sup>	125 m <sup>2</sup>	No minimum
Extra Large (>125 m <sup>2</sup> )	125m <sup>2</sup>	150 m <sup>2</sup>	No minimum

### Alternative approaches and design suggestions

Landscaped areas for upper floor dwellings may be varied where the development complies with all other standards in this DCP and where the performance objectives of this chapter are achieved. For example this could include a common area of private open space available for the use of residents, or usable balconies (at least 10m<sup>2</sup> wide and 2.4m deep) that do not overlook adjoining secluded private open space, or affect the privacy of other dwellings.

## 3.9 Secluded private open space

### Introduction and General Provisions

Secluded private open space is an expectation for every private dwelling. This chapter of the DCP outlines the requirements, which differ for ground floor and other dwellings.

#### Aims

- Access to private open space meets the needs of the residents of the development.

#### Performance Outcomes

##### *Ground floor dwellings*

- Secluded private open space is provided, with at least one usable area for each dwelling, which is directly accessible from a living area,
- Secluded private open space addresses the performance outcomes for solar access in this DCP.

### Upper floor dwellings

- Access to outdoor private open space is provided for each dwelling without ground level access.

### Acceptable Solutions

- Secluded private open space is provided in accordance with **Table 3.4**, and must be located behind the front building line.

**Table 3.4 Secluded Private Open Space**

Dwelling Type	Secluded Private Open Space Provision		
	Zone R1 and RU5	Zone R2	Zone R5
Ground Floor	24 m <sup>2</sup> (minimum dimension 3.5m)	30 m <sup>2</sup> (minimum dimension 4.5m)	No minimum
Upper Floor	10m <sup>2</sup> balcony (min depth 2.4m) <b>or</b> access to common open space with provision of amenities, of not less than 15m <sup>2</sup> per dwelling	Not applicable	Not applicable

### Alternative approaches and design suggestions

Enclosing screen walls or fences should be designed to ensure privacy, both from adjoining communal open space or access ways, and from dwellings and their courtyards.

Secluded private open space areas should, where possible, make provision for canopy trees or other shade devices that permit access of winter sun to dwellings but limit summer sun. Where shade trees are provided (which is encouraged) these should be compatible with the building structure and services, when grown to their full size.

## 3.10 Landscaping of Open Space Areas

### Introduction and General Provisions

Landscaping should provide a softening of the development, maintain or enhance the streetscape, and assist to manage solar access. All parts of the site not built upon or paved shall be landscaped with grass, ground covers, shrubs and/or trees. Site design should not result in bare expanses of fencing or driveway with landscaping largely confined to private open space areas. Good quality presentation of public areas is required.

### Aims

- To provide an integrated approach to landscaping which achieves the following performance outcomes.

### Performance Outcomes

- To contribute to the “greening” of Uralla, in particular through the further development of the urban tree canopy;
- To enhance the streetscape by providing good quality presentation to public areas;
- To provide areas for infiltration of water, to minimise off-site drainage requirements; and
- To improve the microclimate around dwellings.

## Acceptable Solutions

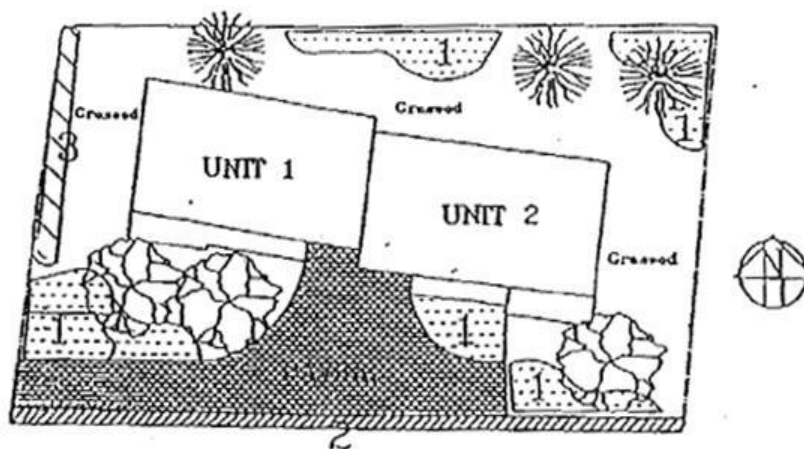
A landscape concept plan (similar to the example given in **Figure 3.1**) is provided with the development application. A mix of exotic and native vegetation may be used noting that:

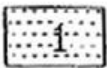

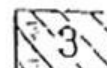


- Native trees (particularly ones from the local area) can help to enhance biodiversity and provide urban habitat for birds and other wildlife; and
- Exotic deciduous trees have an important role to play as part of managing solar access (i.e. shading in summer, and allowing sunlight to permeate in the winter).

### Advisory Note

Local nurseries and/or tree groups can be consulted to determine suitable species for landscaping. Vegetation with root systems which could interfere with infrastructure (e.g. sewer, water, footpaths, roads, buildings) should be avoided.

**Figure 3.1 Example of Concept Landscaping Plan**



KEY	DESCRIPTION	TYPICAL SPECIES
	Low Screen Plantings Less than 2m	Select species suitable for local environment and with root systems that will not interfere with infrastructure
	Fence Line Screen Plantings 2 to 3m	
	Environmental Screen Plantings Up to 4m	
	Deciduous Trees Up to 9m	
	Evergreen Trees Up to 15m	

## Alternative approaches and design suggestions

A landscape plan that has been prepared by a qualified horticulturalist with experience in the climatic conditions and soils found in Uralla Shire will be accepted as an alternative to the acceptable solution.

In established areas, landscaping should relate to the streetscape and the landscaping of adjoining development. Where possible, landscaped areas should adjoin the landscaped areas of adjacent allotments and should incorporate the drip-line of mature trees planted in adjoining properties.

Regard should be given to the use of sun protection devices (i.e. verandas, pergolas, deciduous trees, etc.) along western-facing walls to produce a comfortable microclimate in and around dwellings.

Careful consideration of the layout of external and internal living spaces can increase the occupants' enjoyment of their dwelling. For example, a deck, terrace or balcony could provide an outdoor extension to an internal living room.

### 3.11 Privacy

#### Introduction and General Principles

Maintaining privacy within habitable rooms of dwellings and in secluded private open space is an important aspect of providing development that meets the occupants' needs. The requirements of this chapter should be regarded as minimum requirements, and wherever feasible higher levels of privacy should be provided.

#### Aims

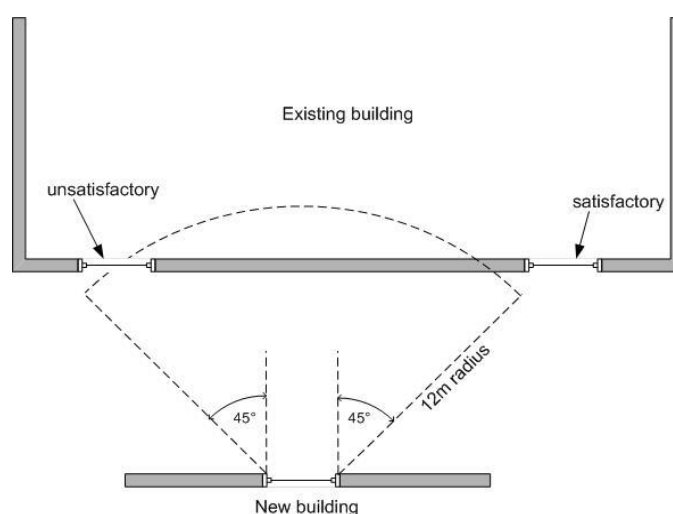
To avoid direct views into windows of dwellings and to ensure that ground level secluded private open space has adequate areas free of overlooking.

#### Performance Outcomes

- At least 75% of secluded private open space is free from overlooking.
- No direct views occur into habitable rooms of a dwelling.

#### Acceptable Solutions

Direct facing windows or balconies of dwellings are not within 12m of windows, secluded private open space or balconies of other dwellings (at horizontal angles up to 45 degrees – see **Figure 3.2**).



**Figure 3.2 Avoid direct viewing of adjacent windows**

Windows are not within 4m (horizontal distance) of a communal area.



## Alternative Approaches and Design Suggestions

75% of the secluded private open space of a dwelling is not able to be overlooked (This applies to dwellings within the development and dwellings that may be overlooked by the development).

Screening of windows is provided where windows do not meet the acceptable solutions.

Screening can be provided in various ways. These include opaque glass, ensuring sill heights are greater than 1.7m, or the use of lattice or louvre screens attached to the side of windows (maximum permeability of 25%). Screening to common areas and secluded private open space areas can be provided by hedges, fences, courtyard walls or the like.

### 3.12 Fencing

#### Introduction and General Principles

Fencing of land provides the following benefits:

- It delineates the extent of the property;
- It serves to limit the passage of humans and animals thus enhancing security; and
- It can help to provide privacy.

#### Aims

To ensure that fencing is appropriate to the streetscape and environment in which it is erected.

#### Performance Outcomes

- Properties are suitably delineated;
- Privacy is enhanced where relevant;
- Fence construction materials and form are selected to be sympathetic to the location in which the fence is constructed and any neighbour impacts are minimised.

#### **Zone R1 – General Residential & Zone RU5 – Village**

##### Acceptable Solutions

- The maximum height of a side or front fence between the front of the dwelling and the street shall be 1200mm, and be open –style with no solid panels. Side or rear fences behind the front building line may be built to a maximum height of 1,800mm. No barbed wire is permitted;

##### Alternative Approaches and Design Suggestions

Nil.

#### **Zone R2 – Low Density Residential & Zone R5 – Large Lot Residential**

##### Acceptable Solutions

- Fencing to be constructed of materials and height suitable to the local area;

### 3.13 Solar Access

#### Introduction and General Principles

In the New England climate, managing access to winter sun is a major objective. This assists to maintain liveable dwellings and to reduce heating costs. Solar access should be considered as an integral and basic aspect of the design. Relatively high ultraviolet levels in summer also demand that adequate shading be provided where required.

#### Aims

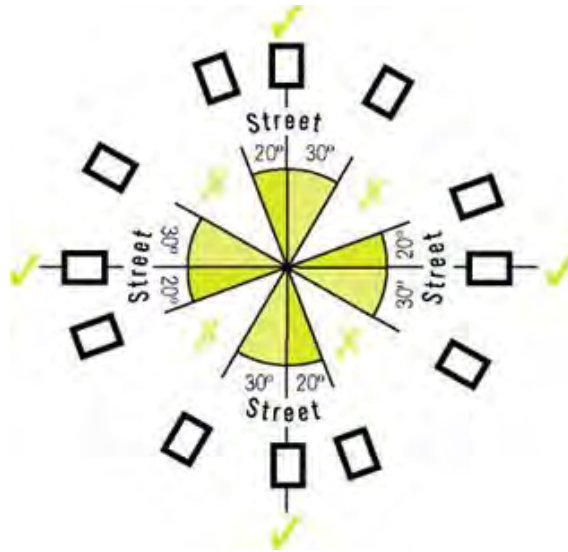
- To manage solar access so as to improve liveability in summer and winter, within the dwelling and in the private open space.

#### Performance Outcomes

- At least 50% of the secluded private open space receives sun between the hours of 10am and 3pm on 21 June.

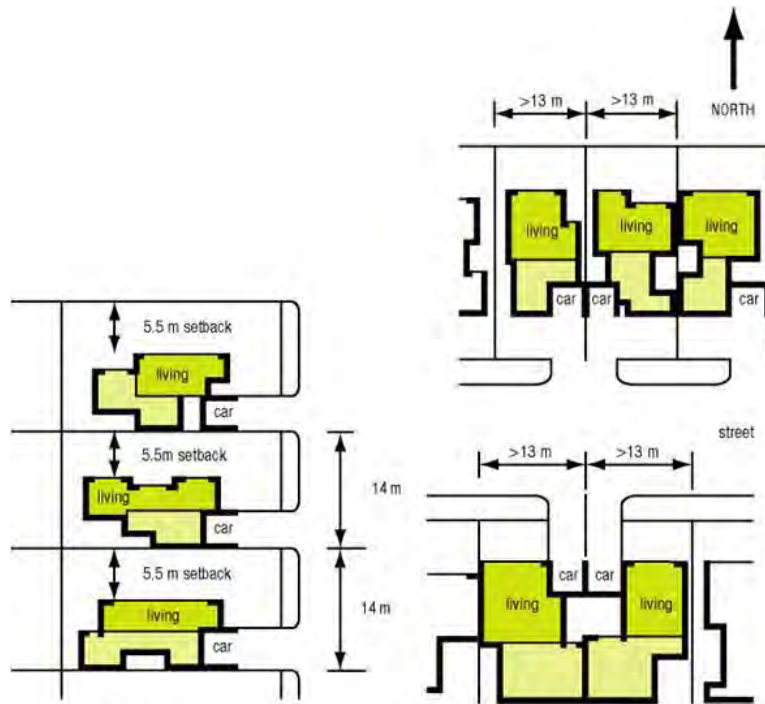
#### Acceptable Solutions

- Dwellings achieve the preferred solar orientation and placement on lots as shown in **Figure 3.3** and **Figure 3.4** below;
- Eaves and window heights achieve the design outcomes shown in Figure 3. below; and
- Secluded private open space is located on the north side of dwellings, and is provided with summer shade.

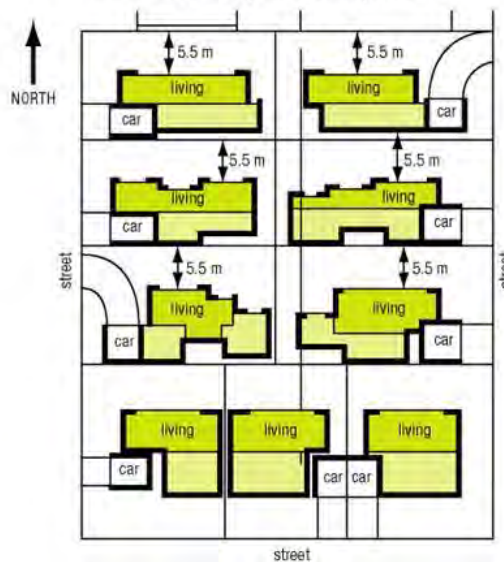


**Figure 3.3** Acceptable range for solar orientation

(source: [www.sustainability.vic.gov.au/resources/documents/Siting\\_and\\_solar\\_access.pdf](http://www.sustainability.vic.gov.au/resources/documents/Siting_and_solar_access.pdf))



Blocks that run north-south and east-west can provide good solar access if minimum boundary widths are provided

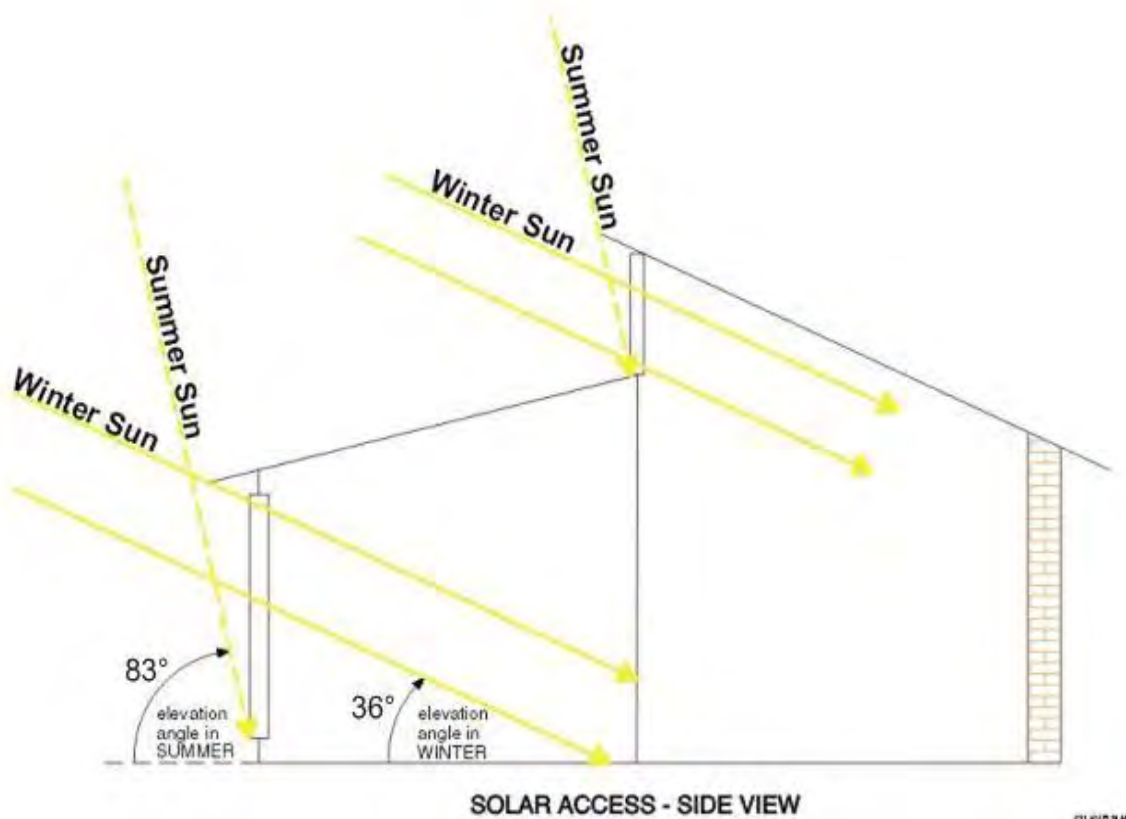


Wise house placement close to east, west and south boundaries maximises solar access.

**Figure 3.4 Placement on lots for best solar access**

(source: [www.sustainability.vic.gov.au/resources/documents/Siting\\_and\\_solar\\_access.pdf](http://www.sustainability.vic.gov.au/resources/documents/Siting_and_solar_access.pdf))

The indicated setbacks from the northern boundaries in Figure 3. have been calculated for Victorian latitudes where the minimum winter sun angle is about 30 degrees (for Melbourne). As Uralla is further north, it has a higher minimum winter sun angle of about 36 degrees, and the northern setbacks can thus be reduced to around 4.5 metres. This offset will not always guarantee good solar access, as site conditions such as slope, aspect, vegetation and adjacent structures will also have an impact. In order to achieve the best possible passive solar (and thus energy saving) design, a detailed site plan should be prepared which analyses all of these variables.



**Figure 3.5 Windows and Eaves**

(source [http://www.bom.gov.au/climate/environ/housedesign/solar\\_access.shtml](http://www.bom.gov.au/climate/environ/housedesign/solar_access.shtml) )

#### Alternative Approaches and Design Suggestions

- Utilise a combination of built elements (e.g. pergolas and eaves) and landscaping to achieve the performance outcomes.

### 3.14 Dual Occupancy

#### Introduction and General Principles

Dual occupancy (2 dwellings on one lot of land) provides for flexibility in the provision of housing, and enables a higher intensity of use of a lot.

#### Aims

- To ensure that dual occupancy developments are undertaken so as to provide for good liveability for both dwellings;
- To ensure that developments are undertaken so as to minimise impacts on neighbours; and
- To ensure that developments to be sympathetic to the existing streetscape.

#### Performance Outcomes

- Dual occupancy developments are undertaken in accord with the aims of this section.

## Acceptable Solutions

- Dual occupancies in urban areas may be attached or detached;
- Must comply with all other requirements for dwellings within this Chapter of the DCP;
- The ground floor of an existing dwelling house that is to be altered or added to will not be increased by more than 30 percent as a result of the development where the dwellings would occupy more than 30 percent of the allotment;
- Each dwelling shall be serviced by its own water supply and on-site management system or separately connected to Council's sewer mains;
- Where the development is connected to a reticulated water supply, separate water meters are to be provided to each dwelling and any common property;
- Car parking facilities shall be provided behind the building line for the allotment at a minimum rate of one space per dwelling and served by a driveway having a minimum width of 3 metres;
- A common laundry may be provided only where external access is possible;
- A minimum of 30 % of the total site shall be landscaped area;
- Where available, dwellings must be connected to services (water, sewer and electricity);
- In areas where kerb and gutter is proposed in the future, applicants will be required to provide concrete kerb and gutter to Council's specification for the full frontage of the lot;
- Each dwelling must have its own private open space area in accordance with acceptable solutions given elsewhere in the Chapter;
- The development shall blend and enhance the streetscape of the area;
- The development must comply with the National Building Code, EP&A Act and the Uralla LEP;

## Alternative Approaches and Design Suggestions

Nil.

### 3.15 Secondary Dwellings

#### Introduction and General Principles

A secondary dwelling, commonly known as a 'granny flat' is a self-contained dwelling:

- Established in conjunction with another dwelling (the principal dwelling); and
- On the same lot of land as the principal dwelling (not being an individual lot in a strata plan or community title scheme); and
- May be located within, or attached to, or separate from, the principal dwelling.

Applications for secondary dwellings may be submitted to Council as either Complying Development or as a Development Application.

Secondary dwellings are permitted in the following zones:

- Zone R1 General Residential
- Zone R2 Low Density Residential
- Zone R3 Medium Density Residential
- Zone R4 High Density Residential
- Zone R5 Large Lot Residential (DA only)
- Zone RU5 Village (DA only)

#### Complying Development

If the proposed secondary dwelling meets the general and land based requirements of the Codes SEPP (refer Clauses 1.17A, 1.18(1) and (2) and Clauses 1.19(1),(3) and (6)) and complies with the development standards of the Affordable Housing SEPP (Schedule 1), then a Complying Development application may be lodged.

Secondary dwellings that do not meet the development standards of the Codes SEPP or the Affordable Rental Housing SEPP (AHSEPP) require a Development Application.

## **Aims**

The aims of the AHSEPP are:

- Allowing granny flats to be approved as complying development in 10 days;
- Allowing granny flats to be built in all residential zones; and
- Setting clear standards for the development of granny flats.

The aim of Council's DCP controls are to provide local controls and guidelines and to ensure consistency with the AHSEPP for the assessment of Secondary dwellings that require a Development Application.

## **Objectives**

### ***Lot requirements***

- To ensure that secondary dwellings are provided on appropriately sized lots;
- To ensure that development densities are not out of character with adjacent lots;
- To ensure that the amenity of residents is maintained; and
- To ensure that 'oversized' lots are not unnecessarily 'sterilised' from future residential subdivision.

### ***Site Coverage***

- To ensure that development maximises permeable surfaces and maintains a balance between built and unbuilt areas;
- To ensure that secondary dwelling development complements the density and built character of the area;
- To facilitate on-site stormwater infiltration and harvesting for re-use; and
- To incorporate suitable measures to minimise run-off directly accessing the lake or its waterways.

### ***Design***

- To ensure that secondary dwellings meet relevant design and construction standards; and
- To ensure that the design of secondary dwellings meet the needs of its occupants.

### ***Private Open Space***

- To ensure that occupants of secondary dwellings have access to private open space to support independent living; and
- Ensure the private open space is usable, functional and easily accessible for occupants.

## **Acceptable Solutions**

- The site area of the land in which the principal and the secondary dwelling are located must be at least 450 m<sup>2</sup>.
- Secondary dwellings must have only one bedroom.
- Secondary dwellings must be constructed to be adaptable for people with a disability. (*Adaptable housing is designed so that if and when accessible features are required the superstructure is in place to provide them without major work. It will suit future occupants with varying levels of disability. AS 4299 Adaptable Housing provides relevant construction standards.*)
- A lot on which a secondary dwelling is erected must have lawful access to a public road.
- The lot on which a secondary dwelling is located cannot be subdivided.
- A secondary dwelling cannot be located on a single lot of land that is twice the size (200%) of the minimum lot size for that land. The ULEP 2011 specifies the minimum lot size for land.
- The floor area of a secondary dwelling must not be greater than 60 m<sup>2</sup> or 30% of the total floor area of the principal dwelling.

- The maximum site coverage of the principal dwelling, secondary dwelling and driveways and the like, on a lot must be less than:
  - 50% for lots of at least 450 m<sup>2</sup> and not more than 900 m<sup>2</sup> in area;
  - 40% for lots of at least 900 m<sup>2</sup> and not more than 1,500 m<sup>2</sup> in area; or
  - 30% for lots more than 1,500m<sup>2</sup> in area.
- Secondary dwellings must meet the requirements of the National Building Code.
- Secondary dwellings must meet the requirements of SEPP (BASIX) 2004.
- Secondary dwellings attached to or within the principal dwelling must include at least one direct external access.
- External building materials, finishes and colours on the secondary dwelling must complement and be consistent with the principal dwelling.
- Secondary dwellings must have separate private open space (POS), preferably north facing, that is directly accessible from the living area. The minimum area for POS is 24 m<sup>2</sup> with a minimum dimension of 4 m and is not steeper than a 1:50 gradient.
- Details of garbage bin storage areas must be provided with the Development Application.

The full list of development standards for secondary dwellings is found at [Schedule 1 of the AHSEPP](#). It is noted that if the AHSEPP does not explicitly override a local council DCP control, then the local council planning control applies.

Pursuant to the AHSEPP, a consent authority cannot refuse consent to development for a secondary dwelling on either of the following grounds:

- **site area** if:
  - the secondary dwelling is located within, or is attached to, the principal dwelling, or
  - the site area is at least 450 m<sup>2</sup>; and
- **parking**; if no additional parking is to be provided on the site.

### 3.16 Multi Dwelling Housing

#### Introduction and General Principles

Multi dwelling housing (3 or more dwellings on a single lot) provides for flexibility in the provision of housing, and enables a higher intensity of use of a lot.

#### Aims

- To ensure that multi dwelling housing developments are undertaken so as to provide for good liveability for all dwellings;
- To ensure that developments are undertaken so as to minimise impacts on neighbours; and
- To ensure that developments are sympathetic to the existing streetscape.

#### Performance Outcomes

- Multi dwelling housing developments are undertaken in accordance with the aims of this section.

#### Acceptable Solutions

- May be attached or detached;
- Must comply with all other requirements for dwellings within this Chapter of the DCP;
- Must be connected to a reticulated water supply and Council's sewerage system;



- Car parking facilities shall be provided behind the front building line for the allotment at a minimum rate of 1 space per dwelling, and served by a driveway having a minimum width of 3 metres. Also refer to Chapter 6 Access and Parking. Other specific engineering requirements may also apply (including the provision of parking for visitors);
- A minimum of 30% of the total site shall be landscaped area;
- In areas where kerb and gutter is proposed in the future, applicants will be required to provide concrete kerb and gutter to Council's specifications for the full frontage of the lot;
- The development shall blend and enhance the streetscape of the area;
- Multi dwelling housing development may not be located on 'battle-axe' allotments;
- The development must comply with the National Building Code, EP&A Act and the Uralla LEP;

### **Alternative Approaches and Design Suggestions**

Nil.



## 4. RURAL DEVELOPMENT

### 4.2 About this Chapter

This Chapter addresses various aspects of rural development including biodiversity, bushfire management, access to rural properties and dwelling development.

### 4.3 Where this Chapter applies

This Chapter applies to land zoned in the Uralla LEP as

- RU1 – Primary Production
- RU2 – Rural Landscape
- R5 – Large Lot Residential
- E3 – Environmental Management
- E4 – Environmental Living

*Note: Development in the village zones is addressed in chapters dealing with Residential Development and Subdivision.*

### 4.4 Biodiversity

#### Aims

- To support Uralla LEP by providing additional detail and guidance on addressing biodiversity issues associated with development.

#### Performance outcomes

- Biodiversity issues are addressed appropriately in development so that natural environment values are maintained or enhanced as a result of the development; and
- All requirements of relevant environmental legislation have been met.

