



ORDINARY MEETING OF COUNCIL

**Held at 12:30pm
27 August 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
Mr S Paul, Chief Financial Officer
Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 27 August 2019

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ATTENDANCE

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

1. OPENING & WELCOME

The Chair declared the meeting opened at 12:33pm.

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 Cr M Dusting.

MOTION (Crs T Toomey / I Strutt)

That;

Council accept the apology from Cr M Dusting for the ordinary meeting held 27 August 2019.

01.08/19

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 27 