#### Acceptable solutions

- Proposals are reviewed against the provisions of the NSW *Threatened Species Conservation Act 1995* and the NSW Office of Planning and Environment publication “*Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 Guide to implementation in NSW May 2007*”, by an appropriately qualified and experienced ecologist or environmental scientist, and, if necessary, appropriate additional environmental investigations are conducted;
- Where proposals would significantly affect areas of native vegetation, a review of the potential impact on wildlife habitat and corridors is undertaken by an appropriately qualified and experienced ecologist or environmental scientist ; and
- If the lot to be developed has an area greater than 1 hectare, or, together with any adjoining land in the same ownership, an area of more than 1 hectare, then the provisions of State and Environmental Planning Policy 44 Koala Habitat Protection apply. Among other things, this means that:
  - Council must satisfy itself that the land is not potential or actual koala habitat before giving consent to a development application;
  - Council may only satisfy itself based on information obtained from a person who is qualified and experienced in koala habitat identification; and
  - If the land proves to be core koala habitat, then a formal plan of management will need to be prepared by the applicant prior to development consent being granted.

**Note:** It is expected that this provision will be triggered for ALL development in zones RU1, RU2 and R5 as all would involve lots in excess of 1ha in area.

**(Note:** Under the precautionary principle, persons proposing development that would affect significant areas of native vegetation, including grasses, groundcovers, shrubs and trees should make preliminary enquiries with an appropriately qualified and experienced ecologist or environmental scientist prior to preparing and submitting a development application).

#### Alternative approaches and design suggestions

None specified.

### 4.5 Bushfire Management

#### Aims

- To support the Uralla LEP by providing additional detail and guidance on addressing bushfire management issues.

#### Performance outcomes

- Development of bushfire prone land is undertaken in accordance with the requirements of *Planning for Bushfire Protection 2006*.

#### Acceptable solutions

- Proposals falling within *bushfire prone land* undertake a review in accordance with the provisions of *Planning for Bushfire Protection 2006* published by the NSW Rural Fire Services and provide the appropriate protection to comply with that document. *(Note: if there is uncertainty as to whether a property or proposal is affected, contact Council's Planning Department for further advice).*
- *Planning for Bushfire Protection 2006* identifies six key Bush Fire Protection Measures (BPMs) that must be implemented for developments on bushfire prone lands:
  - The provision of clear separation of buildings and bush fire hazards, in the form of fuel-reduced Asset Protection Zones (and their subsets, inner and outer protection areas and defensible space),
  - Construction standards and design,
  - Appropriate access standards for residents, fire fighters, emergency service workers and those involved in evacuation,
  - Adequate water supply and pressure,
  - Emergency management arrangements for fire protection and/or evacuation, and
  - Suitable landscaping, to limit fire spreading to a building;
- Details for each of the BPMs are provided in *Planning for Bushfire Protection 2006* which is available for download from the Rural Fire Service website ([www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)). Applicants will need to access this document and ensure that their development proposal implements the appropriate design and construction elements specified.

#### Alternative approaches and design suggestions

A report by a recognised bushfire planning consultant may propose alternative solutions to those identified in *Planning for Bushfire Protection 2006*. Such solutions should involve early consultation with the Rural Fire Service prior to submission of an application.

## 4.6 Access to Rural Properties - General

### Performance outcomes

- The development provides safe, convenient and readily maintainable access from a public road.

### Acceptable solutions

- Access to rural properties is from a dedicated public road; and
- An access point is constructed at the time of creation of an allotment with such access consisting of a gate recessed 20m from the property boundary, together with a table drain crossing in accordance with Council's engineering standards.

### Alternative approaches and design suggestions

Rights-of-carriageway to a rural property may only be considered in accordance with **Table 4.1**:

*Note: "Right-of-Carriageway" is a strip of land over which one or more parcels of land enjoy certain right of access. Rights-of-Carriageway are private agreements between individual owners of the parcels of land involved and Council does not have responsibilities nor rights with regards to them. Council will require the approval of all owners of land over which a Right-of-Carriageway is proposed prior to a Development Application for subdivision being lodged. Construction and maintenance of a Right-of-Carriageway is not the responsibility of Council but is the full responsibility of the relevant landholders.*

**Table 4.1 Rights of Carriageway**

Benefited lots	Standard of Access	Requirement
Up to 2	Access is maintained at all times to a good trafficable standard suitable for two-wheel drive vehicles	A notation is placed on the title of every benefitting lot such that maintenance of the right-of-carriageway is required, to the standard specified, with the cost being borne proportionally by each owner based on the distance of the access point of their allotment to the public road.
More than 2	Dedicated public road	The access shall be constructed at developer cost to a standard suitable for a dedicated public road.

## 4.7 Access to Rural Properties – Land subdivided for agricultural purposes

### General

Council acknowledges that a subdivision which creates land for sale to another owner may not, in some circumstances, warrant the construction of an independent access to that allotment in accordance with the provisions in this section. This is particularly the case when a subdivision is undertaken for agricultural purposes.

### Performance Outcomes

- All created allotments have legal access; and
- Adequate physical access is available to a new allotment, being an allotment created for agricultural purposes.

## Acceptable Solutions

- Each allotment created has legal access to a dedicated public road either through direct frontage, a right-of-way arrangement, or by consolidation with an existing allotment that has such access;
- A covenant is provided on the title to any allotment created (that does not have constructed physical access provided or already available at the time of creation) to require the construction of such access at such time as the allotment is no longer in the same ownership as a directly abutting allotment; and
- Any such access is constructed prior to transfer of title, and in accordance with Council's Technical Specifications. *Note: this includes provisions relating to rights-of-carriageway where relevant.*

## 4.8 Rural Dwellings

### General

Council will give consideration to applications for rural dwellings either as a "right to build" application, or a full application including full design details of the dwelling.

### Note regarding permissibility

*A dwelling must be permissible with consent under Uralla LEP on the land. This means the dwelling or the "right to build" application must either meet the minimum requirements for the size of land under the LEP or must be permissible with consent under the "existing holding" provisions in the LEP. Applicants are advised to seek legal advice that their proposal is permissible under the LEP prior to submitting an application.*

### Note regarding consultation

*Prior to submitting an application, applicants are encouraged to consult with any neighbours regarding the proposed dwelling site.*

### Basic information to be provided – all applications

The following information provides a guide to the minimum information requirements that Council will need to assess the application:

- An extract of a topographic (or similar) map showing the property (including the allotment proposed for the dwelling and any holding/overall property boundary), the location of the dwelling and the location of powerlines;
- Evidence of the size of the allotment, property and/or holding (e.g. copy of the Deposited Plan, title certificates or similar);
- The location of the proposed access road to the dwelling, and its proposed point of connection with the public road network. This point of connection must comply with the Uralla LEP and must comply with the access requirements for rural properties;
- A site location that is suitable for providing suitable asset protection zones and related Bushfire Protection Measures if the land is bush fire prone land; and
- The location of dams, streams and the like.

### Additional information

- Details of the dwelling including plan and elevations, drawn to an appropriate metric scale, and indicating north point;
- Details of water supply including source of supply, and, where that is from a tank, details of calculations so as to ensure that water supply will be adequate to serve the dwelling. Water supply and storage information also needs to address Planning for Bushfire Protection 2006;
- Details of waste water disposal, including type of system; and

- Submission of a BASIX assessment.

### Performance Outcomes

- Dwelling sites are identified and are provided with safe connection to the public road network;
- Visual and other impacts on neighbours are minimised; and
- Adequate area exists for on-site waste water disposal.
- Manufactured homes are not permitted below the corresponding LEP minimum lot size for a dwelling house.

### Acceptable Solutions

- For RU1 and RU2 zones: The dwelling may not be within 50m of any boundary of the holding. Where possible, ancillary structures such as sheds must be located so as to preserve the amenity of neighbouring properties, and are not to be within 25m of any boundary. In some circumstances these development standards may be varied due to the environmental or physical constraints of the site (such as when the lot size is well below the minimum lot size of the zone). If relaxation of this development standard is proposed, neighbour notification is required;
- For R5, E3 and E4 zones: The dwelling may not be within 25m of any boundary of the holding. Where possible, ancillary structures such as sheds must be located so as to preserve the amenity of neighbouring properties, and are not to be within 15m of any boundary. . In some circumstances these development standards may be varied due to the environmental or physical constraints of the site (such as when the lot size is well below the minimum lot size of the zone). If relaxation of this development standard is proposed, neighbour notification is required;
- The dwelling complies with the bushfire standards indicated elsewhere in this DCP;
- The dwelling complies with the flood provisions of this DCP;
- Access to the dwelling from the public road network complies with the provisions of this DCP relating to access to rural properties;
- The dwelling is located so that effluent disposal can be managed in accordance with Council's On-Site Waste Water Management Strategy (Note: This is to ensure that on-site disposal of waste water – e.g. septic – is not located where there is a risk of contamination of waterways);
- The dwelling is not located adjacent to or within close proximity of:
  - Old sheep and cattle yard sites,
  - Old livestock dip sites,
  - Orchard areas,
  - Disused mining areas;
- The dwelling is not located adjacent to or within close proximity of an approved feedlot or other similar operation.

### Alternative approaches and design suggestions

- Variation to acceptable solutions would need to be supported by a comprehensive statement of environmental effects which addresses the performance outcomes sought for rural dwellings and which demonstrates that the acceptable solutions are unreasonable or unnecessary in the circumstances of the case.

### Dual occupancies in Rural Areas

Additional considerations for dual occupancies:

- *Attached* and *detached* dual occupancies are permitted in the RU1, RU2, R5 and E4 zones;
- Dual occupancies are *not* permitted in the E3 zone;
- No additional vehicular access point to the property is permitted;
- Consolidation of separate land parcels so that the primary dwelling and the detached dual occupancy dwelling are located within a single lot.

- A Site Plan is to be submitted to Council clearly show the location of proposed dual occupancy dwellings and the proximity of proposed dwellings to nearby land uses and buildings, including neighbouring dwellings.
- Provision is made on-site for all weather driveway and parking spaces to serve both dwellings;
- The development is adequately landscaped to protect the scenic amenity of the area;
- Any extensions to an original dwelling (to permit dual occupancy) shall have a design relationship with the existing dwelling house;
- Building materials and colours shall blend with any existing buildings and the natural features of the area and landscape;
- Details of water supply including source of supply, and, where that is from a tank, details of calculations so as to ensure that water supply will be adequate to serve both dwellings. Water supply and storage information also needs to address Planning for Bushfire Protection 2006;
- The proposed treatment of waste water must be in accordance with Council's On-Site Waste Water Management Strategy;
- The development must comply with the provisions of the National Building Code.

## 5. DEVELOPMENT IN COMMERCIAL AND INDUSTRIAL AREAS

### 5.2 About this Chapter

Uralla town includes a number of areas that constitute 'employment lands' – i.e. areas that provide for job creation and ongoing employment within the town. These are zoned for commercial or industrial land uses, and are intended to support the development and operation of various business enterprises.

In conjunction with the Uralla LEP which provides details of the uses permitted and/or prohibited on employment lands areas, this chapter provides further guidance on how development should be conducted for these land use zones.

Additional planning requirements that must also be met in particular circumstances are provided in other chapters of this DCP. Therefore, this chapter should be read in conjunction with other chapters that are relevant for particular developments including: Subdivision, Heritage Conservation, Development in Gateway Areas, Parking, Signage and Outdoor Advertising, and Commercial Use of Public Footways.

### 5.3 Where this Chapter applies

This chapter applies to land zoned Business (B2, B4 or B6) and Industrial (IN1, IN2) under the Uralla LEP.

### 5.4 General Advice to Applicants

Different land uses are permissible within the five employment land zones, and applicants are urged to check with Council's planning staff about the permissibility or otherwise of a proposed development early in the project planning stages.

The employment land zones each have different objectives in terms of the type of enterprise that is appropriate, and developers are encouraged to consider how their proposed development will fit within these.

Part 5A of the Codes SEPP lists certain types of the following development as complying development:

- **Building alterations (internal)** – internal building alterations for all uses (excluding residential accommodation, heavy industry, sex services or restricted premises) including uses such as clubs, hotels, service stations, schools, private hospitals, doctor's offices, medical centres amongst others.
- **Change of use of premises** – change of use of a premises including landscape materials supplies, hardware and building supplies, vehicles sales or hire premises, garden centres, timber yards, packaging industry, medical centre, amusement centre, function centres etc. These uses can only be changed to uses of a similar type which are set out in tables in the SEPP.
- **First use of premises** – approval of a first use and first fitout of a building or tenancy within an approved building will be allowed as complying development. For example, a new commercial office building approved under a development application (DA) may seek to use a part of the building for offices or retail tenancies, as complying development.
- Installation of **mechanical ventilation systems, shop fronts and awnings, skylights and roof windows**.
- Installation of **projecting wall signs, free standing pylon and directory board signs**.
- **Ancillary development** including earthworks and retaining walls, driveways, hardstands, paving, fences and garbage bin enclosures and sheds.



- **Industrial Buildings** – new buildings up to 20,000m<sup>2</sup> or additions to buildings up to 5,000m<sup>2</sup>. Development that requires clearing of more than 1,000m<sup>2</sup> of native vegetation cannot be complying development under the code.
- **Commercial buildings** – additions to the rear of existing commercial premises up to 50% of the existing floor area, but not more than 1,000m<sup>2</sup> for retail and 2,500m<sup>2</sup> for commercial offices and businesses.

## 5.5 Aims and Objectives

This chapter is intended to achieve the following:

- To reinforce the role of the central business precinct (B2 zone) as the main focus for retail and commercial activity within the town;
- To encourage the design of commercial and industrial developments to complement and conserve the existing streetscape character where there is an established character, and to contribute towards the creation of a desirable streetscape image where a streetscape character has not been established;
- To provide guidelines for elements, such as the external appearance of buildings and landscaping, which contribute towards the preservation or establishment of a streetscape character;
- To ensure that the design of developments provides ease of access for pedestrians, including people with disabilities;
- To ensure that business and industrial development is served by the necessary physical infrastructure, including reticulated water supply and sewerage and drainage systems;
- To ensure that adequate vehicular access and parking is provided so as to protect the safety of other road users; and
- To ensure that the provision of public services and amenities for commercial and industrial development does not place an economic burden on the community.

## 5.6 Performance Outcomes

- Development of existing and new businesses which contribute to the social and economic well-being of Uralla and which enhance the natural and built environments.

## 5.7 Acceptable Solutions

### Change of Use

Developers are encouraged to consult with Council's staff prior to undertaking a change of use of premises in order to determine which of the following planning pathways would apply:

- Development consent is not required for a change of use of premises that is exempt development under the Codes SEPP (State Environmental Planning Policy (Exempt and Complying Development Codes) 2008). Although consent is not required for exempt development, it is still a requirement that Council is given written notification of the change of use.
- Change of use may also be permissible as complying development under the Codes SEPP. In this case, an application for a Complying Development Certificate will need to be lodged with Council. The following categories are grouped into types of uses that can be changed to other uses of a similar intensity:
  - *Category one:* bulky good premises and large format retail premises (such as hardware and building supplies and warehouse and distribution centres) can be changed to another commercial business, offices, retail and large retail premises and industry.
  - *Category two:* commercial premises such as shops, business offices and medical centres can be changed to other commercial offices, business, retail or medical centres.



- Category three: industrial warehouse uses can be changed to neighbourhood shops, industry and commercial office uses.
  - *Category four*: self-storage units can be changed to neighbourhood shops and industrial and business uses.
  - *Category five*: entertainment facilities can be changed to amusement centres, shops, food and drink premises.
  - *Category six*: amusement centres, functions centres and registered clubs can be changed to shops, food and drink premises.
  - *Category seven*: a wholesale supplier can be changed to neighbourhood shop, industrial retail outlet or warehouse distribution centre.
- For a change of use of a premises that does not fall into the above categories, a Development Application will need to be lodged with Council.

### **Provision of Services**

- Subdivision within the Commercial and Industrial areas of Uralla requires connection to water and sewerage and the provision of appropriate stormwater drainage (see chapter on Subdivision). However, where any existing lots do not presently have connection to sewerage and water supply or appropriate drainage arrangements, then this will need to be brought up to standard approved by Council's Infrastructure & Regulations Department when any development of the lot is undertaken, irrespective of whether subdivision is involved or not.

### **Access for Persons with Disabilities**

- Adequate provision is to be made to enable persons with disabilities to gain access to the development and to the land on which the development is proposed to be carried out;
- The development is to comply with the relevant Australian Standard for access for disabled persons applying at the time the development application is lodged; and
- The NSW *Anti-Discrimination Act 1977 No 48* provides the legal framework for the provision of access for people with disabilities to employees of, and people seeking goods from, business premises. Under this Act, in some instances it may be permissible to not meet the requirements for disabled access. In addition, considerations of 'unjustifiable hardship' (CI 49C) may mean that the requirements may be relaxed. Applicants would need to obtain independent legal advice as to whether 'unjustifiable hardship' would apply in any given case.

### **Height**

- The height limit for development within the business and industrial zones is 8 metres measured from ground level to the roof ridge.

### **Access and car parking**

These requirements are dealt with in the Chapter 6 Access and Parking.

### **On-site facilities**

- On-site facilities for garbage bin and recycling storage and service meters are to be designed to be physically convenient, visually attractive and require minimal maintenance;
- Garbage and recycling bin storage is to be within the site and not located at the street frontage. Where collection is not on the street frontage, adequate loading and turning areas for service vehicles is to be provided within the development; and
- Adequate provision is to be made for the storage and handling of solid wastes generated by the development. The storage area is to be enclosed and the material stored is to be screened from public view.

## Development on land adjoining land zoned R1 General Residential

Business development on land adjoining a residential zone should not have a significant adverse impact on the amenity of the residential areas in the vicinity. Adverse impacts which may arise include:

- Noise associated with the amount of traffic generated by the development;
- The type of traffic generated by the development (cars, delivery vehicles etc);
- Location of car parking and loading/unloading areas;
- Hours of operation;
- Headlight glare from vehicles within the site;
- Odour;
- Nuisance caused by illumination of the development for advertising and/or security reasons; and
- Visual impact associated with the setback of the development from the common property boundary and the design and scale of the development.

Possible adverse impacts on the locality, including the above factors, should be considered when choosing the site and designing the development.

## Energy efficiency

Opportunities may exist to design layouts for a development which minimise winter heat loss and make use of solar energy. This may be achieved by:

- Locating main office and/or retail areas on the north side of the building. Storage areas, toilets and other rooms requiring minimum climate control could be located away from the north side;
- Walls set back sufficiently from the north site boundaries to enable winter solar access to the main north facing areas;
- Buildings to incorporate window shading devices, such as eaves, verandahs and blinds, to reduce exposure from hot summer sun, especially on the western side of the building; and
- Landscaping that incorporates good solar design principles.

## 5.8 Zone B2 – Specific Considerations

### B2 Local Centre

This zone relates to the core of Uralla's business district. The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area;
- To encourage employment opportunities in accessible locations;
- To maximise public transport patronage and encourage walking and cycling; and
- To allow for residential and other accommodation while maintaining active retail, business or other non-residential uses at street level.

It should be noted that there are restrictions on residential uses in this zone, with dwelling houses being prohibited. (Note: existing dwellings remain permissible under 'existing use rights' contained in clauses 106 to 109 of the EP&A Act.)

## Heritage Considerations

The majority of the B2 zone is contained within a Heritage Conservation Area and contains a number of listed heritage items. As such, any proposals for development within the B2 zone should be carefully checked to see whether heritage provisions will apply to the development.

As heritage considerations can place significant restrictions on the type of development that can be undertaken, it is strongly recommended that potential developers contact Council planning staff early in the development process to discuss this.

For any development to be undertaken on Heritage Items or with a Heritage Conservation Area, the provisions of Chapter 9 Development and Heritage Conservation will also apply.

### Building lines and setbacks

This plan does not specify the setbacks of buildings from the property boundaries within the B2 zone. Each development will be assessed on its individual merits. The following criteria will be used to determine whether the building line and side and rear setbacks for a particular development are acceptable.

#### Front Building line

The main criteria for determining the front building line for new development is the effect that it will have on the streetscape. A front setback of 0 metres would generally be appropriate given that this is the existing situation in much of the zone.

The front building line for each application will be assessed on its merits taking into account such factors as:

- Consistency or compatibility with the building line for adjoining properties;
- The length of the building and the overall layout of the development;
- The design of the building and the overall layout of the development;
- The purpose for which the development will be used;
- The impact on the streetscape quality of the locality;
- The maximisation of sight distances for drivers using the road, including visibility of points of access to the road;
- The minimisation of distraction to drivers using the road; and
- Any possible future need to alter the road alignment.

Development on corner lots should address both frontages and have regard to the character of the respective streetscapes.

#### Side and rear setbacks

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land;
- Fire safety requirements;
- The visual impact of the bulk and scale of the development; and
- The impact on the streetscape quality of the locality.

## 5.9 Zone B4 – Specific Considerations

The B4 zone is located adjacent to the B2 zone and provides for a more diverse range of uses appropriate to land not in the heart of the commercial centre. The objectives of the zone are:

- To provide a mixture of compatible land uses;

- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; and
- To encourage development that supports or complements the primary office and retail functions of the local centre zone.

The permitted land uses in this zone are intended to be more flexible than those in the B2 zone, reflecting the presently more diverse existing land uses and encouraging further development of this area for a range of potential uses. Some relaxation of the restriction on residential uses compared to the B2 zone occurs in this zone, although dwelling houses remain a prohibited use. While there are a number of existing residential buildings in this zone, it is not intended that this becomes a predominantly residential area.

### **Building lines and setbacks**

#### **Front setbacks**

As this is a mixed use zone including existing commercial and residential land uses along with a diversity of streetscape character, different requirements exist in the zone as follow:

- Hill Street between Bridge and Maitland Streets - Buildings are permitted to be built with a 0m front setback subject to satisfactory compliance with the factors specified for the front building line in Zone B2;
- Salisbury Street between Bridge and Maitland Streets - Buildings are permitted to be built with a 0m front setback subject to satisfactory compliance with the factors specified for the front building line in Zone B2;
- Other street frontages in the zone - Generally a front setback of 6m applies, although this can be varied subject to consideration of the factors specified for the front building line in Zone B2.

#### **Side and rear setbacks**

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land;
- Fire safety requirements;
- The visual impact of the bulk and scale of the development; and
- The impact on the streetscape quality of the locality.

## **5.10 Zone B6 – Specific Considerations**

**B6 Enterprise Corridor.** This zone is located along the New England Highway to the south of East Street. The objectives of the zone are:

- To promote businesses along main roads and to encourage a mix of compatible uses;
- To provide a range of employment uses (including business, office, retail and light industrial uses); and
- To maintain the economic strength of the (Uralla Town) Centre by limiting retailing (in the Enterprise Corridor).

### **Building lines and setbacks**

#### **All street frontages in the zone**

Generally a front setback of 8m applies, although this can be varied subject to consideration of the factors specified for the front building line in Zone B2.

### **Side and rear setbacks**

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land;
- Fire safety requirements;
- The visual impact of the bulk and scale of the development; and
- The impact on the streetscape quality of the locality.

### **Development in Gateway Areas**

As the B6 zone is a gateway area, the provisions of Chapter 10 Development in Gateway Areas apply.

## **5.11 Zone IN1 – Specific Considerations**

The objectives of this zone are:

- To provide a wide range of industrial and warehouse land uses;
- To encourage employment opportunities;
- To minimise any adverse effect of industry on other land uses;
- To support and protect industrial land for industrial uses; and
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

### **Building lines and setbacks**

#### **All street frontages in the zone**

Generally a front setback of 8m applies, although this can be varied subject to consideration of the factors specified for the front building line in Zone B2.

### **Side and rear setbacks**

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land;
- Fire safety requirements;
- The visual impact of the bulk and scale of the development; and
- The impact on the streetscape quality of the locality.

## **5.12 Zone IN2 – Specific Considerations**

The objectives of this zone are:

- To provide a wide range of light industrial, warehouse and related land uses;
- To encourage employment opportunities and to support the viability of centres;
- To minimise any adverse effect of industry on other land uses;
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area; and
- To support and protect industrial land for industrial uses.

There are three distinct areas around Uralla that are zoned for light industrial use. One of these is located immediately to the south of the B6 Enterprise Corridor land and provides significant development potential with excellent highway frontage. Together with the B6 land, it is within an important gateway area and as such any development needs to achieve specified visual and amenity outcomes (see Chapter 10 Development in Gateway Areas).

### **Building lines and setbacks**

#### **All street frontages in the zone**

Generally a front setback of 8m applies, although this can be varied subject to consideration of the factors specified for the front building line in Zone B2.

#### **Side and rear setbacks**

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land;
- Fire safety requirements;
- The visual impact of the bulk and scale of the development; and
- The impact on the streetscape quality of the locality.

## 6. ACCESS AND PARKING

### 6.2 About this Chapter

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This chapter of the DCP been prepared as a guide to Council's requirements in connection with the provision of car parking, access and loading facilities as part of development works within the Uralla Shire. The chapter supports desired growth while protecting traffic and pedestrian flows.

### 6.3 Where this Chapter applies

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This Chapter applies to all zones under the Uralla LEP.

### 6.4 Aims and Objectives

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To provide a guide for the provision of access and parking associated with development in Uralla Shire in order that:

- Traffic safety and management are maintained or improved;
- Parking areas are provided that are convenient, functional and sufficient for use;
- Adequate provision is made for access and parking for people with disabilities;
- A balance is achieved between the needs of the proposed use and of vehicular and pedestrian traffic; and
- Parking areas, once established, are maintained in an adequate condition that continues to provide facilities that comply with those required when development consent was granted.

### 6.5 Access and Traffic Generation

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The potential of a development to create additional traffic loads on the road network needs to be assessed. For smaller developments, there is unlikely to be any appreciable impact, and it will be sufficient to ensure that safe access (road connection and footpath crossing) is provided as required.

For more significant developments, Council may require a Traffic Impact Study to be undertaken in order to address the following matters:

- The rate of traffic generation associated with the proposed development;
- The impact(s) the traffic generated by the development will have on traffic efficiency, amenity, safety, and road pavement life;
- The cost impacts of traffic generated by the development and how those costs are to be met; and

In addition, consideration must be given as to whether the development constitutes 'traffic generating development' (as per Schedule 3 of the State Environmental Planning Policy (Infrastructure) 2007), and thus whether it must be referred to the Roads and Traffic Authority for comment.

## 6.6 Parking Requirements

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### General

- The provisions of this chapter will be applied to new development. The provisions of this chapter will also be applied to the extension of an existing building or works as if it were an independent development;
- Off-street car parking provision now provided to existing developments shall be retained. Additional parking spaces required for any new development or redevelopment shall comply with the provisions of this chapter;
- In the case of a change in the use of an existing building, Council will apply the provisions of this DCP if it considers that the proposed new use will produce a substantially different parking requirement than those attributable to the existing use;
- The total number of on-site parking spaces provided in association with new development shall be in accordance with the recommended ratios set out in this Chapter as appropriate, subject to any qualifications or exceptions which may be applicable in the circumstances of the case. In this regard parking proposals that provide less parking than required by this Chapter shall be supported by a parking study. *(Note the specific definition of Gross Leasable Floor Area in the notes to the Standard of Provision Table below.); and*
- In the event of a conflict between this chapter and an Australian Standard, the Australian Standard (AS 2890) shall prevail.

## 6.7 Provision of Parking Spaces

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### Aims

- To provide accessible car parks; and
- To provide sufficient car parks to serve the needs of particular developments.

### Performance Outcomes

- New car parks are sufficient in number and design to provide appropriately for the needs of new developments;
- Adequate provision is made for parking for people with disabilities; and
- All parking bays must be readily accessible and an adequate area is provided for the turning and manoeuvring of vehicles.

### Acceptable Solutions

#### **Council will require the provision of on-site car parking at the rate set out in**

- Table 6.3 for any particular type or category of development;
- Car parking is provided on the site of the development;
- The layout and dimensions of car parking areas is in accordance with the design standards and principles as set out in Appendix B;
- Provision of car parks for people with disabilities shall be in accordance with AS 2890.6 (2009);
- All required car parking areas, driveways, turning areas and loading areas are paved in either a bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, or brick paving blocks. *Note: The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles;*



- In villages and rural areas paving to driveways, turning areas, loading areas and car parking areas shall be all-weather. *Note: surface materials to be at the discretion of Council's Director of Infrastructure & Regulations;*
- All parking spaces shall be suitably marked by lines, or indicated by other approved means; and
- Free and uninterrupted access to car parking areas shall be maintained at all times.

**Note:** When assessing car parking spaces provided, no account shall be taken of spaces which do not have direct access to a driveway, or which are double banked (except where specific provision is made for tandem or "stack" spaces) or obstructed in any way.

### Alternative approaches and design suggestions

A design that complies with the relevant Australian Standard and/or any relevant State Environmental Planning Policies will be considered.

While the Council would normally expect the provision of car parking to be on the site of the development, Council is prepared to consider the provision on other land owned or leased by the developer provided that the alternate location is convenient to the subject development, and an appropriate legal mechanism is put in place to ensure the ongoing availability of the off-site parking for the life of the development.

Where developers are unable to meet the requirement to provide on-site parking, Council may require a cash contribution in lieu. Contributions will be based upon the number of spaces, rate of total parking demand, cost of provision and Council's ability to provide parking.

### Table 6.1 Car Park Provision - Acceptable Solutions

*Please Note: Council will require the number of spaces to be rounded up .i.e. 2.4 spaces to 3 spaces unless Council determines otherwise based on individual merits of the proposed development.*

Land and building use	Rate of Provision
All educational establishments	Council will require the provision of on-site set-down and pick-up areas for buses and cars taking students to or from the school or colleges. Specific requirements depending on the educational use must also be met. Consultation with Council is strongly suggested as part of the site design process.
Boarding houses, hostels, unlicensed hotels, guests houses and similar uses	1 space per 3 guest rooms, plus 1 space for a manager, plus 1 space per 3 employees or part thereof.
Bowling clubs	30 spaces per green.
Brothels	2 spaces per room used for prostitution plus one 1 space for each employee.
Catering and reception premises	1 space per 3 guests.
Detached dwellings (single units)	2 spaces (stack parking permitted) per dwelling.

<b>Land and building use</b>	<b>Rate of Provision</b>
Dual occupancy/duplex residential buildings  ie, a building containing two but no more than two flats such as duplex, maisonettes or semi-detached dwellings.	One or two bedroom* unit: 1 on-site car parking space per unit. Three bedroom unit: 2 on-site car parking spaces per unit.
Home for aged persons	1 space per 5 units plus  1 space for resident manager or as per requirements under SEPP (Housing for People with a Disability), whichever is the lesser.
Hospitals, nursing homes and similar institutions	1 space per 3 beds, plus 1 space for each resident or staff doctor, plus 1 space for each three employees or part thereof.
Industrial warehouses	1 space per 100 square metres.
Industries (other than motor vehicle repair workshops)	1 space per 2 staff employed, or 1 space per 100 square metres of gross leasable floor area (whichever is the greater).
Licensed hotels, clubs and restaurants	1 space per guest room or unit, plus 1 space for manager, plus 1 space per 7.5 square metres of bar, lounge, restaurant service areas.
Motels	1 space per unit, plus 1 space for manager, plus 1 space per 7.5 square metres of bar, lounge, restaurant service areas.
Motor vehicle repair workshops (includes panel beating and spray painting workshops, general repair or servicing of motor cars and light commercial vehicles and trucks)	1 space per 60 square metres of gross leasable floor area.
Motor vehicle showrooms and display areas	1 space per 100 square metres of gross leasable floor area of the building plus  1 space per 320 square metres of open display area – <i>Note: this assumes one space is required per 16 cars displayed. One car display – equals 20 square metres.</i>
Offices, including banks, professional offices and other similar uses	1 space per 50 square metres of gross leasable floor area.
Places of worship, mortuary, chapels, church halls and similar uses	1 space per 5 seats, or, if no seats,  1 space per 10 square metres of gross leasable floor area likely to be used for seating.

Land and building use	Rate of Provision
Pre-school, infants and primary schools	1 space per staff employed.
Residential flat buildings i.e. more than two dwellings	One bedroom unit: 1 space per unit Two bedroom unit: 1.2 space per unit Three bedroom unit: 1.5 spaces per unit; Visitors parking: 1 space for every 3 units or part thereof.
Restaurants, refreshments rooms and cafes (where no liquor license is required)	1 space per 10 square metres of service area.
Secondary schools	1 space per staff employed, plus 1 space per 10 senior students (Years 11 and 12).
Service stations	3 spaces for service station use, with additional spaces to be provided for other on-site uses in accordance with Table 3.1.
Shops, (not including supermarkets), department stores and the like.	1 space per 35 square metres of gross leasable floor area.
Sports stadium	1 space per 10 seats.
Squash courts, tennis courts and bowling alleys	3 spaces per court or alley.
Supermarkets	1 space per 20 square metres of gross leasable floor area.
Tertiary schools and colleges	1 space per staff employed, plus 1 space per 5 students, plus 1 space per live-in student where residential accommodation is provided.
Theatres, concert halls, cinemas and similar uses	1 space per 10 seats.

**Note:** This chapter defines parking standards for a number of uses, which are the most frequently encountered. The Council will define a requirement for uses not referred to in the DCP according to the merits of the specific case. The RMS Guide to Traffic Generating Development may be utilised in this instance, noting that this document requires updating and may not be relevant in all instances.

### Explanatory Notes

1. In this Chapter Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.
2. Ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.

3. *A use comprising a combination of two or more uses such as combined motor sales and repairs will be assessed as if the two uses existed independently and the required on-site parking provisions will be the aggregation of the independently derived requirements.*
4. *For the purpose of*
5. *Table 6.1, "bedroom" is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.*
6. *The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide or where common usage reduces total demand. Each case will be considered on its individual merits.*
7. *If the calculation of required car spaces results in a non-integer value such as 3.6, then this should be rounded up or down according to the following rule:*
  - a. *Partial values less than 0.5 can be rounded down (e.g. 2.4 can be rounded down to 2)*
  - b. *Partial values of 0.5 or more should be rounded up (e.g. 2.5 and 2.7 would both be rounded up to 3)*

## 7. COMMERCIAL USE OF PUBLIC FOOTWAYS

### 7.2 About this Chapter

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This Chapter provides a framework for managing the commercial use of public footways.

### 7.3 Where this Chapter applies

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This Chapter applies to land zoned Business (B2, B4 and B6) under the Uralla LEP.

### 7.4 General Advice to Applicants for Commercial Use of Public Footways

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#### Aims

- To support the Uralla LEP by providing additional detail and guidance on the regulation of the commercial use of public footways and public spaces; and
- To enable businesses to enter into a lease agreement with Council, for the use of public footways and public spaces within the business zones, for certain commercial purposes in the Uralla Local Government Area.

#### Objectives

- To manage footpath use by private enterprise in a controlled and safe manner;
- To ensure the commercial use of footways does not compromise safety;
- To permit the provision of outdoor seating in the business zone;
- To minimise the risk of injury to the public;
- To ensure a free path of travel for all pedestrians;
- To ensure access to and from premises is not obstructed;
- To ensure people with a disability are not disadvantaged; and
- To provide additional colour and interest to the business areas of the shire.

#### Gaining Approval

The following approvals/consents are required to be obtained prior to the use of public footways for commercial purposes:

- Development Consent under Part 4 of the EP&A Act;
- Approval under clauses 125 and/or 138 of the *Roads Act, 1993*;
- Approval under clauses 68 of the *Local Government Act, 1993*.

Should Council determine to grant consent to an application for the commercial use of a public footpath, Council will obtain/issue the abovementioned approvals/consents as part of the development consent process.

#### Lease Agreement

As well as the abovementioned approvals the applicant shall enter into a lease agreement with Council for the area of public land used by the development. The term of any lease agreement shall not exceed the term of the development consent. The lease charges are detailed in Council's current Management Plan.

## Public Liability Insurance

As a condition of any approval Council will request that at all times the applicant shall have in force a Public Liability Insurance policy in the sum of not less than \$20,000,000 or otherwise as specified by Council. The policy shall include the public area the subject of the development consent and shall indemnify Council in the event of any claim. Council shall be named in the policy as an interested party.

A copy of the policy shall be lodged with Council prior to the release of the development consent and thereafter annually.

## Hours of Operation

The hours of operation of any commercial use of a public footpath shall not exceed the hours of operation of the associated premises.

## 7.5 Footpath Clearance and Building Access

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### Introduction and General Provisions:

The layout of activities and outdoor furniture pertaining to any use of a public footpath should maintain unobstructed pedestrian flows and should not compromise the safety of the footpath's users. It should also enhance or complement the existing neighbourhood character.

### Aims

- To ensure the commercial use of footways does not compromise the access or safety of its users and pedestrians.

### Gaining Approval

The following approvals/consents may be required to be obtained prior to the use of public footways for commercial purposes:

- Development Consent under Part 4 of the EP&A Act;
- Approval under clauses 125 and/or 138 of the *Roads Act, 1993*;
- Approval under clauses 68 of the *Local Government Act, 1993*.

Should Council determine to grant consent to an application for the commercial use of a public footpath, Council will obtain/issue the abovementioned approvals/consents as part of the development consent process.

### Performance outcomes

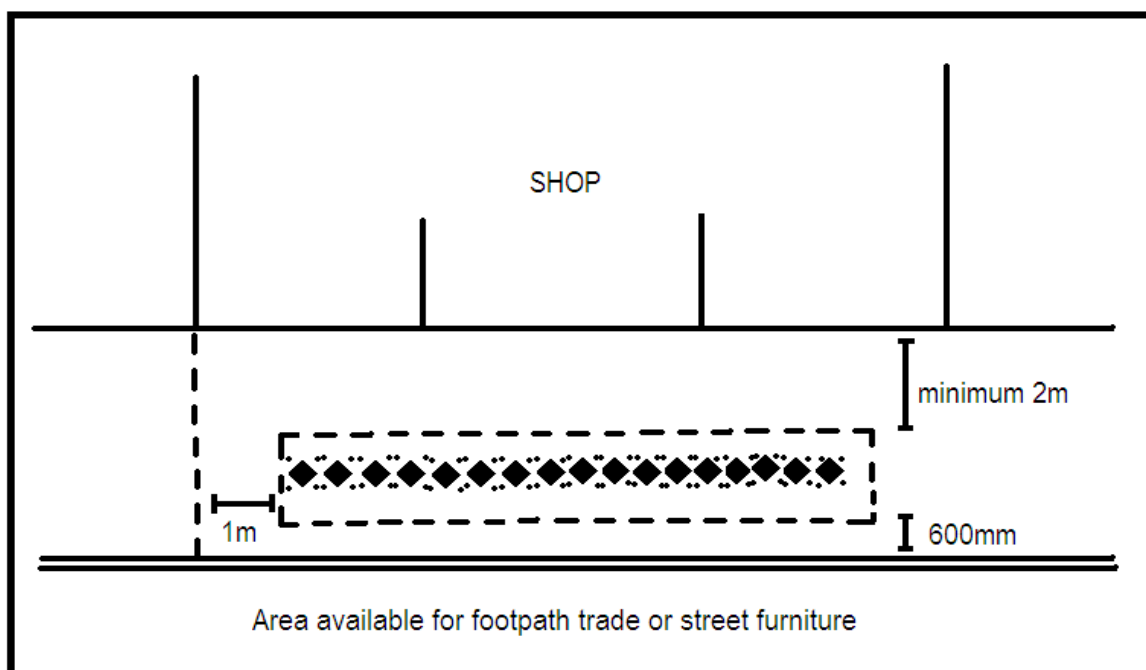
- Commercial use of footpaths is arranged so that there is enough room for its users to move around without obstructing or endangering pedestrians;
- Unobstructed access along the footpath as well as to and from all premises is maintained at all times;
- The width of any required emergency exit is not diminished, obstructed or encroached upon by any use of the footpath;
- Vehicular traffic entitled to cross the footpath is not obstructed by any use of the footpath;
- Access for disabled persons is not obstructed by any use of the footpath; and
- Outdoor furniture or stands are stable and safe.

## Acceptable solutions

- Except for blisters (see **Figure 7.3** ), commercial uses of footpaths must be located outside the associated premises. In this regard commercial uses of footpaths shall be set back 1 metre from the associated premise's projected side boundaries and 600mm from the kerb;
- A clear pedestrian pathway of at least 2 metres wide must be maintained along the footpath. This clear pathway must be kept clear of obstacles (including sandwich boards) at all times;
- Doorways and crossovers must be maintained clear at all times for a width at least equal to that of the doorway or crossover;
- Outdoor furniture/stands/umbrellas must be stable with no sharp corners, edges or projections;
- Outdoor furniture/stands/umbrellas must not be fixed to the pavement but care must be taken to ensure stability in windy conditions;
- In the Uralla Heritage Conservation Area, outdoor furniture comprising seats and table shall be constructed as per the standard design already in use including the forged end pieces marked 'Uralla 2002'; and
- Freestanding umbrellas may be used in areas without shade only and they must not overhang any pedestrian corridor and must have a minimum clearance of 2.1 metres.

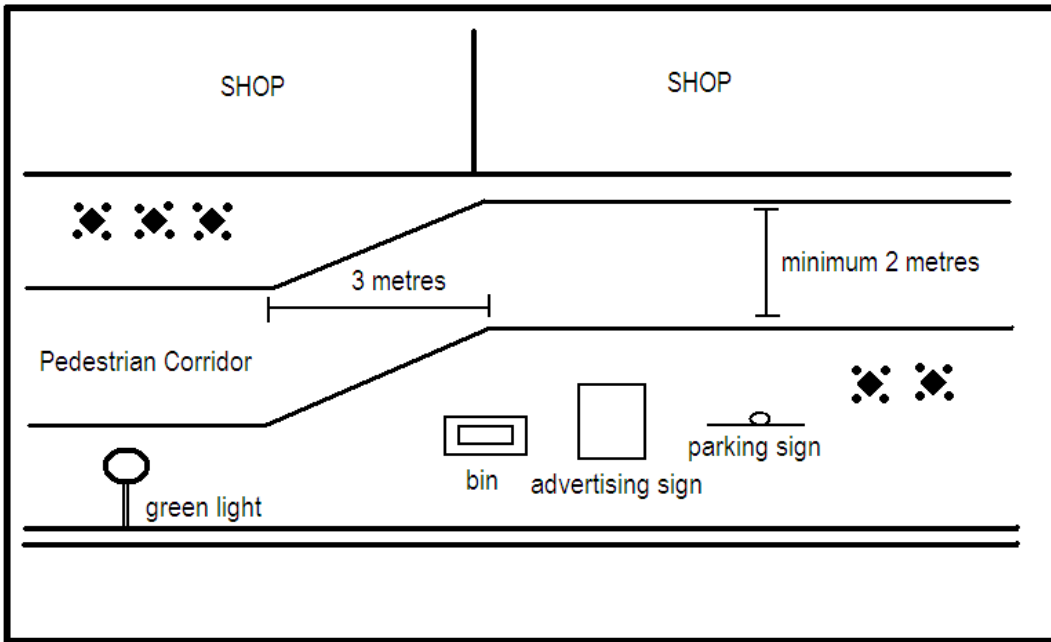
**Note:** 900mm high (canvas) screens and/or planter boxes of a high standard of appearance may be used to delineate dining areas subject to Council approval.

- Commercial uses along footpaths should generally be arranged as shown in **Figure 7.1** through **Figure 7.3**.



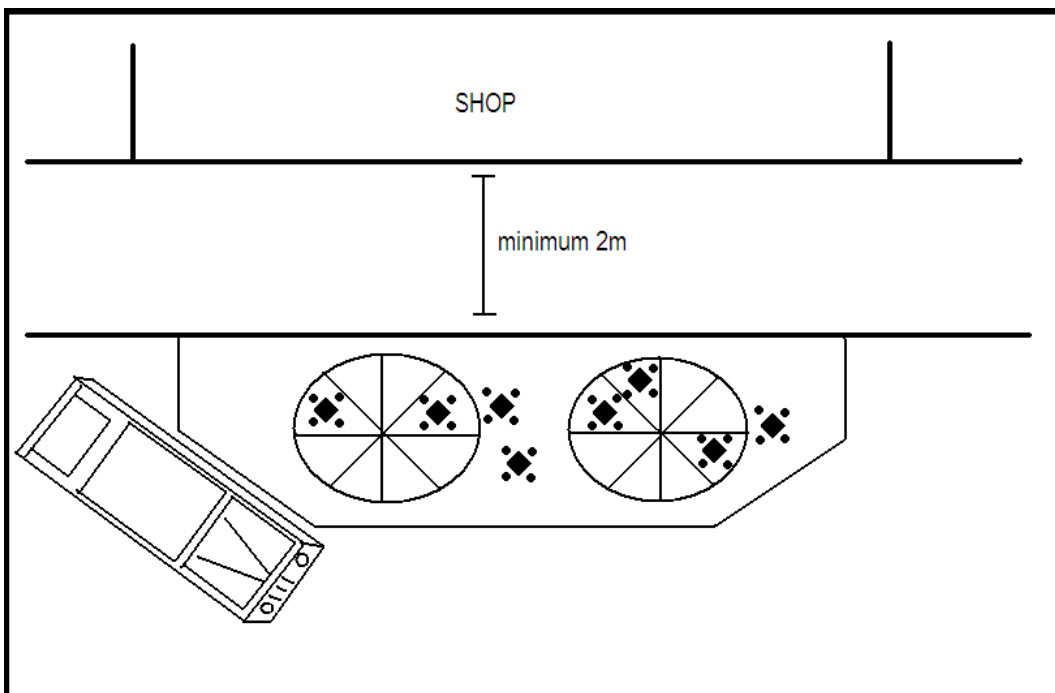
**Figure 7.1** Footpath lease area adjacent to the kerb

Additional seating or display space may be available by placing the dining or display area towards the kerb. Where shopkeepers wish to use a combination of shopfront and kerbside dining or display areas, then a transition zone not less than three metres long shall be maintained where a deviation in the pedestrian thoroughfare is required. These facilities shall be located in accordance with **Figure 7.2**.



**Figure 7.2 Alternative footpath lease area arrangements**

Kerb blisters provide ideal areas for commercial activities to take place. Council may consent to the use of kerb blisters for footpath dining or other uses where the use extends in front of adjoining shops where no objection is raised by the adjoining shopkeeper. (**Figure 7.3**).



**Figure 7.3 Blister dining or displays**



## 7.6 Operation of Outdoor Dining Areas

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### Aims

- To ensure outdoor dining areas maintain good levels of hygiene; and
- To ensure an outdoor dining area does not compromise the access or safety of its users and other pedestrians.

### Performance Outcomes

- Outdoor dining areas are to be kept clean and managed as Council approved food premises;
- Outdoor dining areas and their users should not obstruct or endanger pedestrians; and
- Outdoor dining areas should not detract from the existing or preferred neighbourhood character.

### Acceptable Solutions

- Outdoor dining areas are provided only in conjunction with Council approved food premises;
- The outdoor dining area is either in front or immediately adjacent to the food premises;
- Outdoor dining areas do not operate beyond the approved hours of operation for the associated food premises;
- Outdoor dining areas are only to be located on sealed surfaces that comply with all of Council's requirements. *Note: Should an applicant propose outdoor dining on an unsealed surface, the applicant will be required to pay the cost of construction for the required sealed surface;*
- Outdoor furniture, other facilities and the pavement are kept clean and free of food scraps or other droppings and litter at all times;
- The lessee provides and maintains litter bins in the dining area;
- An outdoor water point is provided, such being recessed into the wall of the associated food premises and is used for cleaning the outdoor dining area as required;
- The lessee steam cleans the pavement of the outdoor dining area and adjacent pavement immediately if directed to do so by an officer of Council;
- Outdoor furniture is maintained in an aesthetically pleasing condition; and
- Outdoor furniture is kept strictly within a bounding area in compliance with the requirements outlined above in the *Footpath Clearance and Building Access* clause.

### Alternative approaches and design suggestions

- Any development within the Uralla town centre Heritage Conservation Area will need to be undertaken in a manner that does not detract from heritage values.

## 7.7 Merchandise Displays on Public Footpath Areas

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### Aims

- To ensure merchandise displays on public footpath areas do not compromise the access or safety of pedestrians.

### Gaining Approval

Approval under clause 68 of the *Local Government Act, 1993*.

### Performance Outcomes

- Displays shall not interfere with safe pedestrian use of the footpath.

## 7.8 Sandwich Boards

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### Aims

- To ensure that the placement of sandwich boards on public footpath areas do not compromise the access or safety of pedestrians.

### Gaining Approval

Approval under clause 68 of the *Local Government Act, 1993*.

### Performance Outcomes

- Sandwich boards are to be secured to ensure stability; and
- Sandwich boards shall not interfere with safe pedestrian use of the footpath, and
- Sandwich boards shall have a maximum area of 1m<sup>2</sup> for each face.

## 8. SIGNAGE AND OUTDOOR ADVERTISING

### 8.2 About this Chapter

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The purpose of this chapter is to provide guidance about the permissible use of signage and outdoor advertising. It provides information from State Environmental Planning Policy 64 – Advertising and Signage, and the Codes SEPP 2008, both of which apply to Uralla Shire.

If there is any inconsistency between the chapter and the above mentioned SEPPs, then the SEPPs take precedence.

### 8.3 Where this Chapter Applies

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This Chapter applies to all zones under the Uralla LEP.

### 8.4 Aims and Objectives

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- To provide guidance for development involving the erection of signs and advertising structures within Uralla Shire; and
- To ensure that the provisions of the relevant State Environmental Planning Policies are applied within the Uralla Shire.

### 8.5 Performance Outcomes

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- Signs provide clear guidance about the type and nature of a business without imparting unacceptable adverse impacts on neighbours or the environment;
- Signs within defined heritage areas or on or near heritage buildings are designed and located so as to minimise visual and other impacts on the heritage values; and
- Signs are to be of a type, size and location appropriate for the land zone and locale in which they are placed.

### 8.6 General advice to Applicants for Development

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#### Development applications

- All advertising structures (except those listed above as not requiring approval) are subject to a development application prior to being erected;
- A development application fee is payable as specified in Council's current Management Plan; and
- The application shall indicate the sign's position and location, site, size, construction details, if double sided, distance from other signs, wording, and colour. (The sign must be non-flashing and not interfere with traffic.)

In determining an application for a sign, Council shall take into consideration the following matters:

- The aims, objectives and performance outcomes of this chapter;
- The need to limit the number of signs to any one business;
- Requirements for advertisers to maintain their signs in good order and condition as part of the visual environment;
- The need to define the various types of signs;
- The likely impact of the proposed advertising structure on the amenity of the neighbourhood;
- The likely impact of the proposed advertising structure on the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance and its setting as the case may be; and
- The likely impact of the proposed advertising structure on traffic safety in the locality.

A development consent for a sign or advertising structure will usually have a maximum period of 15 years after which time the consent will lapse [as per Cl 14 of State Environmental Planning Policy No 64— Advertising and Signage].

### **Maintenance**

All signs must be professionally painted and maintained in good order and condition, to Council's satisfaction, at all times.

### **Signs that are not acceptable**

The following types of signs are not considered acceptable:

- Signs which project from the building facade and obscure the view of neighbouring buildings or interrupt the perspective view of the streetscape;
- Signs which obstruct any other existing signs;
- Signs fixed to trees or light, telephone or power poles, etc.;
- Signs which could reduce road safety by adversely interfering with the operation of traffic lights or authorised road signs;
- Any sign which would, in the opinion of Council, be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place;
- Signs on or attached to parked vehicles directing attention to a nearby business or goods for sale;
- Numerous small signs and advertisements carrying duplicate information;
- Any sign not on the land to which it refers or relates within the urban areas (except for tourist / directional signs);
- Overhead banners and bunting, except for:
  - temporary signs related to local festivals, fairs or celebrations; or
  - the opening of a new business, for a duration not exceeding two weeks;
- Signs on bus sheds, seats and waste bins unless approved by Council or for community related purposes; and
- Any sign located over the footpath which is lower than 2.6m above the footpath.

### **Illegal signs**

Council will seek removal of all illegal, redundant and poorly maintained signs to achieve an orderly and interesting display of signage in the Shire.

Council may order the advertiser to alter, obliterate, demolish or remove an advertisement and any associated advertising structure where:

- The advertisement is unsightly, objectionable or injurious to the amenity of any natural landscape, public reserve or public place at or near where the advertisement is displayed;
- An unauthorised signage or advertisement is displayed;
- An unauthorised advertising structure is erected; or
- Alternatively, where the condition of signage or an advertising structure poses a public risk, Council may take whatever statutory steps permissible to remove the risk.

Should the advertiser not comply with the order, Council may undertake the work and charge the offending party for the cost of the work. In such cases Council may also impose appropriate fines and/ or orders.

## 8.7 Acceptable Solutions

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Signs shall comply with the specifications in **Table 8.1** and can only be erected where they are permissible as detailed in this chapter and Uralla LEP.

### Signs in Heritage Areas or on or near Heritage Buildings

The only permissible signs for heritage areas are the following:

- Business identification signs;
- Building identification signs; and
- Replacement of the above signs.

A development application must be lodged for any new business identification or building identifications signs. In addition to the general requirements for a development application for a sign as noted above, a DA for a sign in a heritage area or on or near a heritage building must explicitly address how any undesirable impacts of the sign will be minimised. Council's Heritage Advisor is available by appointment to assist in this process. Additional matters that will need to be considered include:

- Proposed sign location;
- Proposed sign colours and size of lettering;
- Proposed size of sign; and
- Proposed illumination of sign.

The following guidelines, which primarily aim to protect the heritage value of individual buildings and the conservation area, should also be considered for development involving outdoor advertising:

- Applied signs should not obscure the building silhouette presented to the street;
- Original signs should stay in situ wherever possible;
- Where a sign is of cast letters forming part of the architecture of the building but is no longer applicable to the business, it may be painted to match the background colour of the building;
- Signs are not to be painted onto stone or brick walls;
- Signs should not cover architectural details, including windows, doors or cast iron balustrading;
- Signs on modern buildings may be illuminated but may only be lit with continuous light ie, not blinking or intermittent;
- A preferable alternative to electric signage on historic buildings is illumination of the building which advertises its business as well as its heritage qualities;
- Lettering styles should be sympathetic with the architectural style of the building on which the advertisement is to be placed, especially for signage on or above awnings;
- The number of colours should be restricted to the minimum and the colours used should relate to the general colour effect of the building, especially for signage on or above awnings;
- Signs should not be placed on parapets unless it is part of the original design;
- Advertising is permitted on blinds; and
- Signs are to be stationary ie, non-motorised.

### Street seat and bus shelter advertising

- A seat and bus shelter including advertising sign when located within the road reserve (on footpath) must not obstruct pedestrian or vehicular traffic unnecessarily;
- The area of any sign will not exceed 1.4m<sup>2</sup>;
- The advertisement will apply to local business houses only;
- Council will control the location and wording of each sign; and
- The sign is to be of heritage colours and lettering in the Uralla Commercial Precinct Heritage Conservation Area.

## **Sandwich boards**

See Chapter 7 Commercial Use of Public Footways.

## **Tourist information/directional signs**

Notwithstanding any other provision of this Policy, Council may authorise the erection of signs, indicating the location of attractions in the locality including:

- Places of historic, scientific, educational or public interest;
- Picnic areas, parks or rest areas;
- Public buildings, public utilities or essential services;
- Recreational, sporting, charitable or religious facilities, including facilities for the motorist, e.g. caravan parks, camping areas, hotel/motels, service stations, churches and sports clubs; and
- Tourist related facilities or undertakings.

## **Signs in Residential Zones (R1, R2 & R5)**

The only permissible signs for residential zones are the following:

- Business identification signs;
- Building identification signs; and
- Replacement of the above signs.

Signs other than these are prohibited by clause 10 of SEPP 64 Advertising and Signage.

## **Signs in Business and Industrial Zones (B2, B4, B6, IN1 and IN2)**

Development consent will only be granted in respect of an signage relating to the purpose for which the land is used. Note explicit limitations for signage in heritage areas and on heritage buildings noted above.

## **Area and height of signs**

- No signage or advertising structures will have a surface area greater than 10m<sup>2</sup> except where such signs are replacement signs. In this case, if the sign is larger than that allowed and was erected prior to the introduction of this policy, Council may approve it provided that the new sign is not larger than the sign it replaces;
- The height of any free-standing sign will not exceed 8m from the ground except where it replaces an existing sign, in which case Council may approve such sign provided that it does not exceed the height of the original sign;
- The height of signs erected on roof lines shall not exceed 1m between the roof line and the bottom of the advertising sign; and
- All advertising signs approved by Council are to comply with State and regional electricity regulations in respect to safety distances from electrical power lines and installations.

## **Location**

- An advertising structure within the Business or Industrial zones shall be located at the discretion of Council within the boundaries of the same lot to which the sign refers; and
- The location of signage or advertising structures shall also be in compliance with the Roads and Maritime Services requirements in respect of classified roads and State Rail Authority in respect of railway land. The same conditions shall apply to Council roads to prevent a sign from interfering with safety.

## Number of signs

There is a limit of two advertising structures in the business zones and four advertising structures in industrial zones to each advertiser.

## Signs in Rural Zones (RU1 and RU2)

The only permissible signs for rural zones are the following:

- A sign directing the travelling public to –
  - Tourist facilities or activities, or
  - Places of scientific, historical or scenic interest;
  
- A sign relating to the land on which the sign is to be displayed, or to premises situated on that land or adjacent land, and specifying one or more of the following particulars –
  - The purpose for which the land or premises is or are used,
  - The identification of a person residing or carrying on an occupation or business on the land of premises,
  - A description of an occupation or business in the preceding point, or
  - Particulars of the goods or services dealt with or provided on the land or premises.

Signs other than these are prohibited by clause 10 of SEPP 64 Advertising and Signage.

## Location

- The advertising structure shall be erected not less than 5m from the frontage or road frontage of the site on State Rail Authority land or classified roads;
- The location of advertising structures shall also be in compliance with the Roads and Traffic Authority requirements in respect of classified roads and State Rail Authority in respect of railway land. The same conditions shall apply to Council roads to prevent a sign from obscuring or interfering with safety; and
- Concurrence of the RMS may be required.

## Controls for signs greater than 20m<sup>2</sup> in area.

Clauses 17, 18 and 19 of SEPP 64 contain specific provisions for signs with an area in excess of 20m<sup>2</sup>. Applications for such signage will need to comply with these provisions.

**Table 8.1 Signage**

<b>SIGN TYPE</b>	<b>DEFINITION</b>	<b>REQUIREMENTS</b>
Advertising Panel	Any advertising structure, other than those described below, which is unilluminated, including a hoarding or bulletin board	<ol style="list-style-type: none"> <li>1. not to extend laterally beyond the wall/boundary</li> <li>2. projection above the top of the wall not to exceed 2.m</li> </ol>
Awning Sign: under-awning	Sign attached to the underside of an awning (other than the fascia or return end)	<ol style="list-style-type: none"> <li>1. Shall not exceed 2.5 metres in length</li> <li>2. Shall not exceed 0.5m in depth</li> <li>3. Shall be erected horizontal to the ground at right angles to the building and no closer than 2.6 metres from the ground</li> <li>3. Shall not project beyond the awning</li> <li>4. Shall be securely fixed by metal support</li> <li>5. Maximum of 1 sign per 6 metres of street frontage with a maximum of 2 signs per business. Signs shall be spaced at least 6 metres apart from other under-awning signs on the same or adjoining properties</li> </ol>
Awning Sign: above-awning	Sign attached to the upper side of an awning (other than the fascia or return end)	<ol style="list-style-type: none"> <li>1. This form of sign is considered unacceptable in all areas.</li> </ol>
Fascia Sign	Sign attached to the fascia or return of an awning	<ol style="list-style-type: none"> <li>1. Shall not project vertically or horizontally beyond the fascia or return end of the awning to which it is attached</li> <li>2. Shall not extend more than 300mm from the fascia or return end of the awning</li> </ol>
Floodlit Sign	Illuminated (as to any part of the advertising area) by an external light source and whether or not included in any other class of advertising structure	<ol style="list-style-type: none"> <li>1. Maximum size to be determined by signage type</li> <li>2. Lighting medium must be at least 2.6 metres above the ground if the sign projects over a footpath</li> <li>3. Lighting must not create glare to vehicles or pedestrians.</li> <li>4. Lighting must be located to avoid light spill into residential properties</li> </ol>



Flush Wall Sign	Attached to the wall of a building (other than the transom of a doorway or display window)	<ol style="list-style-type: none"> <li>1. Shall not project more than 300mm from the face of the wall</li> <li>2. Shall not project beyond the corner of the building or above the parapet or eaves</li> <li>3. Shall be located to complement the architecture of the building</li> <li>4. Shall not cover any window or architectural projections</li> <li>5. Shall not have an advertising area greater than 4.5m<sup>2</sup></li> <li>6. Where the sign projects more than 50mm from the face of the wall, the sign shall have a minimum clearance of 2.6 metres from ground level to the underside of the sign</li> <li>7. Shall not be illuminated internally</li> </ol>
Illuminated Sign	Illuminated (as to any part of the advertising area) by an internal source of artificial light and whether or not included in any other class of advertising structure	<ol style="list-style-type: none"> <li>1. Maximum size to be determined by signage type</li> <li>2. Lighting must not create glare to vehicles or pedestrians.</li> <li>3. Lighting must be located to avoid light spill into residential properties</li> <li>4. Must not be a flashing sign</li> </ol>
Moving Sign	Attached to a building and capable of movement by any source of power (whether or not included in any other class of advertising structure)	<ol style="list-style-type: none"> <li>1. This form of sign is considered unacceptable in all areas.</li> </ol>
Painted Wall Sign	Painted on to a wall of a building	<ol style="list-style-type: none"> <li>1. Shall not have an advertising area greater than 4.5m<sup>2</sup>.</li> </ol>
Painted Blind Sign	A sign painted on a blind attached to the fascia or front underside of an awning	<ol style="list-style-type: none"> <li>1. Shall not have an advertising area greater than 2.0m<sup>2</sup></li> <li>2. The blind must run parallel with the street frontage</li> </ol>
Projecting Wall Sign	Attached to the wall of a building (other than the transom of a doorway or display window) and projecting horizontally more than 300mm	<ol style="list-style-type: none"> <li>1. Will not generally be permitted unless they can be demonstrated to be of an architectural style which is particularly suited to that building and to the design of that and adjoining buildings</li> <li>2. Shall not be located above the awning of a building</li> <li>3. Shall be erected horizontal to the ground at right angles to the building and no closer than 2.6 metres from the ground</li> <li>4. Shall have a maximum width of 1.2 metres</li> <li>5. Shall have a maximum depth of 0.5 metres</li> </ol>

		<ol style="list-style-type: none"> <li>6. Shall not be within 0.6 metres of the vertical projection of the kerb</li> <li>7. Maximum of 1 sign per 6 metres of street frontage with a maximum of 2 signs per business. Signs shall be spaced at least 6 metres apart from other under-awning signs on the same or adjoining properties</li> </ol>
Roof Sign	Erected above the roof or parapet of a building	<ol style="list-style-type: none"> <li>1. This form of sign is considered unacceptable in all areas.</li> </ol>
Top Hamper Sign	Attached to the transom of a doorway or display window of a building	<ol style="list-style-type: none"> <li>1. Shall not extend below the level of the head of the doorway or window it is attached to</li> <li>2. Shall be located on the ground floor and shall not project above the ceiling level</li> <li>3. Shall not be more than 3 m<sup>2</sup> in area</li> <li>4. Shall be painted or fixed flat to and not project more than 50mm from the surface of the wall</li> <li>5. Shall not be internally illuminated</li> </ol>

**Reference**

Australian Council of National Trusts, 1984. "Lettering and Signs on Buildings, C. 1850-1900", Technical Bulletin 2.2 (Copy available at Council's Office)

Department of Planning (undated). "Outdoor Advertising. An Urban Design-Based Approach", Department of Planning, Sydney. (Copy available at Council's Office)

Jackson, R. and Lawrance, C. 2006. Conserving Historic Signs. Conservation guideline for historic signs and new signs for heritage building, NSW Heritage Office. (Available on the NSW Heritage Office website).

NSW Heritage Office (undated). "Street Smart: Corporate Development in Historic Town Centres", NSW Heritage Office. (Copy available at Council's Office)

Pears, Harry C. 2009. "Decorate with type: Typeface Research". (Example of various type for particular decades) (Copy available at Council's Office)



## 9. DEVELOPMENT AND HERITAGE CONSERVATION

### 9.2 About this Chapter

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The intent of this chapter is to provide guidance about development within Heritage Conservation Areas or on Heritage Items. Heritage Conservation Areas and Heritage Items are listed in the Uralla LEP and their locations are recorded on the associated Heritage Maps. The Uralla LEP also states objectives for heritage conservation and explicitly addresses requirements for development in heritage areas or on heritage items.

This Chapter provides additional information about development and heritage conservation.

### 9.3 Where this Chapter applies

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This Chapter applies to all land identified in the Uralla LEP and associated maps as having heritage significance.

### 9.4 General Advice to Applicants for Development

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In order to help assist developers undertake developments that respect and enhance heritage values, Council has a heritage advisor who is available for consultation free of charge to potential developers. Council recommends that developers contact Council early in their design process and seek advice on heritage issues so that the design response can be more cost-effectively worked into the overall design solution.

#### Exempt Development

- Must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977; however
- Where heritage items listed in Schedule 5 of the LEP are clearly mapped and described, certain types of exempt development can take place on parts of the lot that are not the heritage item;
- Additionally, development that is subject to a specific exemption under s57 of the *Heritage Act 1977* may be carried out as exempt development.

**Note: only certain types of development are permitted to be undertaken as Exempt Development and these are specified in the Codes SEPP.**

#### Complying Development

- Complying development cannot be carried out on an item listed on the State Heritage Register (SHR) or that is subject to an interim heritage order under the *Heritage Act 1977*; however
- Complying development may be carried out on such land if the development is located outside of the area of the item as defined on the SHR or if the work is subject to a specific exemption under s57 of the *Heritage Act 1977*;
- Where heritage items are clearly mapped and described, complying development can take place on parts of the lot that are not the heritage item. Additionally, development that is enabled by the Codes SEPP and also identified in specific exemptions under the Heritage Act 1977 is enabled on heritage items;
- Complying development generally cannot take place on heritage items and draft heritage items locally listed on Schedule 5 of the LEP; but if the item is clearly mapped or described, the development can still take place on the land outside the mapped area;
- May be permissible within a Heritage Conservation Area, although not for development under the General Housing Code or the Rural Housing Code unless the development is for a (residential) detached outbuilding or a swimming pool; and
- Certain complying development types are permissible under the General Commercial and Industrial Code in the Codes SEPP (see chapter 5 Development in Commercial and Industrial Areas).

## 9.5 Performance Criteria

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- Development that achieves desirable social and economic benefits as well as meeting the heritage objectives of the Uralla LEP.

## 9.6 Acceptable Solutions – Uralla Town Centre

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### Aims and Objectives

- The objective of conserving the character of the Heritage Conservation Area is to sympathetically accommodate development (change), not to prevent it. The area must be allowed to redevelop and grow to accommodate the needs of the commercial area; and
- These development guidelines aim to promote development that is well sited and designed to be sympathetic with the character of the area.

The following guidelines are based mainly upon the recommendations of the Uralla Main Street Study (R J Ratcliffe, 1997). The information on the heritage value of individual buildings within the town centre has been included on inventory sheets in Volume 2 of the Uralla Main Street Study (1997). A copy of the Study is available for public inspection at Council's office by appointment during ordinary business hours.

### Significant features

Features of significance should be conserved or reinstated. Any inappropriate alteration should be removed and the original feature re-constructed as well as possible. The heritage inventory form for the building will assist in identifying any significant features.

### Material and external appearance

Insensitive application of new materials or finishes to an old building may ruin its appearance, for example face brickwork should not be painted or rendered.

### Streetscape

#### Colour schemes

Only buildings with high heritage significance should be painted in their original colour schemes. Otherwise a traditional colour scheme which fits in with the street as a whole should be considered, especially for that part of the building from the awning soffit upwards. For different styles and periods of building there are alternative colour schemes available. Refer to two books by Evans, Lucas and Stapleton on Colour Schemes for Old Australian Houses.

Parapets, awning soffits, and fascias that are continuous across more than one occupancy should be painted with the same colour(s) irrespective of the different signage.

#### Infill development

Infill buildings should not pretend to be heritage buildings but must be sympathetic to the period of the buildings surrounding it and fit into the streetscape. Materials for major building elements should relate to the common materials existing in the area. For development within a row of buildings, the new work should try to adopt the existing horizontal lines which run along buildings, such as roof ridges, parapets, gutters, window sills and awnings.

Window and door openings are a major part of a building's design. For infill development the proportions of the openings should be similar to those of adjoining buildings, Long facades should be broken up by windows or recesses, combined with verandahs, awnings or window hoods.



## Verandahs and awnings

If a canopy is proposed or is to be altered to a building which originally had post supported verandahs or awnings it should aim to replicate the original style and details. Replacement of suspended awnings with original post supported awnings is encouraged. However, replacement of original suspended awnings with post supported verandahs is inappropriate.

New infill development and most new awnings may be built in the modern style of suspended steel. However, the dimensions and siting of the new awning should consider the pitch, height and depth of verandahs and awnings on neighbouring buildings.

## Roofs

Many roofs on heritage buildings cannot be seen from the street because they are hidden by parapets. For new buildings, if the roof is visible the roofing materials and pitch should be sympathetic with neighbouring buildings.

## Contributory buildings (includes Heritage items)

The following criteria should be used to determine the extent to which an existing building within a Heritage Conservation Area contributes to the heritage significance of the area, and thus the degree of conservation that is required. Generally buildings will fall into one of the categories outlined in **Table 9.1**.

**Table 9.1 Heritage significance categories**

Category	Description	Acceptable Solutions
<b>Category 1: Heritage Items &amp; Landmark Buildings</b>	These buildings generally have a high degree of intactness and are significant both as an individual heritage item in their own right and for their high level of contribution to the character of the area. These buildings are often landmarks within the conservation area. The significance of these buildings should not be compromised.	Maintain heritage characteristics and all significant fabric and streetscape intactness.  <i>Note: These buildings are listed in the Uralla LEP.</i>
<b>Category 2: Significant Contribution</b>	Buildings of form and character with a high degree of intactness which contribute significantly to the character of the area.	Maintain and where appropriate, restore heritage characteristics and streetscape intactness.
<b>Category 3: Contribution Compromised</b>	Buildings which contribute to the character of the area but whose significance has been reduced by loss of original materials/details (e.g. roofs, fences, verandahs and unsympathetic changes) or inappropriate decorative treatment.	Reconstruct original features/ remove unsympathetic additions.

Category	Description	Acceptable Solutions
<b>Category 4: Complementary In-fill or Neutral Impact Buildings</b>	In-fill buildings which complement heritage characteristics and streetscape qualities.  Buildings whose impact on the heritage character of the area is neutral.	Ensure buildings and/ or the site continues to complement its surrounding development with no adverse impact on the heritage significance of the area.  Maintain the neutral impact of such buildings and improve as and when appropriate, by reconstruction of original features or removal of unsympathetic additions.
<b>Category 5: Adverse Impact</b>	Buildings which have an adverse impact on the precinct because of their scale, design, assertiveness, materials, or because their original qualities have been altered, removed or destroyed	Encourage the ultimate replacement of the building with one less assertive, or ameliorate their adverse impact by more appropriate colour scheme, etc.

### 9.7 Acceptable Solutions – Bundarra Town Centre

- The relevant parts of the Acceptable Solutions for the Uralla Town Centre shall apply for development within the Bundarra Town Centre.

### 9.8 Acceptable Solutions – Rocky River Gold Mining Precinct

- All development should avoid damaging or impacting upon artefacts such as water races and remains of diggings and structures relating to the historic mining activities; and
- Consent is required for any development that would involve altering a heritage item or a building, work, relic, tree or place.

### 9.9 Acceptable Solutions – Wollun Village Precinct

- This precinct has few specific heritage buildings to be protected, and it does represent an important location in terms of being the site of a former small town that has been subjected to decline through increased mobility and depopulation; and
- Consent is required for any development that would involve altering a heritage item or a building, work, relic, tree or place.

### 9.10 Alternative Solutions

Council will consider alternative approaches providing they meet the heritage objectives of the Uralla LEP and any other relevant legislation and/or planning policies and guidelines.

#### Reference

Evans, I., Lucas, C. and Stapleton, I. 1984. *Colour schemes for Old Australian houses*, The Flannel flower Press Pty Ltd, Yeronga.



Evans, I., Lucas, C. and Stapleton, I. 1992. *More Colour schemes for Old Australian houses*, The Flannel flower Press Pty Ltd, Yeronga.

Vines, E. 1996. "Streetwise. A practical guide for the revitalisation of commercial heritage precincts and traditional main street in Australian Country Towns", National Trust of Australia (NSW), (Copy available at Council's Office)

## 10. DEVELOPMENT IN GATEWAY AREAS

### 10.2 About this Chapter

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The southern approaches (gateways) to Uralla along the New England Highway and Thunderbolt's Way each have areas of industrial and/or commercial land. It is important that as these sites are developed, an aesthetically pleasing town entrance vista is maintained and where possible enhanced. This chapter provides guidance to help ensure that this is achieved.

### 10.3 Where this Chapter applies

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This chapter applies to land zoned B6 Enterprise Corridor and IN2 Light Industrial adjoining the New England Highway and Thunderbolt's Way to the south of Uralla.

### 10.4 Aims and Objectives

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- To ensure that the southern gateway areas of Uralla provide an inviting and pleasing vista for those travelling towards Uralla.

### 10.5 Performance Outcomes

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- Development in gateway areas serves to enhance the overall landscape and streetscape.

### 10.6 General Advice to Applicants for Development

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A pre-lodgement meeting with Council is recommended in the conceptual planning stages of any development.

### 10.7 Acceptable Solutions

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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. 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.

The landscaping requirements and guidelines for development are:

- The area between the front site boundary and the building line is to be landscaped;
- Car parking areas are permitted between the front site boundary and the building line but only if the car park is suitably screened from public view with landscaping;
- High fences or walls along site boundaries adjacent to public roads are not considered desirable. However, where they are required for noise attenuation or security purposes and the like, the fence or wall is to be set back at least 1 metre from the front boundary and the area between the fence or wall and the front boundary is to be landscaped to reduce its visual impact;
- Unutilised parts of the site should be landscaped;
- Existing trees should be retained where possible;
- Since landscaped areas are to be properly established and maintained, particular attention should be given to the types of landscaping materials (including plants, fencing and paving) to be used so as to achieve a durable and low maintenance landscaped area;



- Large car parking areas should use landscaping to break up the visual impact of the expanse of sealed surface and to provide shade; and
- Trees may be planted to shade buildings, especially deciduous trees planted to control north sun entry to windows.

## 11. FLOODPLAIN DEVELOPMENT AND MANAGEMENT

### 11.2 About this Chapter

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The purpose of this Chapter is to supplement flood planning provisions of the Uralla LEP. Council's flood studies have been developed in accordance with the NSW Government's Floodplain Development Manual 2005 which provides recommended approaches to the various planning controls that ought to be applied to land within a Flood Planning Area.

Flood studies have been completed for the Bundarra Village and land adjacent to the Rocky and Uralla Creek within the Uralla town area. The remainder of flood susceptible land adjacent to waterways within the LGA have not been studied and are subject to the standard provisions of Clause 6.2(3) of the LEP.

The manual categorises floodplain risk into three hydraulic classifications; "floodways", "flood storage" and "flood fringe", with each category broken down into "high hazard" and "low hazard" flood risk.

Under the standard clauses within the Uralla LEP, Council is required to apply planning controls to the following land:

- land that is shown as "Flood Planning Area" on the Flood Planning Map; and
- other land at or below the Flood Planning Level.

The LEP Flood Planning Map Sheet FLD\_001A identifies the Flood Planning Area at Bundarra. Planning controls that apply to this area are indicated in the section in this chapter headed "Flood Planning Controls – Bundarra". Area specific flood planning controls for Uralla are provided in this chapter headed "Flood Planning Controls – Uralla".

Council is also required to apply planning controls to other land in the Shire even if it is not formally identified or mapped through a flood study. This applies to land near waterways within the Shire. Planning controls that apply to these areas are indicated in the section headed "Flood Planning Controls – Unmapped Areas".

### 11.3 Where this Chapter applies

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This Chapter applies to all land within the Uralla Shire.

### 11.4 Terms used in this Chapter

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Technical terms used in this Chapter are defined below.

***Annual exceedance***

***probability (AEP)*** the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage.

***Extreme flood***

has been adopted as the design 1% AEP flood factored by three (3) for emergency management purposes.

***Floodway areas:***

those areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.



**Flood storage areas:** those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood. The extent and behaviour of flood storage areas may change with flood severity, and loss of flood storage can increase the severity of flood impacts by reducing natural flood attenuation. Hence, it is necessary to investigate a range of flood sizes before defining flood storage areas.

**Flood fringe areas** the remaining area of flood liable land after floodway and flood storage areas have been defined.

**Flood planning level** the level of a 1% AEP flood event plus 0.5 metres freeboard.

**Flood Planning Map** 1. Uralla Local Environment Plan 2012 Flood Planning Map;  
2. Figure 11.2 Flood Planning Area at Uralla.

### 11.5 Relationship to Other Planning Instruments

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This Chapter has been prepared to be consistent with the aims, objectives and provisions of all relevant State Environmental Planning Policies (SEPP's), the Uralla LEP and the NSW Floodplain Development Manual.

Minor development may be carried out in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). Clauses 3A.38 and 3.36C *Development standards for flood control lots* of the Codes SEPP provides controls for complying development carried out in a flood storage area, a floodway and high hazard area.

### 11.6 General Advice to Applicants

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Applicants should check with Council staff on whether flood controls would apply in any given situation.

### 11.7 Aims and Objectives

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- To provide detailed controls for the assessment of applications lodged in accordance with the EP&A Act for development on flood liable land;
- To facilitate appropriate development for flood liable land;
- To ensure consistency when dealing with applications relating to flood liable land;
- To manage the risk to life, property and minimise the cost to the community as a result of flood events;
- To permit minor extensions to existing development at floor levels consistent with that existing development, where appropriate;
- To provide guidelines for determination of merit of proposed development on flood liable land; and
- To inform the community of Council's policies for the use and development of flood liable land.

## 11.8 Performance Outcomes:

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- Development is consistent with the principles of the NSW Floodplain Development Manual and the Uralla LEP;
- Development does not materially increase the risk to life; and
- New development occurs at or above the relevant flood planning level for area.

## 11.9 Acceptable Solutions:

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### Flood Planning Controls – Bundarra

Flood planning controls are based upon a flood plain management study completed in 1982 by consultants Cameron McNamara. In this study, the consultants identified two distinct flood control areas within the flood planning area at Bundarra – Area A which can be characterised as a *floodway*, and Area B which can be characterised as a *flood storage area*.<sup>2</sup>

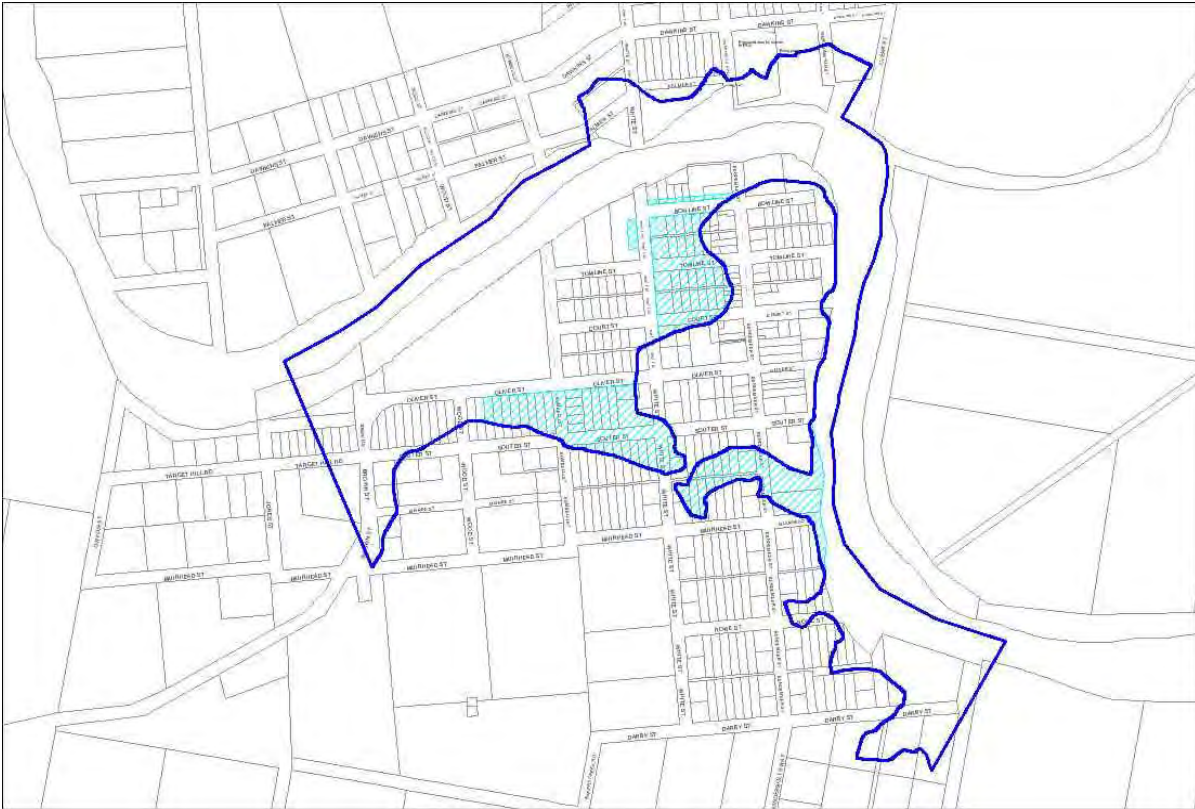
The Flood Planning Area is as mapped in Flood Planning Map Sheet FLD\_001A in the LEP, and reflects a level at the Bundarra gauge of 13.2m plus a freeboard of 0.5m (AHD 653.54). This height (AHD 653.54) is the *Flood Planning Level* for Bundarra.

Land in the floodway would be subject to relatively deep inundation and access problems in the 1% AEP flood event, and as such further development within this zone should be limited. The flood storage area can support further development provided that various precautions are implemented. The areas hatched in light blue in Figure 11.1 are the flood storage areas, while the rest of the flood planning area enclosed by the dark blue line is expected to behave as a floodway in a 1% AEP flood event.

Before determining an application for development on land within the Flood Planning Area in Bundarra, Council must take into account the general considerations applying to all applications as well as those additional matters which are relevant to the type of development that is proposed.

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<sup>2</sup> While not formally identified as either 'floodway' or 'flood storage area' in the Cameron McNamara study, the areas can be reasonably characterized in this way given the general comments about flood behavior and flow provided in that study.



**Figure 11.1 Flood Planning Area at Bundarra. Flood storage areas are hatched in light blue. Unhatched area is floodway in a 1% AEP event.**

### Flood Planning Controls - Uralla

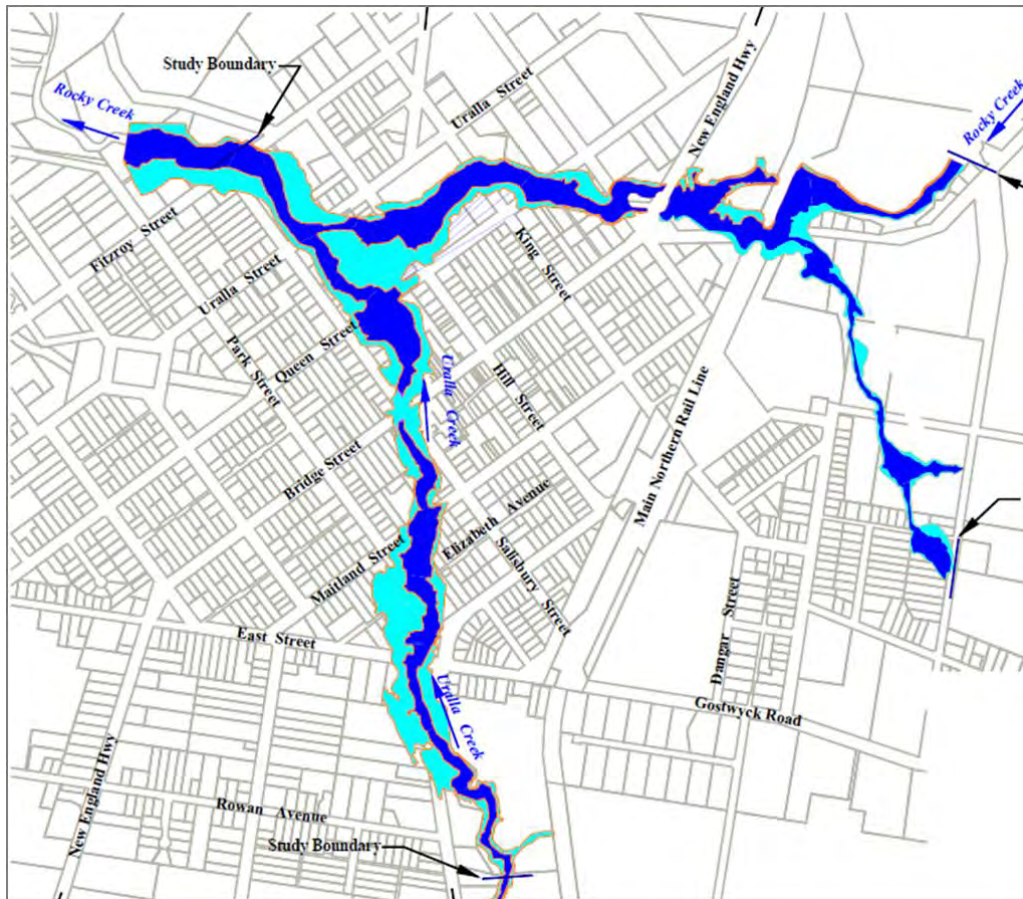
Flood planning controls are derived from the *Rocky and Uralla Creeks Flood Study* completed in June 2014 by Paterson Consultants Pty Ltd and are summarised as follows:

- There are virtually no areas that would be considered as “flood storage” as separate from “floodway”.
- “Flood fringe” can be defined as where flood depths are less than 0.3 metres. Plotting of the areas of “flood fringe” shows such areas are not more than 4 metres from the design 1% AEP flood extent.
- The flood extent of the design 1% AEP event should be defined as “floodway”.
- Distances between low and high hazard areas are very small, therefore, the flood extent of the design 1% AEP flood is defined as “High Hazard Floodway”.

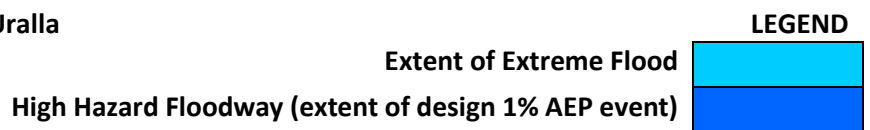
Figure 11.2 identifies the design 1% AEP flood extents as “High Hazard Floodway” (shown dark blue) with the extent of the “Extreme Flood” for emergency management purposes (shown light blue). Flood planning levels for Uralla are found at Figure 18 of the *Rocky & Uralla Creeks Flood Study* available from Council or on the Council website at <http://www.uralla.nsw.gov.au>.

Before determining an application for development on land within the Flood Planning Area in Uralla, Council must take into account the matters listed in Flood Planning Clause 6.2(3) of the LEP.





**Figure 11.2 Flood Planning Area at Uralla**



**Development in Floodways**

Development in floodways may adversely affect flood levels and velocities due to the potential to block or divert flow. There is also the potential for structures to be damaged or undermined due to the flow of water. In general, it is preferable that structures not be located in a floodway.

**Development Generally**

- Building floor levels, including non-habitable rooms, shall be at or above the Flood Planning Level;
- Filling of land shall ensure flood flow velocities shall not be increased by more than 10 %;
- Community infrastructure is not to be located in the floodway; and
- Any dangerous goods or chemicals must have adequate and proper storage above the Flood Planning Level.

## 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<sup>3</sup> by a qualified engineer that it will not alter flood behaviour to the detriment of other property;
- Filling of land or enclosed building foundations will only be permitted where it can be demonstrated there will be no change to flood behaviour beyond the property boundary;
- Where filling or enclosed building foundations are involved, the proposal shall be accompanied by a certified flood study report (refer footnote #3) which demonstrates that there will be no measurable adverse effect on flood behaviour, over the full range of floods, beyond the property boundary or adverse effects to drainage or surface runoff of adjoining properties;
- Buildings will not be enclosed below the Flood Planning Level, except for the purposes of a garage and laundry facilities and the entry to a maximum enclosed area of 40 square metres;
- Any on-site sewerage management system must be constructed above the Flood Planning Level or must be sealed against flood waters; and
- Development shall be sited to provide safe access (vehicular and pedestrian) to a location above the 1% AEP flood level.

## Redevelopment

- Redevelopment and extensions to existing buildings will only be permitted for legal/ authorised structures.
- Consideration will be given to redevelopment and extensions to existing buildings where it can be demonstrated that there is a net public benefit or improvement in the flood impact of the existing structure.
- Floor levels of new work, including non-habitable rooms, shall be equal to or above the Flood Planning Level.
- Consent will not be granted to convert existing sheds, garages or the like that are sited below the Flood Planning Level for habitable purposes.
- Flood proofing shall be provided to all parts of the structure up to the Flood Planning Level by the provision of approved flood proofing measures<sup>4</sup>.
- Extensions to existing buildings:
  - May result in an additional area floor area less than 75% of the existing floor area of the building.
  - Building extensions are not to be sited to cause further intrusion into the floodway.
  - The floor level of attached extensions will match or be no lower than the existing building floor level.
  - The floor level of detached extensions shall be at or above the Flood Planning Level.
  - Building material requirements for extensions shall be consistent with the material listed in Table A.11.1 (Appendix).
  - Building extensions will require structural engineer's certification (refer footnote #3) that the structure can withstand the force of floodwater, debris and buoyancy in a PMF flood and that cladding and other non-structural components are designed to cater for the force of floodwater, debris and buoyancy up to the FPL.

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<sup>3</sup> Unless instructed otherwise by Council, flood certification and flood studies shall be prepared under the guidelines of the NSW Government's Floodplain Development Manual 2005 and shall be undertaken and certified by a professional Civil / Hydraulic Engineer with qualifications suitable for admission as a corporate Member of Engineers Australia.

<sup>4</sup> Refer Appendix 11.1 Flood Proofing Guidelines

## **Fencing**

- Fencing in floodways shall be permeable to the flow of flood water and designed to minimise the accumulation of debris.
- Post and wire or collapsible fencing is preferred. Alternatively, fencing shall have a maximum obstruction up to 900mm to the flow of 15%, openings of no less than 125mm and a maximum height of 1.2m (the use of open mesh with 100mm minimum openings is permitted for swimming pool fences).

## **Development in Flood Storage Areas and Extreme Flood Extent**

Prior to giving consent to any development with these areas, Council shall take into consideration the following:

- Any adverse influence on the passage of flood waters;
- Depths of inundation and possible duration;
- Access during a major flood event;
- The structural adequacy of any structure which is the subject of the application and the structure's ability to withstand flooding (refer footnote #3);
- A mound consisting of suitable consolidated fill at least of a height equivalent to the Flood Planning Level and with top dimensions at least three metres larger in all directions than the dwelling. The fill shall have batters of 3:1 or flatter, adequately protected by pitching or grass to prevent erosion and be contained within the allotment, or other approved method of construction;
- Any on-site sewerage management system must be constructed above the Flood Planning Level or must be sealed against flood waters; and
- Community infrastructure for the purpose of emergency services is not to be located in these areas.

## **Additional Matters for Consideration – Commercial and Industrial Development**

When considering an application to carry out development for commercial or industrial purposes within flood liable land (floodway, flood storage or extreme flood extent), Council shall consider the following additional matters:

- The floor level of any structure or building shall be at or above the Flood Planning Level;
- The likely depth of water and the proposed floor level;
- Measures to store or remove goods and plant above the Flood Planning Level;
- Whether any development below natural ground level is capable of being adequately drained;
- Whether satisfactory egress is provided from the building during times of a major flood event; and
- Any dangerous goods or chemicals must have adequate and proper storage above the Flood Planning Level.

## **Flood Planning Controls – Unmapped Areas**

As noted above, land outside of the Uralla and Bundarra flood planning areas in the proximity of waterways are also subject to inundation during flood events. However, in the absence of a flood study it is not possible to accurately identify the location of a Flood Planning Level for the various waterways involved. The only recourse is to base analysis on historical data and qualitative assessment. Unfortunately, historical flood information gives an incomplete picture of flood risk. The scant information often available does not provide an understanding of the range of potential flood risk, their likely frequency, nor a good understanding of the variation in hazard across the floodplain. Hence exposure to hazard and the cumulative impacts of development decisions would not be fully understood.



The Floodplain Management Manual provides the following advice:

Until a flood study is completed (providing a better understanding of flood behaviour and hazard) it is important that consideration and implementation of appropriate limits and controls for different scales of development are set. These could include:

- Small scale and infill development outside known significant flow areas. These may require minimum fill and floor levels based upon known historical flood levels and a freeboard allowance, typically 0.5m for residential development though a higher freeboard may be considered appropriate due to the degree of uncertainty. For infill development minimum fill levels may not be feasible and it may be more appropriate to require minimum floor level and structural certification of below floor components;
- Larger scale developments or developments in areas known or expected to have significant flood flows. The proponent may be required to submit a flood assessment to determine potential impacts on flood behaviour, set appropriate minimum floor and fill levels. No significant impacts on flood behaviour on other properties should be acceptable. Emergency management should be considered in relation to the local flood plan, with self-sufficient evacuation a requirement; and
- Additions and extensions to existing development should be considered in light of the philosophy of merit based decision making and the information available on flood risk.

#### **Additional Information Required for Development Applications in Unmapped Areas where there is Potentially Flood Liable Land**

Depending on the circumstances, Council may require an applicant to provide a Flood Investigation Report by a suitably qualified and experienced professional to determine whether the proposed site for a development would be within the FPL in a 1% AEP flood event. If it would be, then the appropriate controls would be applied.

The appropriate controls for this section are the same as the general controls for the Bundarra Flood Planning Area, and the specific controls for Flood Control Area A at Bundarra.

#### **11.10 Alternative Solutions and Design Suggestions:**

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##### **Other forms of development**

Any forms of development not covered by the acceptable solutions need to demonstrate consistency with the principles of the NSW Floodplain Development Manual 2005 and the Aims, Objectives and Performance Outcomes of this Chapter.

*Note: An applicant may determine the category of hazard pertaining to a particular site by applying the methodology detailed in the NSW Government Floodplain Development Manual, 2005. Any such application and calculations shall be accompanied by certification from an appropriately qualified practising engineer that the principles of the Floodplain Development Manual, and this Chapter of the DCP have been adopted.*

##### **Variations to the DCP requirements**

Council may give consideration to varying the requirements of this plan where these are considered unreasonable or unnecessary in the circumstances of the case (such as where infill development or replacement of existing buildings is proposed) and where the Aims, Objectives and Performance Outcomes of this Chapter will not be compromised.

Any request for variation must be accompanied by sufficient calculations and documentation to allow Council's Director of Infrastructure & Regulations to give the proposed variation full consideration in deciding to recommend to Council approval or refusal of the variation.

## Decision criteria for variations to the DCP

In assessing all such applications Council will have regard to:

- The relevant provisions of the *EP&A Act 1979* as applicable in the circumstances;
- The likely effect of the development on the depth, velocity and distribution of flood waters and flood behaviour;
- The potential for damage to the development and the likely damage to stock, machinery and equipment to be located in the development;
- The number of persons expected to be housed or employed in the development and the measures to be established for their evacuation and the social disruption and financial loss arising from such evacuation;
- The availability of alternative flood free sites and reasonable alternative uses for the land;
- The potential for cumulative adverse impact if the proposed variation sets, or is likely to set a precedent; and
- The relationship to adjoining development.

### 11.11 Flood Proofing Guidelines

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Flood proofing refers to any combination of measures incorporated in the design, construction and alteration of individual buildings or structures subject to flooding, to reduce or eliminate flood damages.

Flood proofing by filling of the site is generally preferable where:

- practical;
- if below the GFPL, compensatory works are provided to ensure there is no net loss in flood storage at any flood level;
- if in a floodway, compensatory works are provided to ensure there is no increase in adjacent flood levels nor redistribution of flow; and
- otherwise permitted.

Retrofitting removable shutters and the like to doors and windows may be a viable option for existing development however this form of flood proofing is generally not viable for new development or extensions to development as it relies on ongoing maintenance of the equipment and timely intervention by the building occupiers. Notwithstanding, removable shutters and the like would be a valuable adjunct to the measures described below.

Therefore, when flood proofing is specified in this Plan and flood proofing by filling is not suitable, the following basic guidelines shall be complied with.

The guidelines in Table A.11.1 provide an outline of basic construction materials for development below the applicable Flood Planning Level. It should be noted that compliance with these guidelines does not guarantee the performance of a structure under flood conditions. Further structural details and certification may be required by Council for specific proposals.

**Table A.11.1 Flood Compatible Materials**

Component	Flood Compatible Material
Flooring and Sub-floor	Concrete slab-on-ground monolith construction Suspended reinforced concrete slab
Wall Structure	Solid brickwork, blockwork, reinforced, concrete or mass concrete

Component	Flood Compatible Material
Wall and Ceiling Linings	Fibro-cement Brick, face or glazed Clay tile glazed in waterproof mortar Concrete Concrete block Steel with waterproof applications Stone, natural solid or veneer, waterproof grout Glass blocks Glass Plastic sheeting or wall with waterproof adhesive
Roof Structure	Reinforced concrete construction Galvanised metal construction
Doors	Solid panel with water proof adhesives Flush door with marine ply filled with closed cell foam Painted metal construction Aluminium or galvanised steel frame
Insulation	Closed cell solid insulation Plastic/polystyrene boards
Windows	Aluminium frame with stainless steel rollers or similar corrosion and water resistant material.
Nails, Bolts, Hinges and Fittings	Brass, nylon or stainless steel Removable pin hinges Hot dipped galvanised steel wire nails or similar
Main Power Supply	Subject to the approval of the relevant authority the incoming main commercial power service equipment, including all metering equipment, shall be located above the designated flood level. Means shall be available to easily disconnect the dwelling from the main power supply.
Wiring	All wiring, power outlets, switches, etc., should be located above the designated flood level. All electrical wiring installed below this level should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit-breakers (core balance relays) or Residual Current Devices (RCD) must be installed. Only submersible type splices should be used below maximum flood level. All conduits located below the relevant designated flood level should be so installed that they will be self-draining if subjected to flooding.
Electrical Equipment	All equipment installed below or partially below the designated flood level should be capable of disconnection by a single plug and socket assembly.
Heating and Air Conditioning Systems	Heating and air conditioning systems should be installed in areas and spaces of the house above the designated flood level.

Component	Flood Compatible Material
Fuel storage for heating purposes	<p>Heating systems using gas or oil as a fuel should have a manually operated valve located in the fuel supply line to enable fuel cut-off.</p> <p>The heating equipment and related fuel storage tanks should be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. The tanks should be vented to an elevation of 600 millimetres above the designated flood level.</p>
Ducting for heating/cooling purposes	<p>All ductwork located below the relevant flood level should be provided with openings for drainage and cleaning. Self-draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a water-tight wall or floor below the relevant flood level, a closure assembly operated from above relevant flood level should protect the ductwork.</p>

## 12. REGULATION OF BROTHELS

### 12.2 About this Chapter

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Brothels require development consent from Council before they can operate and must also comply with Council's planning controls. These controls are contained within the Uralla LEP and this chapter of the Development Control Plan.

The planning controls are designed to ensure that brothels operate in appropriate locations and in an appropriate manner so that their effects on the community are minimised and do not result in the loss of any community amenity.

### 12.3 Where this Chapter applies

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This Chapter applies to any application for a brothel in the Uralla Shire.

### 12.4 General Advice to Applicants for Brothels

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#### Purpose

The purpose of this chapter is to provide detailed planning controls and guidance for the operation of brothels.

#### Aims

This aims of this chapter are to:

- Provide guidelines and planning controls for the determination of development applications for brothels in the Uralla Shire; and
- Ensure that the operation of brothels meets community standards and does not adversely affect the amenity of land used for educational, recreational, residential, cultural, religious /community purposes, or neighbourhood businesses.

#### Objectives

The objectives of this chapter of the DCP are:

- To ensure that brothels are appropriately located to minimise offence to the community and mitigate any adverse social impacts;
- To ensure that the access to brothels is safe for patrons and staff;
- To ensure that brothels are designed to minimise the impact and presence of the development in the locality;
- To ensure that there is adequate provision for off street car parking;
- To ensure the safe and healthy operation of brothels;
- To ensure that brothels operate at times where they will have least impact on the community and surrounding neighbourhood; and
- To allow Council to monitor the operation of approved brothels in terms of compliance with conditions of consent and complaints from the general public.

#### Application of the Chapter

Council shall take the provisions of this chapter into consideration in determining applications for the operation of brothels. Compliance with the provisions of this Chapter does not necessarily mean that Council will consent to an application. Council must consider the full range of matters listed under Chapter79C(1) of the EP&A Act. Each application will be considered on its merits.



*Note that Council may give consideration to a time-limited consent, in particular where Council is of the opinion that a limited period of operation is necessary to fully assess whether a brothel could operate in a compliant manner. Within this period the applicant shall be entitled to seek an amendment under Section 96(2) of the EP&A Act to allow an extension to the operation of the brothel. Council may then decide to either allow the brothel to operate for a further period or decline to amend the period of operation, in which case the brothel shall cease operation on the expiration of the consent.*

### **Information to be supplied**

The following information as a minimum must accompany any development application for a brothel:

- Plan Information:
  - I. A fully dimensioned location plan, drawn to scale, showing proximity and location to nearby churches, schools, community facilities, hospitals, bus stops, parks and recreation facilities used by children, such as amusement arcades, sporting fields etc and distance from any residential zone or from properties used or partly used or capable of being lawfully used for residential purposes (other than ancillary dwellings); and
    - Type of land uses carried out on adjacent and nearby properties; and
    - The location of any other brothel in the vicinity;
  - II. A fully dimensioned site plan drawn to scale which locates the proposed brothel accurately in relation to the boundaries of the subject land;
  - III. A floor plan and elevation plans of the building drawn to scale which indicates the proposed use of each room and shows compliance with the National Building Code and the *Disability Discrimination Act 1992*; and
    - Entrances to and exits from the site; and
    - Location, number and layout of off-street car parking; and
    - The exterior colour scheme of the proposed brothel; and
    - Details of the existing and proposed external lighting.
- Written Information:

The application shall include a Statement of Environmental Effects detailing the proposed use and indicating the following:

- Name of occupier of the premises or contact person;
- Number of employees, including the number of sex workers;
- Proposed hours of operation;
- Number of rooms in the premises proposed to be used for prostitution;
- Car parking facilities;
- Method of laundering linen/towels;
- Sanitary facilities to be provided;
- Health and hygiene control;
- Ventilation and lighting; and
- Security provisions.

The Statement of Environmental Effects submitted with the application shall also demonstrate how the proposal complies with Council's planning requirements and the matters to be assessed under Section 79C(1) of the EP&A Act.

- (b) A Waste Management Plan is to be prepared in accordance with the NSW Health Department's guidelines.

*Note: Failure to comply with this Plan or submit the information detailed above will usually mean that the application will be delayed or refused.*

## **12.5 Establishment of Brothels**

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### **Introduction and General Provisions**

Brothels are only to be located within the industrial zones (IN1 and IN2) as identified in the Uralla LEP.

#### **Aims:**

- To ensure brothels and associated activities remain discreet and dispersed; and
- To prevent safety problems for staff and patrons.

#### **Performance outcomes**

- Brothels are not located in such concentration (either alone or in combination with other sex-related businesses) as to result in the creation of a "red light" district;
- Access to or from a brothel is not near or within view from a church, hospital, bus stop, school or any place frequented by children for recreational or cultural activities;
- Patrons of brothels do not loiter outside the premises;
- Access to the premises is clearly illuminated in order to discourage loitering and to ensure the safety of patrons and staff;
- Brothel premises are designed to be compatible with the built form of adjacent premises; and
- Disabled persons are able to access the development (as per requirements of the National Building Code).

#### **Acceptable solutions**

- The brothel is not located within 100 metres (by pedestrian travel paths) of any other brothel;
- The brothel is not in a "shop front" premises;
- The brothel is not located within 150 metres (by pedestrian travel paths) of existing dwellings and hospitals;
- The brothel is not located within 200 metres (by pedestrian travel paths) from churches, schools, recreation areas and childcare centres;
- The brothel does not adjoin a residential flat, a residential flat building, an activity operated by a religious institution, a restaurant, a supermarket, a video shop, or amusement parlours and/or arcades;
- The brothel is not be located in or adjoining licensed premises, motels, boarding or guest houses;
- The brothel does not contain more than 4 separate rooms for the purposes of sex services;
- The brothel is provided with a waiting room of at least 20 square metres in size;
- The brothel is fitted with the necessary facilities and services for Class 6 buildings under the National Building Code;
- All windows are covered with blinds or curtains at all times;
- Outdoor lighting complies with Council's requirements; and
- Access for disabled persons is provided to the development in accordance with the *Disability Discrimination Act, 1992* and the National Building Code.

#### **Alternative approaches and design suggestions**

N/A.

## 12.6 Operation of Brothels

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### Introduction and general provisions

The premises must be kept in a clean condition at all times. Cleaning is to be carried out by staff as required. Particular attention must be paid to showers, baths and toilets (which may harbour and spread fungi if inadequately disinfected and ventilated), linen, and swimming and spa pools.

### Other general provisions:

- Hours of operation are to avoid times of peak community activity in the locality;
- Signs indicating that any premises are used for, are available for use, or that a person is available, for the purposes of sex services are not to be erected;
- No food or alcohol shall be served or consumed by clients on the premises; and
- In addition to emergency service providers, the brothel must allow entry to Police and authorised persons from Uralla Shire Council (planning, health and building sections) or the NSW Department of Health immediately upon request.

### Aims

- To ensure the health and safety of patrons and staff; and
- To ensure the brothel and associated activities remain discreet.

### Performance outcomes

- Adequate sanitary facilities are provided for staff and patrons;
- Showers, baths and toilets are kept clean and free of mould and fungus;
- Linen provided to patrons and staff is clean;
- Contaminated waste is appropriately managed and disposed of;
- Good levels of hygiene are maintained for swimming and spa pools;
- The use of the premises does not give rise to transmission of noise to any place of different occupancy or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*; and
- The brothel maintains a discreet profile.

### Acceptable solutions

#### Sanitary facilities:

- Sanitary facilities are provided in accordance with the requirements of the National Building Code Part F. Separate toilet facilities are provided for staff;
- Each room contains its own sanitary facilities comprising shower, toilet and hand basin for the use of both sex workers and their clients. All required hand basins shall be provided with an adequate supply of potable water, at a temperature of at least 40°C, delivered through an approved mixing device which can be adjusted to enable hands to be washed under hot running water;
- The proprietor ensures that baths, toilets, and showers are cleaned and disinfected after each use with a hypochlorite based disinfectant; and
- Soap and single use towels are provided at all hand basins required in the premises.

#### Linen:

- The proprietor provides clean linen or clean cover; and clean towels for the use of individual clients and sex workers;
- All linen, including towelling, which comes into contact with sex workers or clients, is changed immediately after use;
- Two receptacles are provided for the separate storage of clean and used linen;





- Linen is washed by category in a hot water wash (water temperature a minimum of 70 degrees Celsius) using laundry detergent; and
- All linen items are thoroughly dried after washing.

**Note:** *It is recommended that proprietors use private contractors to launder towels, sheets etc. When laundering is carried out on the premises, commercial/industrial equipment must be used.*

Contaminated waste:

- Contaminated waste is disposed of by Environment Protection Authority licensed waste collectors. Used condoms must be double bagged in plastic and placed in a suitable waste receptacle on the premises.

Spa and swimming pools:

- Spa baths are drained after each use so they can be cleaned and refilled with fresh water. *Note: Officers of Council and the NSW Health Department may carry out periodic tests to ensure the pool water is suitable for bathing purposes;*
- The proprietor keeps on the premises an accurate kit used for the testing of pool water. The kit is able to determine the concentration of:
  - free chlorine, total chlorine, and combined chlorine; or
  - total bromine; or
  - baquacil;
  - pH; and
  - reserved alkalinity.
- Swimming and spa pools comply with the NSW Health Department Guidelines for Disinfecting Public Swimming Pools and Spa Pools; and
- All swimming or spa pools are disinfected by a method approved by the NSW Health Department.

**Note:** *Approved methods include:*

- *chlorine, or*
- *bromine, or*
- *salt water chlorination, or*
- *ozone.*
- Spa pools are drained each day so they can be cleaned and refilled with fresh water;
- Swimming or Spa pools are provided with a system of automatic analysis and dosage control equipment that will maintain the level of disinfectant;
- Tests are conducted on every swimming pool or spa pool before the pool or spa is opened each day, and every four (4) hours thereafter when the pool or spa is in use; and
- A log book of the pool or spa water quality is kept by the proprietor and is available for inspection by Council's officers.

**Note:** *The temperature of the water in the bathing area of a spa pool should not be allowed to exceed 40°C. The guidelines for disinfecting public swimming and spa pools can be obtained from Council's Infrastructure & Regulations Department.*

Ventilation and Lighting:

- The premises are ventilated in accordance with the requirements of the National Building Code; and
- The premises are provided with adequate lighting in accordance with Australian Standard AS 1680.

Noise:

- The use of the premises does not give rise to sound levels at any point on the boundary of a site greater than 5dBA above the background levels specified in Australian Standard 1055, Acoustic Description and Measurement of Environment Noise.

**Alternative approaches and design suggestions**

N/A.

## 13. NOTIFICATION PROCEDURES

### 13.2 About this Chapter of the DCP

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#### Outline

This Chapter of the DCP:

- Supplements the provisions of the Uralla LEP; and
- Provides policies and guidelines on the notification of Development Applications.

#### Purpose

This Chapter of the DCP outlines Council's policy for community notification in the assessment of development applications and the formulation of development guidelines and policies. The Chapter also outlines the necessary procedures involved in carrying out such notification.

#### Aims and Objectives

- Set out Council's requirements for the notification of development applications and formulation of guidelines and policy;
- Provide for public participation in the consideration of applications that may detrimentally affect the enjoyment of property or the public interest;
- Ensure the community is consulted during the formulation of guidelines and policies;
- Ensure that policy formulation is undertaken in a wider and more informed context;
- Allow for a reasonable time for inspection and making submissions on applications while recognising the obligations of the Council to determine applications within prescribed periods;
- Provide a direct avenue of access to the application process by affected residents and owners who wish to express their concerns about proposals to Council staff, Councillors or the relevant Council Committee;
- Set out matters for which the Council will have regard when forming its opinion as to whether or not the enjoyment of adjoining land may be detrimentally affected by a proposed development;
- Specify the circumstances when notification is not required; and
- Detail the form that notification will take and an applicant's responsibility to provide a notification plan.

#### Structure of this Chapter

This Chapter is divided into the following parts:

- About this Chapter - Outlines the purpose, principal aims and contents of this Section;
- Notification and Advertising Procedures and Guidelines - This sets out the level of public consultation required for various development applications. Detailed guidelines regarding public notification and advertising procedures are also provided;
- Integrated, Designated and other categories of Development - This deals specifically with the notification and advertising requirements of the above categories of development; and
- Policy Formulation - Outlines the community consultation guidelines that must be followed when formulating a range of planning policies. These guidelines have been set to ensure that policy formulation is undertaken in a wider and more informed context.

### 13.3 Notification Procedures and Guidelines for Applications

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This section provides detailed guidelines on procedural processes that must be followed when notifying the community of applications. This plan provides for two levels of public consultation that an application may be subject to, these are notification and advertising.

#### Notification of Applications

Adjoining landowners will be given notice of an application if, in the opinion of Council, the enjoyment of land adjoining the development may be detrimentally affected by the proposed development.

The following issues will be considered in forming an opinion as to whether or not the enjoyment of land may be detrimentally affected by a proposed development:

- The views to and the views from the land;
- Overshadowing of the land;
- The privacy of the land;
- The likelihood of the land being detrimentally affected by the proposed use, such as noise, odour or other polluting emissions;
- Proposed hours of use for the development;
- The scale or bulk of the proposed development; and
- The siting of the development in relation to site boundaries.

Upon the lodgement of an Application, the Planning Manager will determine who may be detrimentally affected in terms of the matters to be considered.

**Note:** Council may also broaden the extent of notification following any inspection of the development site, or increase the length of notification.

#### Applications which will not be notified

The following Applications will not be notified as per the provisions of this document:

##### Exempt and Complying Development:

- Exempt or complying development as set out in [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (the Codes SEPP).

##### Subdivisions:

- Minor boundary adjustments, which do not require physical works; and
- Strata subdivision proposals.

##### Commercial or Industrial Uses:

- The change of use of buildings (in a commercial and industrial zone), except at Council's discretion.

##### Houses and Extensions:

- Detached single-storey dwellings in a Residential Zone (other than second-hand dwellings);
- Ancillary structures associated with residential developments, including carports, pergolas, garden sheds and the like, which are sited 1m from any boundary, sited behind or in-line with the existing building line and comply with Council's building setbacks;
- Alterations to an existing residential building where the works will not result in any change to the height, external configuration or external façade of the existing building;



- Single rural dwellings on properties of greater than 10 hectares, where the proposed dwelling is located a minimum of 20m from the boundaries of the property;
- Alterations and extensions to rural dwellings on properties of greater than 10 hectares, where the proposed dwelling is located a minimum of 20m from the boundaries of the property; and
- Rural workers accommodation on properties greater than 100 hectares where the proposed accommodation is located a minimum of 20 m from the boundaries of the site.

#### **Swimming Pools:**

- Private swimming pools.

#### **Persons to be Notified**

Written notice of a Development Application will be sent to those persons who appear to the Council to own or occupy adjoining land and neighbouring land if, in the Council's opinion, the enjoyment of the land may be detrimentally affected by the development proposal. This could include land opposite or otherwise distanced from the application site.

#### **Other Referrals**

Certain Development Applications will attract a need for notification of other government authorities and the seeking of their comments.

Notice will also be given to relevant Councils listed below, if the proposed development is located in proximity to the Local Government Area boundaries of:

- Armidale Dumaresq Council;
- Tamworth Regional Council;
- Walcha Shire Council;
- Gwydir Shire Council; or
- Guyra Shire Council.

In the case of an Integrated Development Application, the application is to be referred to the relevant authority in accordance with Clause 52A of the Environmental Planning and Assessment Regulation 2000.

#### **Notification of Amendments prior to determination & Modification Applications under S96**

##### **Amendments prior to Determination**

An applicant may make amendments to an application at any time **before its determination**, subject to Council's acceptance of those amendments. In these circumstances, Council will re-notify:

- Those persons who made submissions on the original application; and
- Any persons who own adjoining or neighbouring land (including those persons who were previously notified of the application) who may in Council's opinion potentially be detrimentally affected by the proposal as amended.

**NOTE:** If re-notification is required, further sets of plans for this purpose must be provided by the applicant.

##### **Modification of an Approval (after Determination) under Section 96**

An applicant may lodge an application to modify an approval (under Section 96 of the EP&A Act) if Council is satisfied that the development, as proposed to be modified, remains substantially the same development as that originally approved. Council will re-notify persons who made submission on the original application and any persons who own adjoining or neighbouring land only where in Council's opinion those persons could be detrimentally affected by the proposal as amended.



Submissions received in relation to the modified proposal will be considered in Council's assessment of the application.

### **Notification Period**

A person may inspect a plan and make a submission within the notification period which will be a minimum of 14 days.

*NOTE: For "advertised" and "designated development" the length of the notification period varies and will be in accordance with the advertising requirements of the Environmental Planning and Assessment Regulations (2000), unless a longer period is determined by Council.*

### **Form of Submissions from Persons Notified & the General Public**

Submissions made in respect of applications must be in writing and addressed to the General Manager. Submissions must clearly indicate the name and address of the person making the submission and details of the proposal to which the submission relates. Should an objection be part of the submission, the reasons for the objection are to be provided. All submissions are to be accompanied by a form declaring any donations or gifts to an elected member of Council or a Council staff member (as set out in the form available for such declarations available from Council or Council's website).

*Note: Information regarding the making of a submission shall be provided with the notification letter.*

### **Consideration of Submissions**

Council will consider all submissions received within the specified time period before determining a Development Application. In making a determination the content of a submission must be balanced with the Council's statutory obligations. Submissions form a part of the assessment of an application and each application will be assessed on its merits.

When determining a development application, Council will take into consideration any submissions it has received during the notification period. Delegated authority will not be used to determine a development application that has received a written objection to the proposal. Development applications that have had a written objection submitted will be referred to the relevant standing Council Committee for comment prior to being referred to Council for determination discussion.

### **Applicant to be advised of Objections**

Written submissions cannot remain confidential as they may be used to assist in negotiations with the owner/applicant of the proposal or be included in Council business papers. The applicant, on request, will be advised of the terms of any objection and is entitled to read all submissions received. Where applications are amended in response to objections received, comments may be sought from previous objector/s.

### **Notification of Determination**

Following determination of an application each person who made a submission will be advised in writing of Council's decision in determining an application as soon as practical.

### **Advertising of Applications**

Where Council considers a given development may have the potential to have a much wider impact than just on nearby property owners or have a community interest, Council may decide that the development application should be advertised in the local print media (i.e. newspapers). A person may inspect a plan and make a submission within the advertising period which will be a minimum of 14 days.



## **Advertising & Notification Costs**

The applicant shall pay the Council a fee in accordance with Council's adopted Schedule of Fees and Charges to cover the cost of advertising and notification of the application and any amendment or modification of it.

## **Integrated, Designated Development and other Categories of Development**

Statutory notification requirements exist under the EP&A Act for certain categories of development such as:

- Integrated Development;
- Designated development; and
- Other types of Approvals, including assessment of "activities" under Part 5 of the EP&A Act.

These must be advertised and exhibited in line with the requirements as outlined in the EP&A Act and the Regulations.

*NOTE: The requirements of the EP&A Act and Regulations are mandatory*

### **Integrated Development**

This is defined as a category of development (not being Exempt or Complying) that, in order for it to be carried out, requires development consent and one of more approvals set out in Clause 91 of the EP&A Act 1979.

### **Public Notification and Exhibition**

The advertising and exhibition period is a minimum of 21 days. Written notice is to be provided to neighbouring owners surrounding the application site. The written notice shall contain all information as outlined in the Regulations to the Act. The relevant government authority is to be forwarded a written notice of application and notification plan within 2 days of receiving the application. The notice shall also clearly state that the application is an Integrated Development.

### **Designated Development**

Designated Developments are developments, which have major impacts on the environment. Schedule 3 of the EP&A Regulations outlines what types of Development are classified as Designated Development.

### **Public Notification and Exhibition**

The advertising and exhibition period is a minimum of 30 days. Written notice is to be given to neighbouring owners surrounding the application site. The written notice shall contain all information as outlined in the Regulations to the EP & A Act. The relevant government authority is to be forwarded a written notice and notification plan. The notice shall also clearly state that the application is a Designated Development. Notice must include:

- A minimum of 2 public notices in local newspaper circulated in the area; and
- A notification sign placed on the property (application site).

### **Other types of Approval**

"Activities" under Part 5 of the EP&A Act must be notified and exhibited in accordance with the requirements of Section 113(1) of that act.

### **Public Notification and Exhibition**

The advertising and exhibition period is a minimum of 30 days and advertising must include:

- A minimum of 2 public notices in a local newspaper circulated in the area.

## 14. CONTAMINATED LAND

### 14.2 About this Chapter

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Development on land that is contaminated is a significant planning issue. At its worst, contamination can be a risk to the health of users of land and/or the environment, and this risk can be exacerbated when a change of land use occurs. All development is subject to controls contained in the following documents:

- *Contaminated Land Management Act 1997*;
- State Environmental Planning Policy No 55 – Remediation of Land; and
- Managing Land Contamination – Planning Guidelines, SEPP 55-Remediation of Land.

This Chapter provides a summary of the planning controls relating to development activity.

### 14.3 Where this Chapter applies

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This Chapter applies to all land within the Uralla Shire.

### 14.4 General Advice to Applicants

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There is a requirement that prior to issuing development consent for any development (including both Complying Development and Development Applications), Council is required to consider whether the land is (or might be) contaminated, and if it is to ensure that appropriate investigatory and/or remedial action is undertaken prior to consent being issued.

The onus is on the developer of the land to take the necessary steps to determine whether the land is actually or potentially contaminated prior to lodgement of an application. Among other things, this will entail consideration of whether any of the land uses identified in **Table 14.1** have ever been undertaken on the subject land.

**Table 14.1 Potential land contaminating activities**

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations





- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

The above uses are those referred to in Table 1 of Managing Land Contamination-Planning Guidelines. The Guidelines make the following important note about this list:

*It is not sufficient to rely solely on the contents of this Table to determine whether a site is likely to be contaminated or not. The Table is a guide only. A conclusive status can only be determined after a review of the site history and, if necessary, sampling and analysis.*

#### **14.5 Aims and Objectives**

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- To provide a consistent basis for Council in dealing with land use planning and development matters, as well as requests for information from the public, where land is, or may potentially be, contaminated as a result of existing or previous land use activities;
- To ensure that land use changes will not increase the risk to human health or to the environment;
- To minimise the potential for adverse social and economic consequences which may arise from a failure to identify and respond to issues of potential or actual contamination as part of the land use planning and development process;
- To avoid inappropriate restrictions on land use as a consequence of existing or previous land use activities;
- To ensure that Council fulfils its legal obligation of duty of care in relation to land contamination issues; and
- To provide effective risk management for Council and community by reference to the law, industry best practice literature and protocols, having regard in particular to the EP&A Act.

#### **14.6 Performance Outcomes**

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- Contaminated lands are identified and remediated as required as part of the development process.

#### **14.7 Acceptable Solutions**

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As noted above, Council is required to ensure that any contamination on land is appropriately addressed as part of any development process.

#### **SEPP 55 Requirements for Development**

The following is drawn directly from the relevant section of State Environmental Planning Policy No 55 – Remediation of Land:

1. Council will not consent to the carrying out of any development on land unless:
  - a. it has considered whether the land is contaminated, and
  - b. if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

- c. if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
2. Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), Council will consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
  3. The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to Council. Council may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.
  4. The land concerned is:
    - a. land that is within an investigation area,
    - b. land on which development for a purpose referred to in **Table 14.1** is being, or is known to have been, carried out,
    - c. to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
      - i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in **Table 14.1** has been carried out, and
      - ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

### Other Planning Considerations for Contaminated Land

In addition to the specific requirements for a development, Council is also required to consider contaminated lands issues in a number of other situations including:

- Making of a Local Environmental Plan;
- Spot rezoning; and
- Making a Development Control Plan.

### 14.8 Alternative Solutions

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Any alternative solutions must comply with the provision of:

- *Contaminated Land Management Act 1997*;
- State Environmental Planning Policy No 55 – Remediation of Land; and
- Managing Land Contamination – Planning Guidelines, SEPP 55-Remediation of Land.

### 14.9 Former Pole Treatment Plant

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The Environment Protection Authority (EPA) have given specific regulatory advice to Council regarding this land known as the former Koppers Timber Treatment Site Lot 385 DP 755846.

*While the EPA considers that regulatory intervention on this former timber site is not warranted and that the site is suitable for industrial use in principle, this site is nevertheless a contaminated land. Council, as a development consent authority, is advised to observe State Environmental Planning Policy No.55 (SEPP 55) – Remediation of land. In this regard, the EPA offers the following specific advice:*

1. *Should any part of the land be redeveloped for a use more sensitive than commercial/industrial use, that specific area must be subject to a formal contaminated site assessment to confirm its suitability of the intended use.*

2. *There has been no groundwater assessment carried out on the site in the past. The EPA believes that the risk that the site will be subject to extensive groundwater contamination is relatively low. This potential risk should not predicate the in-principle suitability of the site for industrial use. However, we recommend that Council requires a preliminary groundwater assessment on the areas where the timber treatment facilities were located and were subsequently remediated to a soil standard suitable for industrial use. The general location of these areas can be found in the EES 1994 Validation Report. The findings may assist Council in determining whether an environmental management plan (EMP) is required in managing any residual contamination left on the site, for example, whether onsite extraction of groundwater for a particular use is permitted. The EPA should be provided with a copy of the findings.*

Letter to Council from the NSW Environment Protection Authority dated 14 February 2012.

## 15. OTHER MATTERS

### 15.2 About this Chapter

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This chapter provides information about additional matters not covered elsewhere in this DCP.

### 15.3 Where this Chapter applies

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This Chapter applies to all land within the Uralla Shire.

### 15.4 Temporary Dwellings

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The following applies to the use of a building as a temporary dwelling while a permanent dwelling is being erected and where both dwellings are located on the same parcel of land.

Where it is proposed to reside in a moveable dwelling, such as a caravan, Council approval is required.

Occupation of a temporary dwelling cannot commence until:

- Development consent for the erection of the permanent dwelling and the use of a temporary dwelling has been granted;
- A construction certificate for the erection of the permanent dwelling has been issued, footing/slabs poured and inspected by Certifier; and
- A compliance certificate has been issued to confirm that washing, bathing, cooking and toilet facilities have been provided for the temporary dwelling.

If the temporary occupancy is undertaken without Council's approval, the dwelling must be vacated prior to consideration of the application.

The following criteria will be taken into account when Council's delegated officer determines whether to approve an application for temporary occupation:

- The circumstances of the case;
- The standard and type of temporary dwelling proposed and its location; and
- Matters relating to health and convenience.

The initial period of occupation of the temporary dwelling is to be no longer than twelve (12) months. Council will extend the period if:

- Satisfactory progress is being made in the construction of the permanent dwelling within the twelve (12) month period; and
- The circumstances of the case justify an extension to the period.

Upon completion and occupation of the permanent dwelling, the use of the temporary dwelling for residential purposes must cease.

### 15.5 Relocation of Buildings

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The following provisions apply to the relocation of a building to land within Uralla Shire. A proposal to relocate a building requires development consent from Council and a construction certificate.

The development application is to be supported by a detailed report of an inspection of the dwelling to be relocated, including photographs. The inspection is to be carried out by a suitably qualified person such as an architect, building surveyor, building consultant or engineer.

In determining whether to grant development consent Council must take into consideration:

- The condition and acceptability of the building;
- The purpose for which the building is to be used;
- Compliance with the National Building Code; and
- The suitability of the building for the proposed site and to adjacent development.

Within 12 months of the building being sited on the land, a compliance certificate must be applied for which confirms that the development has been completed and all conditions of the development consent have been satisfied. Where the development will not be completed within twelve (12) months, the applicant may apply, at least one month prior to the expiration of the 12 month period, for an extension of time to complete the development. The request is to be made in writing and give reasons for seeking the extension. Council will take these reasons into consideration in determining whether to extend the period for completion of the project.

Prior to the structure being relocated on the site a bond is to be lodged with Council. Lodgement of the bond is to ensure satisfactory completion of all external works within twelve (12) months, or later period if council has granted an extension, of the building being sited on the land. The bond can be a Deed, bank guarantee or joint account. The amount of the bond shall be determined as per Council's management plan.

A refund of the bond and occupation of the building cannot occur until a compliance certificate has been issued confirming that the development has been completed and all conditions of consent of the development have been satisfied.

## **15.6 Shipping Containers**

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Shipping containers are considered a 'building' under the EP&A Act and as such may require development consent unless the development is Exempt Development.

### **Exempt Development**

The [\*State Environmental Planning Policy \(Exempt and Complying Development\) 2008\*](#) (the Code SEPP) has some exemptions from the requirement to obtain development consent for the placement of shipping containers. These exemptions relate to:

- Some farm buildings (see Subdivision 16 of the Code SEPP)
- Building site shed, office or associated structure (temporary).

If the proposed shipping container development meets the development standards of the SEPP then development consent is not required.

Shipping containers are not permitted on land zoned E1 National Parks and Nature Reserves or E2 Environmental Conservation.

If the proposal is not exempt development then development consent is required prior to the installation of any shipping and/or storage container on any land. In assessing a Development Application, the following controls are applicable.

### **General Standards (All zones)**

- Containers must comply with the criteria specific to the zone of the property (below);
- Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements;
- Containers must not be located over effluent treatment disposal areas/systems;
- Containers must not be located over gas lines or underground power lines;



- Setbacks to overhead powerlines must comply with the requirements of the relevant electricity authority;
- Containers must be screened from the streetscape by suitable vegetation or other appropriate screening;
- Containers will not be permitted in flood liable areas;
- Containers must be painted a neutral colour to blend with the surrounding natural environment and built structures, with the proposed colour to be approved by Council;
- Containers must not be stacked;
- Containers will not be permitted in Heritage Conservation Areas or on lots containing a Heritage Item unless they are approved on a short-term basis (less than 2 years) in conjunction with an approved Development Application and Construction Certificate for specific works;
- Containers must not contain sanitary facilities or be used for the collection of rainwater;
- Containers must be placed on flat, solid ground. Any associated earthworks (cut and fill) must be in accordance with the [State Environmental Planning Policy \(Exempt and Complying Development\) 2008](#) (Subdivision 15 – Earthworks and retaining walls); and
- Containers must not be used to store contaminated or hazardous materials.

#### **Residential, Village or Rural Residential zones:**

(R1 General Residential Zone, R2 Low Density Residential, RU5 Village Zone, R5 Large Lot Residential Zone)

- A maximum of one (1) container with a maximum size of 12.2m x 2.2m (40 x 7 feet) per property;
- Containers must not be located within the front building setback (6m from the boundary facing a road).  
Note: This applies to both frontages for corner allotments;
- Containers must not be located forward of the building line on any parcel of land within the zone (building line being the setback associated with an existing dwelling erected on the property);
- Containers must not be located any closer than one (1) m from side and/or rear boundaries;
- Containers must be located within any building envelope associated with the lot; and
- Containers must be used for domestic storage purposes only.

#### **Rural and Environmental zones:**

(RU1 Primary Production Zone, RU2 Rural Landscape, E3 Environmental Management Zone, E4 Environmental Living)

- A maximum of one (1) container per allotment is permissible if it is in accordance with Subdivision 16 of the Code SEPP. Additional containers require Development Consent;
- Containers must not be located within 50 m of the front, side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel; and
- Containers must be used for domestic or agricultural storage purposes only.

#### **Industrial zones:**

(IN1 and IN2 Industrial Zone)

- Containers being stored on industrial land for the purpose of re-sale or hire will not be required to meet all setback requirements provided they are not being used for storage or other purposes. If used for storage or other purposes, approval is required and the requirements of the National Building Code (NBC) and Council will apply; and
- The placement and use of shipping containers in Industrial zones shall be assessed on a case-by-case merit basis following submission of a Development Application.

### **Business zones:**

(B2 Local Centre Zone, B4 Mixed Use Zone, B6 Enterprise Corridor Zone)

- Containers will only be approved on a temporary basis, for a maximum of 12 months;
- Containers must not encroach upon any existing car-parking spaces; and
- Containers will be assessed as a NBC Class 7 building and as such will be assessed for fire rating and essential services.

### **Modification of shipping container:**

- Any shipping container modified for residential purposes, ie, dwelling, dual occupancy, secondary dwelling and granny flat must be compliant with the provisions of the National Construction Code and BASIX.

### **Bed and Breakfast Accommodation**

Bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- meals are provided for guests only, and
- cooking facilities for the preparation of meals are not provided within guests' rooms, and
- dormitory-style accommodation is not provided.

The Codes SEPP provides that certain Bed and Breakfast Accommodation may be carried out as Complying Development, however, land based exclusions including bush fire prone land, critical habitat and certain heritage listings means that some development for Bed and Breakfast Accommodation will require a Development Application.

This section of the DCP provides controls for Bed and Breakfast Accommodation that requires a Development Application.

Bed and Breakfast Accommodation is permissible with consent in the following zones:

- RU1 Primary Production
- RU2 Rural Landscape
- RU5 Village
- R1 General Residential
- R2 Low Density Residential
- R5 Large Lot Residential
- B2 Local Centre
- B4 Mixed Use
- SP3 Tourist
- E3 Environmental Management
- E4 Environmental Living

Clause 5.4 of the ULEP limits guest accommodation to no more than four (4) bedrooms.

### **Objectives**

- To promote the use of dwellings for the purposes of providing small scale tourist accommodation;
- To ensure that Bed and Breakfast Accommodation does not adversely affect the character of the surrounding neighbourhood or rural area;
- To ensure that potential impacts to the amenity of neighbours is minimized; and
- To ensure that Bed and Breakfast Accommodation provides an acceptable level of amenity to guests, and maintains adequate health and safety standards.

## Controls

- Bed and Breakfast accommodation must:
  - Be operated by the permanent residents of the dwelling house,
  - Be used for short term guests only,
  - Have at least one (1) guest bathroom (separate to the bathroom serving the permanent occupants of the dwelling),
  - Have a fire extinguisher and fire blanket in the kitchen,
  - Have at least one (1) off-road car parking space per guest bedroom, and
  - Not be carried out on Strata or Community Title dwelling houses without the prior approval of the owner's corporation or the neighbourhood association;
- Comply with the relevant provisions of the National Building Code, including fire safety, the provision of sanitary facilities and safety of swimming pools;
- Signage must not exceed a single sign with a maximum area of 1.2 m<sup>2</sup>;
- Signage must not be illuminated and the style and materials of the sign must be compatible with the character of the area;
- No stacked car parking will be permitted;
- Parking spaces must be provided to an all-weather, dust free standard and suitably drained to prevent drainage nuisance to an adjoining property;
- Parking spaces must be suitably screened and planting is to be provided between the car parking area/s and adjoining properties;
- In the case of proposals in rural areas, access must be provided to 2-wheel drive all weather standard; and
- Where reticulated sewerage is not available, the existing or proposed onsite sewerage disposal system is to be designed (or upgraded) to ensure that all effluent can be disposed of onsite having regards to any increase in expected effluent loadings and capacity of soils to accept wastewater.



## 16. KERBING AND GUTTERING

### 16.2 About this Chapter

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This chapter provides details about various requirements for kerbing and guttering.

### 16.3 Where this Chapter Applies

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This chapter applies to the following land use zones within Uralla Shire:

- R1 & R2
- IN1 & IN2
- B2, B4 & B6

### 16.4 Aims and Objectives

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- To ensure that the 'user pays' principle is implemented in an appropriate manner; and
- To ensure that kerb and gutter infrastructure is provided for new developments.

### 16.5 Performance Outcomes

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- Kerbing and guttering is provided as a routine component of subdivision developments.

### 16.6 Acceptable Solutions

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The following are particular provisions in relation to the costs of kerbing and guttering:

- Where subdivision is not involved, owners are to contribute 50 percent of the total cost of the kerb and gutter when it is constructed as part of Council's Works Programme;
- Where a subdivision creates any new allotment, the applicant is to meet 100 percent of the costs of construction of all kerbing and guttering and all necessary associated stormwater drainage;
- Where a subdivision creates a drainage problem, the applicant is to pay 100 percent of the costs involved in rectifying that problem;
- Where Council requires as a condition of approval to a subdivision that kerb and gutter must be constructed in order to achieve any of the following:
  - overcome a drainage problem,
  - connect to existing nearby kerb and gutter,
  - prevent a drainage problem,
  - overcome or prevent a traffic problem,
  - improve the amenity of the allotments created,

the applicant is to pay 100 percent of the cost of the kerbing and guttering involved;

- **The subdivision of corner blocks can create confusion and the method of dealing with them needs to be clear. In such cases the need to construct kerb and gutter will be considered by Council for each of the road frontages as follows:**
  - If the conditions in 4 above occur in either or both road frontages and Council consequently requires that kerb and gutter must be constructed, as a condition of approval to the subdivision, then the

applicant is to contribute 100 percent of the cost of kerb and gutter in either or both frontages in which the need for the kerb and gutter is identified.

- If the conditions in 4 above do not apply to both road frontages or only apply to one road frontage and Council does not require kerb and gutter to be constructed in one or both frontages, the applicant will contribute 50 percent to the cost of kerb and gutter when the work is included in Council's Works Programme, as per item 1 above.
- Alternatively, if the applicant wishes kerb and gutter to be constructed in any case, then the conditions as per item 6 below apply;
- Where a subdivision is involved and Council does not require kerbing and guttering to be constructed but the applicant wishes kerbing and guttering to be constructed, then the applicant shall make a 100 percent contribution to the costs of doing so;
- Where a subdivision creates a situation which can best be solved by extending kerbing and guttering beyond the boundaries of the land to be subdivided, Council will consider meeting the cost of that extension in its works programme. If associated funds are not available to Council to solve the problem, the costs will need to be fully met by the applicant or the application may be refused;
- In the above clauses a reference to the cost of kerbing and guttering refers also to the cost of associated road pavement, shoulder and sealing works and footpath construction works required to be undertaken as part of the kerbing and guttering works; and
- Where an applicant is required to dedicate land to Council for public road or open space purposes, no special consideration is to be given in the matter of kerbing and guttering costs.

## **16.7 Exemptions**

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An applicant may be exempt from the requirement to construct kerbing and guttering if such construction is impractical because of site conditions. Any such exemption would be subject to Council approval.

## **16.8 Alternative Solutions**

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Nil.

## 17. BARLEYFIELDS

### 17.2 About this Chapter

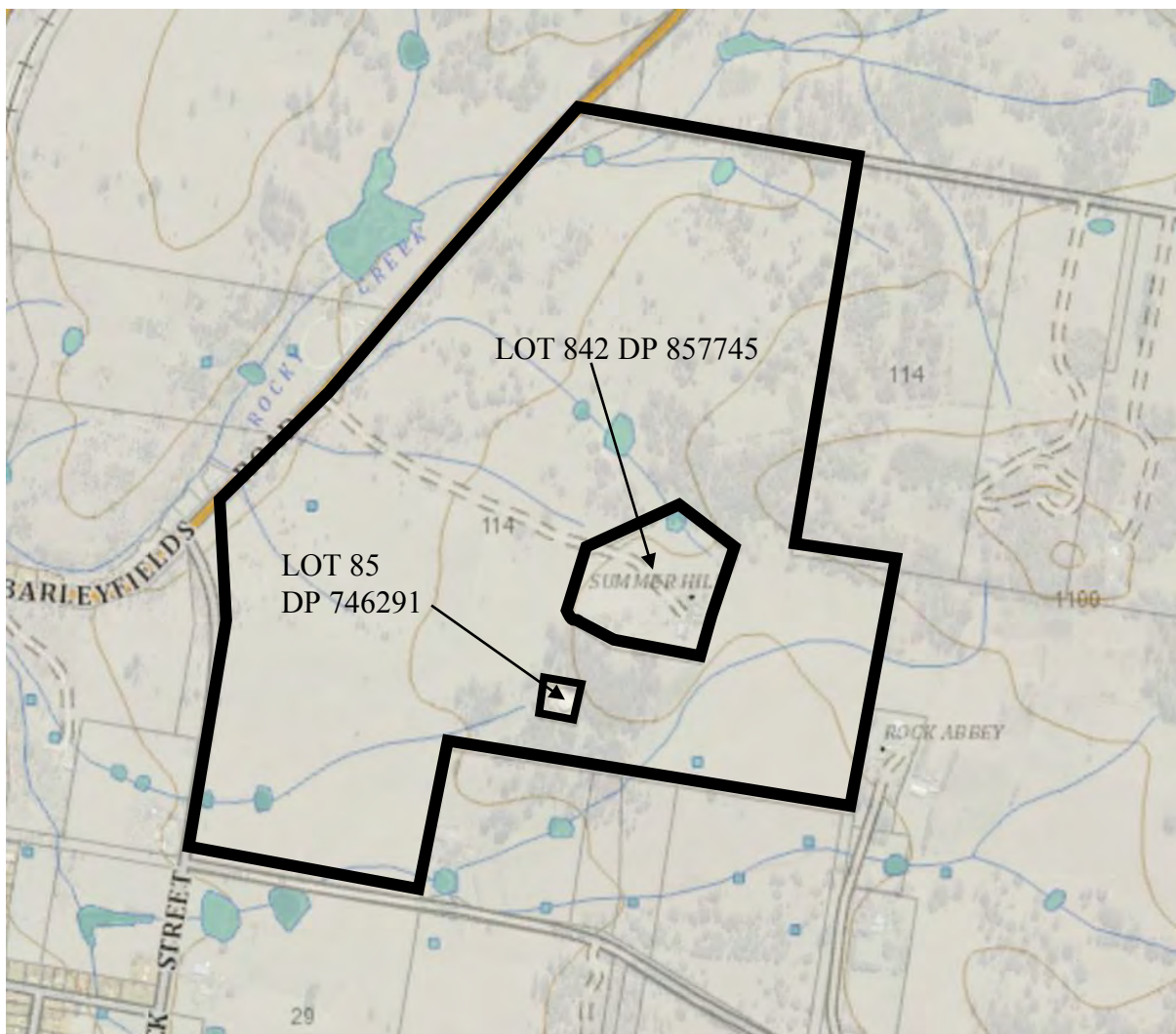
This chapter provides the development Masterplan, principles and site controls for development within the land known as 'Barleyfields'.

The purpose of this chapter is to provide a logical, master planned framework for the efficient staged release of low density residential land in a socially, economically and environmentally sustainable manner.

### 17.3 Where this Chapter applies

This Chapter applies to the land within the heavy black edging shown in **Figure 17.1**.

**Figure 17.1** Land to which Chapter 17 applies



Lot 842 DP 857745 and Lot 85 DP 746291 are excluded from the land to which this Chapter applies.

## 17.4 Masterplan

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A Masterplan has been prepared for Barleyfields that sets out a logical subdivision layout in consideration of the following key elements:

- Efficient staging of the subdivision
- Road network
- Stormwater and servicing strategy
- Urban design controls

The preferred subdivision layout Masterplan is shown in **Figure 17.2 - Barleyfields Masterplan**.

## 17.5 Development Lots

---

Development lots are also known as ‘super lots’. Development lots can be further subdivided into smaller lots. The Barleyfields developments lots are:

Lot 1	4.04 ha
Lot 2	4.28 ha
Lot 3	4.42 ha
Lot 4	4.13 ha
Lot 5	4.21 ha
Lot 6	5.07 ha
Lot 7	5.35 ha

These lots are shown on **Figure 17.3 - Development Lots**.

### Objectives

- To maintain the semi-rural residential character of the area;
- To enable low density residential development;
- To maintain the integrity of the Barleyfields Masterplan low density subdivision layout; and
- To ensure that development does not compromise future development for low density residential purposes in accordance with the Barleyfields Masterplan.

### Controls

- Future dwellings and buildings within the development lots:
  - Must be located within the lot boundaries of the Barleyfields Masterplan low density subdivision layout.
  - Be set out by a surveyor.
  - Serviced by an aerated rather than a transpiration wastewater system.
- Metal (colourbond) or paling fencing is not permitted as lot boundary fencing.
- Access driveways are to be constructed to a rural residential standard.
- All mature native canopy trees with a diameter at breast height (dbh) greater than 200 mm are to be retained.



Figure 17.2 Masterplan Subdivision Layout



Figure 17.3 Masterplan Development Lots





## 17.6 Low Density Residential Lots

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The Barleyfields Masterplan provides for the creation of 41 low density residential lots over eight (8) stages. Development proposals are to be consistent with the Barleyfields Masterplan and the staging strategy shown in **Figure 17.4**.

### Objectives

- Barleyfields will provide a variety of low density lot sizes to facilitate housing diversity and to meet the housing needs and choice for rural character living within a low density residential environment.
- Residential development is to be of a scale and character consistent with a low density residential environment.

### Principles

- to create a road and lot layout suitable for low density detached residential housing;
- to retain and enhance existing stands of trees as remnant native vegetation;
- to integrate stormwater management into landscape approaches for the site;
- to create a landscape of a high visual amenity with a distinct landscape character;
- to consider the interface between future residential lots and the adjacent rural land; and
- to utilise plant species with a low water requirement and longevity.

## 17.7 Staging

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### Objectives

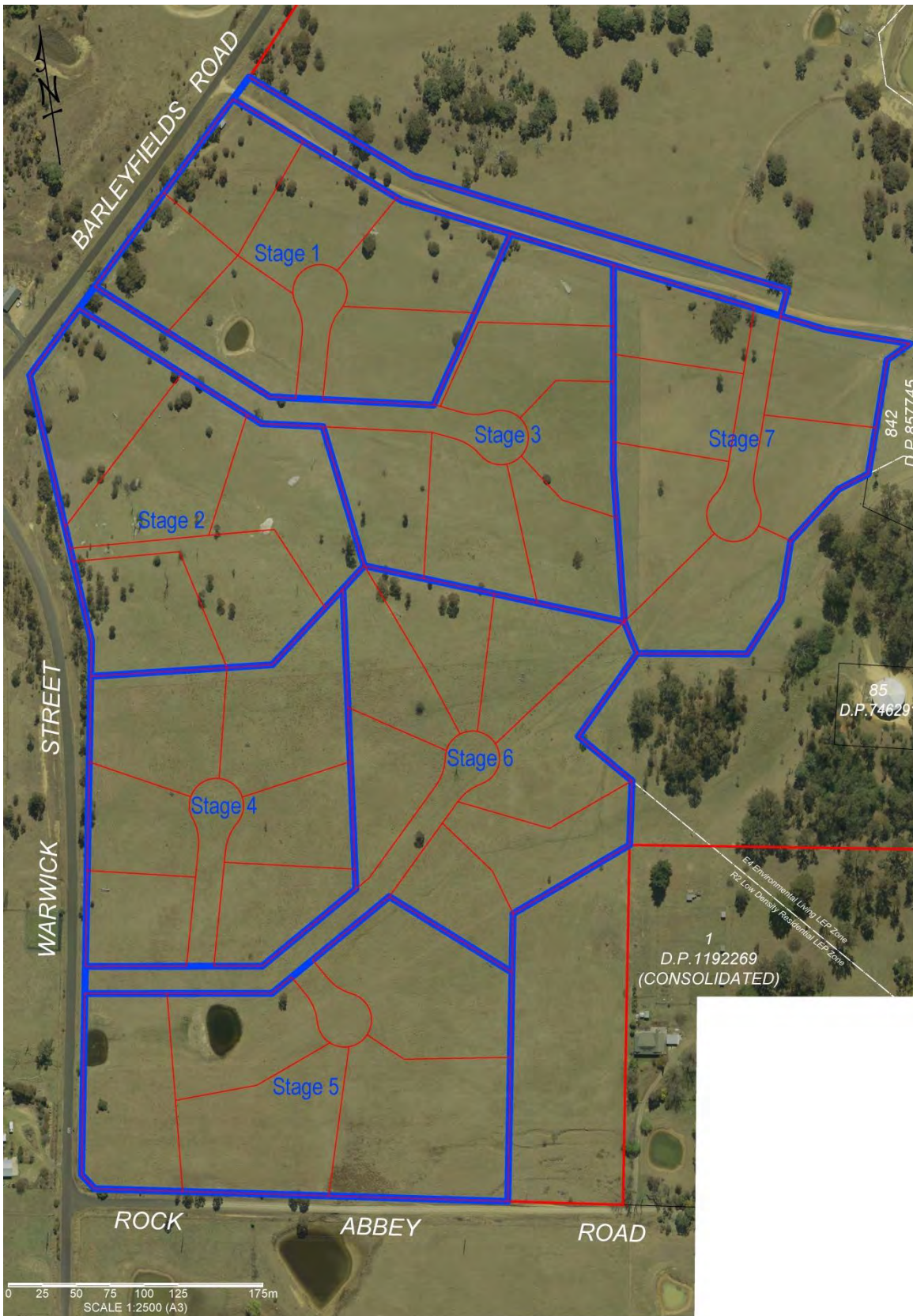
Development staging aims to:

1. Enable the gradual release of land to meet the low density housing needs of the Uralla area.
2. Enable the progressive provision of internal road, sewer and water reticulation connections.
3. Enable the progressive provision of stormwater detention measures.

### Controls

1. Development is to occur in logical stages, generally as shown in **Figure 17.4**.

Figure 17.4 Masterplan Staging





## 17.8 Servicing

---

### Objectives

- To incorporate best practice urban water management techniques relating to stormwater quality and quantity.
- Ensure that the provision and management of servicing is in accordance with “best practice” standards.

### Controls

- Developers will be required to extend water and sewer infrastructure as identified in **Figures 17.5** and **17.6**.
- Stormwater infrastructure will be provided as shown in **Figures 17.7A** and **17.7B**.
- Where services identified in **Figures 17.5, 17.6** and **17.7(A & B)** are not in place, it will be the developer’s responsibility to forward fund these services.
- Existing dams are to be retained for stormwater detention and water quality purposes.

## 17.9 Street Trees

---

### Objective

- Street tree planting will comprise “New England’ species and will provide Autumn colour and reflect the character of Uralla streetscapes.

### Controls

- One (1) street tree will be planted every 20 metres of road frontage.
- Street trees will be selected from the following species:
  - *Acer x freemanii* ‘Celzam’ Celebration (Red Maple).
  - *Fagus sylvatica f. purpurea* (Copper Beech).
  - *Quercus palustris* (Pin Oak).
  - *Fraxinus ‘pennsylvanica* Wasky’ Skyward (Green Ash).
  - *Pyrus calleryana* Chanticleer (Ornamental Pear)
  - *Pistacia chinensis* (Pistacio)
  - *Prunus cerasifera ‘Nigra’* (Flowering Plum)
  - *Acer negundo* ‘Sensation’ (Box Elder)

Figure 17.5 Water Servicing Plan



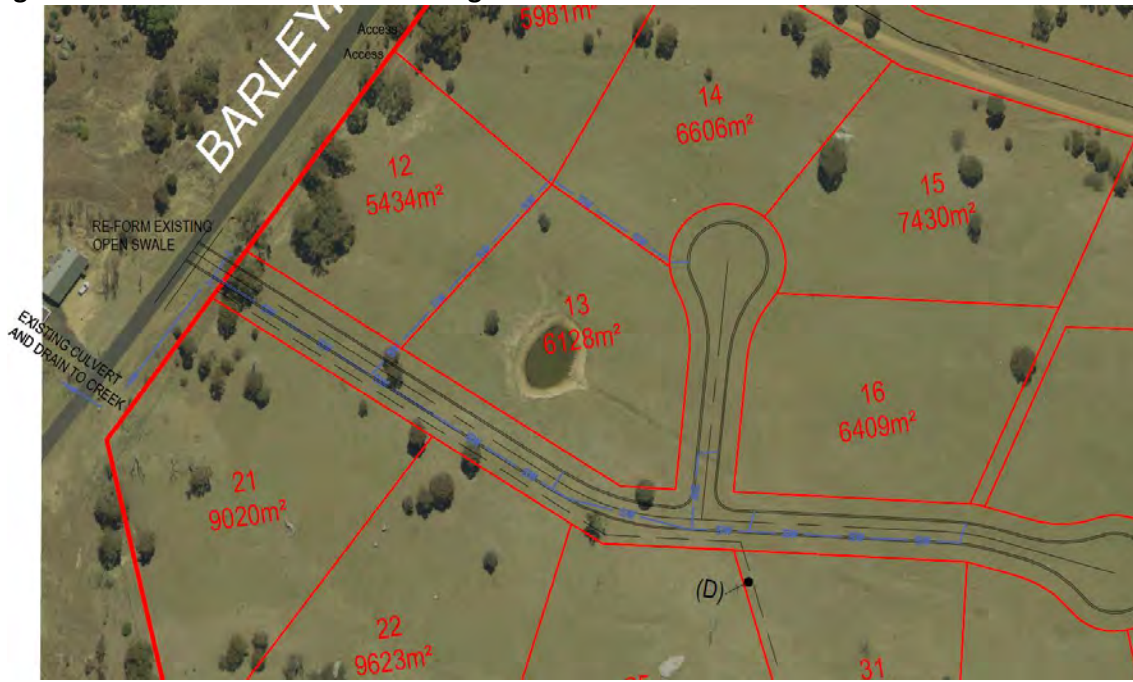


Figure 17.6 Sewer Servicing Plan





**Figure 17.7A Stormwater Servicing Plan**



**Figure 17.7B Stormwater Servicing Plan**



## 17.10 Low Density Residential Development

---

'Dwellings' and 'dual occupancies' (attached and detached) are permissible with consent in the R2 Low Density Residential zone.

### Objective

Residential development is to be of a scale and character consistent with a low density residential environment.

### Controls

#### 1. Density

Minimum site area per:	
Dwelling	2,500 m <sup>2</sup>
Dual Occupancy – Detached	2,500 m <sup>2</sup>
Dual Occupancy - Attached	2,500 m <sup>2</sup>

#### 2. Building Setbacks

STREET	SIDE/REAR
10 m to main frontage –if corner allotment 6 m to secondary frontage.	3 m

#### 3. Height of buildings - must not exceed two storeys (8.5 m).

## 17.11 Boundary Fencing

---

### Objectives

- To maintain the semi-rural character of the neighbourhood.
- To encourage permeable fencing to maintain view lines within the Barleyfields DCP area.

### Controls

- These controls apply equally to the development lots and the low density residential lots.
  - Metal or paling fencing is not permitted within the Barleyfields DCP area.



## Acceptable Solutions

The following types of fencing are considered suitable within the Barleyfields DCP area.



**Street front fencing**



*rear fencing*

*Side and*



**Uralla Shire Council Development Control Plan**

**Adopted: 19 December 2011**

**Amended: 7 February 2018**

**Version: v07022018**

**For further information:**

Visit [www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au) or contact Council  
on 02 6778 6300 or by email at  
[council@uralla.nsw.gov.au](mailto:council@uralla.nsw.gov.au)

**Uralla Shire Council  
Council Chambers and Administration Centre  
32 Salisbury Street  
Uralla NSW 2358**

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



To The General Manager, Uralla Shire Council

I Submit the following objections to the draft Amendment No 5 Uralla Development Control Plan 2011.

**Proposed Change**

1. Strata title subdivision below LEP minimum lot size is not permitted (560m<sup>2</sup>).

Currently no lot size minimums in strata title subdivision.

2. 2 or more dwelling minimum area per dwelling is 450m<sup>2</sup> in general residential.

Currently (and still in the proposed DCP!)

3-6 Density Table 3.1

Dwelling size	Minimum site area per dwelling
Small <55m <sup>2</sup>	130m <sup>2</sup>
Medium 55-84m <sup>2</sup>	200m <sup>2</sup>
Large 85-125m <sup>2</sup>	290m <sup>2</sup>
Extra Large >125m <sup>2</sup>	<50% site coverage

**Property Rights and Values**

The proposed changes remove peoples existing property rights. They have invested in properties knowing they can do certain things then suddenly they can't. Many will be unaware it has changed until they apply.

By removing this potential from properties, you immediately devalue them. Less potential, less prospective buyers equals less value.

To remove property rights and devalue peoples' property you need to have a very good reason.

What is your reason?

**Diversity = Affordability and lifestyle choice**

Uralla DCP 2.6 aims and objectives.

To provide safe, convenient and attractive neighborhoods that meet the diverse and changing needs of the community by

- Offering a wide choice of good quality housing
- Encourage walking and cycling
- Minimize energy consumption

Dept Planning and Environment

New England North west Region plan 2036.

Goal 4 – Attractive and thriving communities

'Greater housing diversity will support the increasing number of single person and couple only households. Healthy safe and inclusive places will enhance active and inclusive lifestyles.'

'Focusing growth in existing urban centers will foster livability, encourage a sense of community, support existing commercial areas and reduce infrastructure costs.'

Government Architect for NSW.

Urban Design for regional NSW.

'6. Increasing options for diverse and healthy living.

Changing populations and demographics in regional NSW require predominant housing forms and densities to be rethought and supplemented by other options.

- Create built environments that are more diverse, varied and vibrant.
- Attracts new residents through increasing housing choice and types which respond to varying needs and reinforce community stability.
- Retains local populations by allowing households to evolve and adapt overtime in the same town.'

So, the aims of the uralla DCP, the Department Planning and Environment regional development plan and guidelines from the government architect are all heading in the same sensible sustainable direction. More density, more diversity, more affordability and more livability.

These proposed changes will lead Uralla in exactly the opposite direction. If every new dwelling to gain a title has to meet the same minimum lot size, there is no diversity.

### **The death of growth for Uralla**

70% of new housing in NSW is to come from infill development over the next 20years.

Proposed new developments on the town fringe have been refused by Dept Planning and Environment because the potential for development in the existing town envelope has not been used up. These proposed changes will mean much of that potential cannot possibly be developed.

No new development outside town – State Government.

No new development inside town – Council.

Equals No Growth.

If a town is not growing its dying.

### **Affordability = sustainability long term**

Affordability is not just the purchase price or the rental price of a property. It goes to the cost of maintenance, heating/cooling, watering, the provision of council services (roads, water, sewer, garbage) and essential services (power, phone, internet, fire control, police and health).

- At a time when every second town in NSW is running out of water this council will force everyone to have a big lawn and big garden.
- At a time of shrinking household incomes this council will dramatically increase the minimum price to purchase or rent newly developed housing.
- At a time of escalating heating and cooling costs this council will force people into a larger dwelling.
- At a time when councils are struggling to meet budgets this council will increase serviceability costs by increasing the area of settlement yet decreasing the population.
- At a time when the fastest growing group of homeless people in Australia is older, single women, this council will stop development of the very housing this group can afford to live in.

For what reason?

### **Financing Development**

To gain finance for a development you have to create new value or banks won't lend the money.

For example:

You have an existing property value - \$300,000

You build a second dwelling for \$200,000

You now have 2 dwellings on one title – value \$400,000

You have spent more than you have gained, the bank will not lend you the money

If you can create a new title (strata subdivision) you now have 2 properties worth \$290,000 each. You have created new value so the bank will lend money and the development can proceed.

If you build 5 dwellings on one title and you need \$1,000,000 to recover costs, it is almost impossible to find one buyer to spend \$1,000,000 on a property in Uralla.

Strata subdivision into 5 titles and suddenly you can find five buyers with \$200,000 each to purchase the properties so the development can proceed.

### **Who buys property in Uralla?**

Analysis of sales over the last 3 years in Uralla township reveals:

Age

20-30 10%

30-40 18.5%

40-50 17%

50-60 17%

60-70 14.5%

70-80 17.5%

80+ 5.5%

20-50 45%

50+ 55%

20-60 couples	44%
20-60 singles	18%
60+ couples	15%
60+ singles	<b><u>23%</u></b>

These are all owner-occupied sales. In line with regional Australian population trends, 55% of people moving to Uralla are over 50years old.

41% of people are single

23% 60+ people are single

These figures reveal why we need to plan for an increasingly aging and single population and have housing that meets their needs and lifestyle choices.

What people are looking for when buying properties in Uralla. As revealed through analysis of enquiry through Properties Uralla over the last 3 years.

General Attributes:

1. Walking distance to main street
2. Low maintenance, low cost heating/cooling
3. Little or no renovation
4. Manageable yard size not too big and low maintenance
5. Car accommodation
6. Quiet location

Most required price range \$250,000 - \$350,000.

2-3 Bedrooms with car accommodation.

Development of housing that reflects these requirements and lifestyle choices should be encouraged, not stopped.

### **Conclusion**

In considering the proposed changes I would ask the councilors to think not just tomorrow or next year but 5, 10, 15, 20 years in the future. Ask yourselves why are we making these changes? What good will this bring?

The world is a rapidly changing place and we need the flexibility to change with it.

---

Friday 18<sup>th</sup> October 2019

To the General Manager, Uralla Shire Council,

Re: Draft Amendment N° 5  
Uralla Development Control Plan

I wish to lodge an objection to the proposed changes to the rules concerning sandwich boards for businesses. Currently the plans are very workable, free and every business has the right to at least one sandwich board. Problems regarding stability and pedestrian traffic are identified and the solution is given.

These suggested changes take away the right to have a sandwich board and replace it with council approval under section 68, subject to the applicant coming up with solutions for sign stability and pedestrian traffic and paying some \$100s of dollars in application fees.

If council approves this, every sandwich board will become illegal costing businesses money and time just to get back to where we are now and taking who knows how long.

Why change good workable rules to ones that cost a lot of time and money and will only cause trouble.



To the General Manager Uralla Shire Council



I submit the following objection to the draft amendment no 5 Uralla development control plan

\* Proposed changes of most concern is minimum allotment size of  $450m^2$  for strata title,  $560m^2$  for torrens title

Implementing minimum allotment sizes to these particular developments only takes opportunities away from the town. Uralla has so much potential and these proposed changes I believe will severely inhibit that potential and the long term sustainability of Uralla.

---

**From:**  
**Sent:** Monday, 21 October 2019 4:24 PM  
**To:** Council  
**Subject:** TRIM: Objection to Draft Amendment No 5 UDCP 2011

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3796

The General Manager  
Uralla Shire Council

I wish to register my objection to Council's proposed amendment (Draft Amendment No. 5 Uralla Development Control Plan).

I believe Council intends to require a Development Application and impose a fee for the use of a sandwich board. My understanding is that we had (and probably still have) a regulation limiting each business to one sandwich board which is not to obstruct pedestrian traffic or be a danger to anyone. This is a perfectly satisfactory arrangement. Requiring a DA seems like bureaucracy gone mad. Please do not adopt the proposed amendment.



22nd October 2019

The General Manager  
Uralla Shire Council  
Salisbury Street  
Uralla NSW 2358.

It has come to my attention the Uralla Council wishes to increase the size of a strata title to 450m<sup>2</sup>. I believe their reason for this is to prevent over development. If this is the case I would like council to provide me an example of where this over development is currently taking place and why it needs to be prevented.

I am aware of only three developments in Uralla where there has been a dual occupancy development or greater in the last twenty years and the most recent of these is at 7 Salisbury Street. One of those properties has sold and the front dwelling has been for sale for at least a year for \$349 000.00. Average blocks of land in Uralla are now selling for \$120 000.00 each if you can find one to buy. Two years ago you could probably buy a block of land for \$80 000.00 each so I think prices will keep rising due to a shortage of supply making the value of the land cost in the following examples even more expensive than demonstrated.

Wherever I read in USC reports their aim is to promote development. I fail to see how this proposal achieves that. On an average 1000 - 1200m<sup>2</sup> block priced at \$120 000.00 per block in Uralla I may currently be able to build 5 units equating the land price to \$24 000.00 per unit. If this new proposal is approved I can only build 2 units on this same lot of land. This would equate to a land cost of \$60 000.00 per unit. How can a 150% increase in the cost of the land promote development?

There is also an existing example of 8 flats at 20 Queen Street, Uralla currently for sale at a price of \$1 170 000.00 under one title. I do not know how many years these flats have been for sale for but it is quite some time. If you could divide these flats into 8 separate titles you could then sell each of these flats for \$146 250.00 each to receive the current sale price. This lower price is more affordable for individual buyers which I am sure would have resulted in complete sale of this property by now. It is easier to find 8 buyers in Uralla with \$146 250.00 than one buyer with \$1 170 000.00. This is another example of how smaller strata area's aid development not larger ones.

The higher density on 20 Queen St compared to 7 Salisbury highlights how much more affordable this higher density development is for both buyer and seller i.e. \$146 250.00 per unit against \$349 000.00 per unit.

Who wants this proposal? Where is it coming from and why? Who does this help? What happens to people who have made large investments on the basis of the current DCP and LEP. Why are we making housing in our town unnecessarily expensive when development in Uralla is not exactly running rampant? Has any other council in Australia adopted this policy?

It seems to me the council is actually trying to stifle development not promote it but why?

Regards,

---

**From:**  
**Sent:** Tuesday, 22 October 2019 2:46 PM  
**To:** Council  
**Subject:** TRIM: Submission .....Draft Amendment 5 - Uralla development Control Plan 2011. Report 13 Council Meeting 24 September 2019

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3798

With regards to the above proposed amendments to the Uralla DCP please consider the following,

- **Chapter 4 – Rural Development.**

The proposed requirement for dwellings located in an RU1 / RU2 zone to be 50m from any boundary is in conflict with the **NSW Exempt and Complying Development Code – 2008** known as the “Code SEPP”.

Part 3A (Rural Housing) of the Code SEPP only requires a dwelling to be located a minimum of 50m from the front boundary, 10m from the side boundary and 15m from the rear boundary. Outbuildings can be 5m from side / rear boundaries.

The proposed requirement for a dwelling in an R5 zone to be a minimum of 25m from any boundary is also in conflict with the NSW Code SEPP.

Part 3A (Rural Housing) of the Code SEPP only requires a 15m setback from the front boundary and 10m from the side or rear boundaries. Outbuildings can be located up to 5m from side / rear boundaries.

Kind regards, Warren.

---

**From:**  
**Sent:** Tuesday, 22 October 2019 2:54 PM  
**To:** Council  
**Subject:** TRIM: Draft amendment No 5 of the Uralla Development Control Plan 2011

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3799

To whom it may concern

I would like to put forward an objection to the subject amendment, in that where it says: Chapter 7 Commercial Use of Public Footways. The proposed wording does not retain the phrase in the current wording of:  
"No Council approval is required for the placement of a sandwich board sign within the road reserve (footpath) provided that it complies with the following requirements:"  
I ask that this wording be retained.

Thank you

regards,

Dear Sir/Madam.

I am writing this letter as a formal submission to voice my opinion in relation to the proposed changes to the minimum lot size per dwelling as mentioned in the Draft Amendment No 5 - Uralla Development Control Plan.

As I am currently in the process with council of building a duplex with the current minimum lot size of 560 square metres. I know how much this proposed minimum lot size change would affect my future building and development plans in the town of Uralla. To change from the current minimum lot size & street frontage limits would be a negative step for the town. Council I feel should be showing to developers a message of being pro-development not anti-development.

I have contacted some of the people involved with my development, all of these were of the opinion it was a backward step for the town.

To try and minimise urban sprawl, I feel council should maintain or even lower the current lot minimum size requirement.

People now realise the many advantages of living close to shops, amenities and parks. If people can walk or ride a bike to where they are going, it is good for the people, great for the environment and have less

congestion on the roads and car parking demand.

I believe council should be looking at positive not negative ways and ideas to encourage inner town residential development.

This would bring more people, more rate payers to Uralla and help grow our dynamic, beautiful and charismatic town.

Regards

---

**From:**  
**Sent:** Tuesday, 22 October 2019 6:33 AM  
**To:** Council  
**Subject:** TRIM: Objection to draft amendment no.5 Uralla development control plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3800

To The General Manager  
Uralla shire Council

I right to you in regards to the councils proposed plan to alter/take away our rights to Advertise our businesses on our existing A frame boards.

I do not understand the need for any change in the A Frames out on our already amazing street

As I sit and write to you I look up and down the street to see a very clean and tidy placement of the frames None of which are obstructing or out of place in any way.

To be made change or apply for application to have the very important advertising frames will not only be a massive burden on our businesses but money that is just not there to be spent in these extremely hard times.

So please take this into consideration in the decision to fix something that's not broken

Thank you

---

**From:**  
**Sent:** Wednesday, 23 October 2019 3:57 PM  
**To:** Council  
**Subject:** TRIM: Objection to proposed changes to sandwich board signs.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3811

Good Afternoon,

I would like to put in an objection to the proposed changes regarding the sandwich board signs in Bridge Street, Uralla's shopping CBD.

Why propose to change something when there doesn't appear to be anything wrong with the current system?

It seems completely unnecessary to make shop owners apply and pay to have a sandwich board sign. The majority of shops keep their boards up against their windows out of the way of pedestrians. There have been times where sale products and folding tables have been noticed on the sidewalk and I do believe this is inappropriate. The sandwich boards are easily visible to passing traffic and basically lets travellers know that shops are open and ready for business. If these changes pass I will not be using a sandwich board.

It is also unfair to inflict charges on the street stall for the use of their table and signs as they are fundraising for the local charities, schools and fundraising groups.

If anything, rules could be put in place regarding where boards are to be placed e.g. against shop front so pedestrians have space to walk past, especially where there are picnic tables.

Kind Regards,

---

**From:**  
**Sent:** Wednesday, 23 October 2019 9:31 PM  
**To:** Council  
**Subject:** TRIM: Sandwich board objection

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3814

Dear Council Members,

I would like to lodge my objection to the recent notice regarding upcoming fees for sandwich boards.

Thanks,  
Felicity

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## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	Manager Planning and Development
<b>Reference/Subject:</b>	<b>Report 11 - DIVISION DECISION – Development Application 63/2019 – Warehouse – 296 Noalimba Avenue, Kentucky</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.1	An attractive environment for business, tourism and industry
<b>Strategy:</b>	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
<b>Activity:</b>	2.1.4.1	Process building and development application
<b>Action:</b>	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:

<b>Proposal:</b>	Warehouse
<b>Property description:</b>	Lot 78 DP 755838 Assessment 53346
<b>Applicants:</b>	Kym and Sally Grant
<b>Owner:</b>	Kym and Sally Grant
<b>Zoning:</b>	R1 General Residential
<b>Date received:</b>	20 September 2019
<b>Public notification or exhibition:</b>	Yes
<b>Exhibition period:</b>	27 September 2019 – 14 October 2019
<b>Submissions:</b>	One
<b>Other approvals:</b>	Nil

**OFFICER'S RECOMMENDATION:**

***That Council approve the Development Application 63/2019 for a warehouse at 296 Noalimba Avenue, Kentucky (Lot 78 DP 755838) subject to the following conditions of consent:***

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

***Erection of signs***

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) showing the name, address and telephone number of the principal 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.
5. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

***GENERAL CONDITIONS***

6. 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.*

7. 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.*

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

\*\* denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a \*development where a critical stage or other nominated inspection has not been carried out.

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

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

*Reason: To ensure compliance with appropriate standards.*

9. 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.*

10. Occupancy of the building 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.*

11. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:
- (a) By piping into a rainwater tank then onto a hardened surface and directed away from the building.
  - (b) By piping into a rainwater tank then 3.0 metres clear of any building to a rubble pit.

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

12. Existing and new dust extractor(s) must be boxed in and constructed of sound deadening material. Plans for these works must be approved by the Director of Infrastructure and Development or nominee prior to the issue of a construction certificate.
- Reason: To protect the amenity of neighbouring dwellings.*

13. Noise from the facility must not exceed +/- 5dB of ambient noise levels measured at the property boundary of neighbouring dwellings.
- Reason: To protect the amenity of neighbouring dwellings.*

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

14. 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*

**CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

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

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

16. 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.*

17. 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.*

18. 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.*

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

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

**END**

**BACKGROUND:**

Development Application 63/2019 for a warehouse at 296 Noalimba Avenue, Kentucky was received on 20 September 2019.

**REPORT:**

The applicant is proposing to construct a warehouse for the storage and processing of herbs. Agricultural produce industries are permissible in the RU1 Primary Production zone with development consent.

One submission was received during the exhibition period. The substance of the submission related to equipment / machinery noise.

Site inspections were conducted at the proposed site and the submission maker's residence to assess noise impacts. Presently there is a dust extractor attached to the existing building which generates a significant amount of noise which can be clearly heard at the submission maker's dwelling to the south. Some noise is also created by the operation of refrigerated containers on the site, however it is not considered to be of an offensive nature, and the containers are to be relocated to the north as part of the proposed development.

**KEY ISSUES:**

Matters raised in the one submission received:

*Noise:* No major impacts to amenity are expected from the intensification of land use proposed, however it is appropriate to condition existing sources of industrial noise which impact neighbouring properties. It is recommended the dust extractor to be boxed in with sound deadening material and that noise from the facility does not exceed +/- 5dB of ambient noise levels measured at the property boundary of neighbouring dwellings. See recommended conditions of consent 12 and 13.

**Image 1: Distance from the proposed development to the submission maker's dwelling.**



**CONCLUSION:**

No significant adverse impacts are known or expected should the application be approved subject to the recommended conditions. In this context it is considered appropriate 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**

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:	Manager Development and Planning
TRIM Reference Number:	UINT/19/5864
Approved/Reviewed by Manager:	Director Infrastructure and Development
Department:	Infrastructure and Development
Attachments:	1 - Development Application Assessment Report 63/2019 2 - Submission by Anne Lamb

# Development Assessment Report

**DA Number:** DA-63-2019 **Council:** Uralla Shire Council  
**Location:** 296 Noalimba Avenue KENTUCKY SOUTH  
**Development Description:** Agricultural Produce Industry - Warehouse  
**Title Details:** Lot: 78 DP: 755838

## Property Details/History

	Checked	Comments
File History	No	
Title Plan	Yes	
Check Ownership	Yes	

## Application Type

**Is this application an Integrated Development Application?** No  
**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?** Yes

## Local Environmental Plan

*Section 4.15(1)(a)(i) – EP & A Act*

**This land is zoned:** RU1 Primary Production

### List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	Agricultural produce industries are permissible with development consent.

## 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
4	Yes	Access is appropriate.

## Regional Environmental Plan

The proposed development is not inconsistent with the New England North West Regional Plan.

## State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

### List all relevant SEPPs

SEPP	Compliance	Comment
44	Yes	Not core or potential koala habitat for the purposes of the SEPP.

## Environmental Impacts

*Section 79c(1)(b) – EP & A Act*

Does this proposal have any potential environmental impacts?

Yes

Impact	Comment
Noise	Yes No major impacts to amenity are expected from the intensification of land use proposed, however it is appropriate to condition existing sources of industrial noise which impact neighbouring properties. It appropriate the dust extractor(s) to be boxed in with sound deadening material and that noise from the facility does not exceed +/- 5dB of ambient noise levels measured at the property boundary of neighbouring dwellings. See recommended conditions of consent 12 and 13.

## Environmental Impacts – Threatened Species

*Section 4.15(1)(b) – EP & A Act*

Has a Threatened Species Impact Assessment 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	

## Flooding

*Section 4.15(1)(b) – EP & A Act*

Is this property flood affected?

No

## 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

### 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? 1

Submission Maker	Issue	Comment
Anne Lamb	Noise	See previous comments under Environmental Impacts.

### 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? No

### 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.

### **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 Development and Planning**

**Date: 1.11.2019**

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

### ***Erection of signs***

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
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*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*

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- 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.*

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

## ***CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION***

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

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

17. 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.*

18. 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.*

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

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

## **ADVISORY NOTES – GENERAL**

20. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
21. 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.
22. 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](http://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.
23. 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.
24. 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.
25. 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.
26. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

**END**

---

**From:**  
**Sent:** Wednesday, 9 October 2019 2:09 PM  
**To:** Council  
**Subject:** TRIM:

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**HP TRIM Record Number:** UI/19/3650

## **APPLICATION No. DA-63-2019**

**296 Noalimba Avenue KENTUCKY SOUTH**

As an adjoining landowner I wish to submit an objection to the proposed development.

Considering the proposed New Warehouse is more than twice the size of the existing warehouses combined; my objection is the accompanying associated intermittent; yet constant noise from dust extractors and air-conditioning units.

Since occupation of my residence in 2016; the increase in this equipment /machinery noise has been considerable and the length of time I am subjected to this noise has increased as well.

The enterprise conducted at 296 Noalimba Avenue; now constantly has this equipment operating 7 days a week and 24 hours a day.

This noise affects my sleeping at nights and my enjoyment of my daily rural lifestyle. My family and visitors are also impacted negatively by this constant noise.

Please install the dust extractors motors and air conditioning unit motors ON THE NORTH SIDE OF PROPOSED NEW WAREHOUSE.

To further mitigate the equipment/machinery sound that constantly travels to my residence; please install quieter models and some measure of acoustic shielding/sound-proofing of all these units; including the existing units.

I refer you to epa legislation in Noise Guide for Local Government.

Ref: [epa.nsw.gov.au](http://epa.nsw.gov.au)



## 1.3 Responses to noise

An individual's response to noise is subjective and can depend on specific circumstances, such as the time of day and the type of activity being undertaken. This can make it difficult to determine a noise level that is satisfactory to all people, so it is important to ensure that there is an independent and unbiased assessment of noise problems. This will help find the balance between being able to conduct legitimate activities that may emit noise and the responsibility to minimise noise.

Where noise is a problem, there is a general expectation that whoever is creating the noise should take all reasonable and feasible measures to minimise it.

Councils and Police have a key role in managing local and neighbourhood noise problems by providing an impartial and fair assessment of what level of noise is reasonable, taking into consideration the nature of the activity, the surrounding area and number of people likely to be affected. RMS plays a similar role with regard to noise from vessels on navigable waters.

Resolving noise problems successfully will often rely not just on identifying the problem and developing a suitable noise management strategy, but also on managing the complaint effectively. This is important so that the complainant sees that action is being taken, has realistic expectations about the end result (i.e. the noise may still be audible) and understands the time it will take to resolve the problem.

Part 3 of the Noise Guide describes the range of noise management strategies from proactive planning strategies to reactive regulatory action and in what circumstances each of these may be employed.

## 12. MOTIONS ON NOTICE/QUESTIONS WITH NOTICE



### NOTICE OF MOTION

<b>Submitted by:</b>	<b>Cr Bob Crouch</b>
<b>Subject:</b>	<b>Notice of Motion 1 – Council Position on A New Risk Management and Internal Audit Framework for Local Councils</b>

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	An effective and efficient organisation
<b>Strategy:</b>	Identify and manage risk associated with all Council activities and ensures a safe and healthy work environment workforce
<b>Activity:</b>	Develop and incorporate a risk management framework which is effective and accessible
<b>Action:</b>	Facilitate regular meetings of the Audit, Risk and Improvement Committee

#### SUMMARY:

##### COUNCILLOR'S MOTION:

That Council form a committee of Councillors to:

- Develop a Council position on “A New Risk Management and Internal Audit Framework for local councils in NSW, September 2019”; and
- Develop a submission for consideration at Councils December meeting for submission to the Office of Local Government

The committee to be dissolved on 20 December 2019

#### REPORT:

The NSW Office of Local Government has issued a discussion paper on “**A New Risk Management and Internal Audit Framework for local councils in NSW, September 2019**”. This paper outlines a proposed regulatory framework to support the ARIC committees along with the establishment of a risk management framework and internal audit function in councils.

The Snapshot Guide can be found here:

<https://www.olg.nsw.gov.au/sites/default/files/A%20new%20risk%20management%20and%20internal%20audit%20framework%20for%20local%20councils%20in%20NSW%20-%20snapshot%20guide.pdf>

The discussion paper can be found here:

<https://www.olg.nsw.gov.au/sites/default/files/A%20new%20risk%20management%20and%20internal%20audit%20framework%20for%20local%20councils%20in%20NSW%20-%20discussion%20paper.pdf>

The proposal, if implemented has substantial ramifications for how council will operate and very substantial cost implications (possible well over \$200,000 per year). The proposal gives absolute

independence to the ARIC. The ARIC will be required, on some issues, to consult with Council, but it has the legislative right to use council resources, which the Governing body will be obliged to supply; It will be given the power to approve, rather than recommend to Council.

The role of the ARIC will include compliance, fraud control, financial management, governance, integrated planning and reporting, service reviews, performance measures, and performance improvement.

As outlined The ARIC will be absolutely independent. Not accountable to anyone, but will be able to legislatively hold Council Accountable.

We must have a position and put our position forward.

#### **OFFICER'S RECOMMENDATION**

Further review of the Discussion Paper is required to provide for a submission to be lodged with the Office of Local Government by 31 December 2019. With this in mind however the following should be noted:

- The statement in the above report “*The ARIC will be required, on some issues, to consult with Council, but it has the legislative right to use council resources, which the Governing body will be obliged to supply; It will be given the power to approve, rather than recommend to Council*” appears to conflict with the statements on page 30 of the Discussion Paper “*The Audit, Risk and Improvement Committee is to provide an advisory and assurance role only, and is to have no administrative function, delegated financial responsibility or any management functions*”.
- Further, the statement in the above report “*The ARIC ... Not accountable to anyone*”, appears to conflict with page 20 of the Discussion Paper which states “*... each council to establish an Audit, Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of the council about*” certain matters.

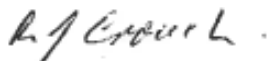
#### **COUNCIL IMPLICATIONS:**

- 1. Community Engagement/ Communication (per engagement strategy)**
- 2. Policy and Regulation**
- 3. Financial (LTFP)**
- 4. Asset Management (AMS)**
- 5. Workforce (WMS)**
- 6. Legal and Risk Management**
- 7. Performance Measures**
- 8. Project Management**

Uralla Shire Council  
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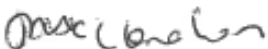
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Bob Crouch  
Councillor



Supporting Councillors:

NAME OF COUNCILLOR:  
Cr T Toomey

SIGNED: 



## NOTICE OF MOTION

<b>Submitted by:</b>	<b>Cr Natasha Ledger</b>
<b>Subject:</b>	<b>Notice of Motion 2 - Munday Lane Community Group</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Objective:** 1.1 A proud, unique and inviting community  
**Strategy:** 1.1.1 Provide vibrant and welcoming town centre, streets and meeting places  
**Activity:** 1.1.1.1 Maintain parks, gardens and open spaces

### SUMMARY:

The purpose of this notice of motion is provide authority for the Munday Lane Community Group to take over the care and maintenance of the Barry Munday Reserve.

### COUNCILLOR'S MOTION:

**That Council subject to the establishment of a formal committee give delegated authority to the Munday Lane Community Group to take over the care and management of the Barry Munday Reserve on behalf of the Council.**

### KEY ISSUES:

1. The group should have a formalised structure so that the Council can provide delegated authority for them to take care of the reserve.
2. That any development on the reserve be part of an agreed development plan for the reserve.

### COUNCIL IMPLICATIONS:

A Council can delegate its functions via S355 of the local government act to various entities.

Whether or not this is appropriate for the Barry Munday Reserve is likely to be determined by what the local community wish to do in terms of the use and maintenance of the Reserve.

The correspondence to date does not clarify as to what the group who have met have planned for the utilisation of land. The correspondence to date does not indicate that a S355 is necessary.

Council is required to develop a Plan of Management for this reserve.

**OFFICER'S RECOMMENDATION:**

That Council staff;

- liaise with the community regarding the community's intentions for the Barry Munday Reserve; and
- report back to Council regarding a proposed management structure.

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

*Ongoing*

**11. Policy and Regulation**

*LOCAL GOVERNMENT ACT 1993 - SECT 355*

*How a council may exercise functions*

*355 HOW A COUNCIL MAY EXERCISE FUNCTIONS*

*A function of a council may, subject to this Chapter, be exercised--*

*(a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or*

*(b) by a committee of the council, or*

*(c) partly or jointly by the council and another person or persons, or*

*(d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or*

*(e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).*

**12. Financial (LTFP)**

*Unknown*

**13. Asset Management (AMS)**

*Unknown*

**14. Workforce (WMS)**

*N/A*

**15. Legal and Risk Management**

*N/A*

**16. Performance Measures**

*N/A*

**17. Project Management**

*N/A*

Uralla Shire Council  
Council Business Paper – 26 November 2019

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Natasha Ledger

**Councillor**

**Supporting Councillors:**

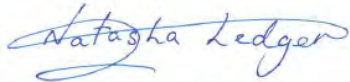
NAME OF COUNCILLOR:

Michael PEARCE


SIGNED:



NAME OF COUNCILLOR:



SIGNED:





## NOTICE OF MOTION

<b>Submitted by:</b>	<b>Cr Natasha Ledger</b>
<b>Subject:</b>	<b>Notice of Motion 3 - Water motion sewage treatment options</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3.4	Secure and sustainable environmentally sound water-cycle infrastructure and services
<b>Strategy:</b>	3.4.1	Maintain and renew water network infrastructure to ensure the provision of secure, quality and reliable drinking water supplies
<b>Activity:</b>	4.4.1.1	Provide water supply

### SUMMARY:

By recycling our waste water, we are successfully contributing towards our progressive goals in identifying new pathways and actions towards achieving improved environmental outcomes.

Licenses that perform well and minimise their environmental risk are rewarded with a reduction of their administrative fees. While poor performing licenses will pay license fees that provide an incentive to improve performance.

By improving the performance of our sewage system we will be decreasing any administration fees associated. The improved performance measure will see grey water waste utilised for parks and gardens, roadwork activity and fire fighters to access in the drought, saving our most valuable water for household consumption.

570 kilolitres of water is released into the environment after being treated daily. This water is mostly of potable quality after treatment in the UV pond and presently systematically overflows into scrubland.

After the UV pond and before spilling over into scrubland, council has an opportunity to capture the treated water to be dispersed accordingly. This can be done with pipes or another catchment pool with subsequent overflow.

- By utilising this water we are minimising the impact the drought will have on parks and gardens reduce the need for loppers and contribute to a healthy and sustained environment.
- By utilising this water, we will have minimal impact on development for roads and downtime, so work is positive and continuing
- By utilising this water we can assist to a point with rural fire fighting services.
- By utilising this service we minimise the impact on our storage capacity for household consumption

### COUNCILLOR'S MOTION:

That Council:

1. That council finds a way to make available and utilise the treated water at our Rifle Range Rd sewerage treatment works facility, before it is released into the environment.



**COUNCIL IMPLICATIONS:**

Council produces about 600 to 700kL of treated sewage effluent per day.

In normal times the demand for treated sewage effluent is non-existent.

The additional treatment requirements and controls vary depending on the proposed reuse.

The reuse of treated effluent for a variety of purposes is possible, but costly depending on the level of treatment and controls required for the selected end use.

There is usually a long lead time from the inception of a reuse scheme to the commissioning of the scheme.

**OFFICER RECOMMENDATION:**

Should Council wish to further investigate this option it is recommended

That Council;

- Seek the engagement of consultants to determine
  - Potential reuse opportunities for Council's treated sewage effluent,
  - the necessary works, approvals, costs and processes to manage the reuse facilities,
- Approve funding of \$50,000 to undertake the consultancy.

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

*Nil*

**2. Policy and Regulation**

*Environmental legislation and regulations*

**3. Financial (LTFP)**

*To be determined*

**4. Asset Management (AMS)**

*Unknown*

**5. Workforce (WMS)**

*N/A*

**6. Legal and Risk Management**

*N/A*

**7. Performance Measures**

*N/A*


**8. Project Management**

*Internal*

  
Councillor

**Supporting Councillors:**

NAME OF COUNCILLOR: NATASHA LEDGER

SIGNED: 

NAME OF COUNCILLOR:

SIGNED:



## NOTICE OF MOTION

<b>Submitted by:</b>	<b>Cr Natasha Ledger</b>
<b>Subject:</b>	<b>Notice of Motion 4 – Water Supply to Rural Residential Subdivision</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3.4	Secure and sustainable environmentally sound water-cycle infrastructure and services
<b>Strategy:</b>	3.4.1	Maintain and renew water network infrastructure to ensure the provision of secure, quality and reliable drinking water supplies
<b>Activity:</b>	4.4.1.1	Provide water supply

### SUMMARY:

Providing a fairer more equitable price and ease of service of water in prolonged and extended drought periods.

This motion is to consider:

- Pricing of water to rural residents
- Access points and access times
- To investigate the possible sights and funding for bore infrastructure to provide rural residents for not potable water for livestock in the Invergowrie/Saumarez Ponds areas.
- To investigate a suitable position to erect a water station, similar to the Arboretum (Armidale Regional Council) within the Uralla town boundaries for drinking potable water.

We are in the second year of a declared drought, and then number of rural residents having to transport water through extended prolonged dry periods is increasing.

There is presently a water access point available from 9am-3pm, Monday – Friday at the Council depot.

The time more often than not conflicts with work hours and extended distance to travel to collect the water, which can sometimes become cost accumulative.

### COUNCILLOR'S MOTION:

**That Council;**

- 1. Include alternative methods of providing water distribution points for rural residents;**
- 2. Seek to lessen the price per kilolitre; and**
- 3. Seek appropriate funding from the Drought Assistance fund to implement this strategy.**

**COUNCIL IMPLICATIONS:**

Council staff have commissioned a second standpipe at the depot for the filling of water tankers. Both standpipes are now metered. An additional hose connection has been provided so that the filling of smaller 1 cubic metre containers can be filled without vehicles entering the depot grounds.

Water carters have been contacted and advised that the depot can be manned outside of normal hours subject to staff availability and additional costs being met by the water carter. The water carter's have not required this additional access to date.

Unsupervised access points are not recommended due to the potential for contamination, water theft and damage to the supply system.

The price per kL is set as part of the annual fees and charges. At \$5.10 per kL this amount is considered reasonable and provides a small component (20%) cost of the delivered water charge for 10kL by water carters to properties at Invergowrie.

The Drought Communities Extension Programme FAQ provides the following advice;

**1. Can councils replenish water tanks on private properties for human consumption?**

No. Projects under this program are to provide relief and benefits to the wider community, not just individuals. Councils seeking funding for water carting or other water related projects would need to devise a strategy to allow the whole community to benefit - for example, a plan to allow a group of community members to replenish their water tanks.

**2. Can councils establish new and/or expand bore holes on public properties?**

Yes. This activity would be considered eligible. The bores holes would provide a benefit to the local community and locals/contractors can be employment and equipment sourced from local businesses to complete the work. An example would be the construction of a new bore water hole for the local park's amenities block.

The watering of stock is typically the responsibility of the landowner and similarly the permit application and construction of groundwater infrastructure is the responsibility of the property owner. This type of activity is not typically a Council responsibility

It may be however possible to provide for bores for the production of stock quality water through the Drought Communities Extension Programme. The likelihood of being able to successfully intercept suitable ground water sources is unknown and investigations typically have a relatively long lead time.

**OFFICER'S RECOMMENDATION:**

That Council;

- Notes the additional standpipe access at the Uralla Shire Council Depot,
- Retain the existing bulk water charge at \$5.10/kL, and
- Not pursue the development of bore infrastructure to provide rural residents for not potable water for livestock in the Invergowrie/Saumarez Ponds areas

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

*Nil*

**2. Policy and Regulation**

*There are constraints on the variance of charges.*

*Bore drilling application and approval is required.*

**3. Financial (LTFP)**

*Funding sources required for any investigations and works*

**4. Asset Management (AMS)**

*To be determined*

**5. Workforce (WMS)**

*To be determined. Any investigations or works will need to be outsourced.*

**6. Legal and Risk Management**

*To be determined*

**7. Performance Measures**

*N/A*

**8. Project Management**

*To be determined.*

  
Councillor

**Supporting Councillors:**

NAME OF COUNCILLOR:

*Natasha Ledger*

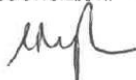
SIGNED:



NAME OF COUNCILLOR:

*Cr Michael PEARCE*

SIGNED:



- 13. CONFIDENTIAL MATTERS**
  
- 14. COMMUNICATION OF COUNCIL DECISIONS**
  
- 15. CONCLUSION OF THE MEETING**

END OF BUSINESS PAPER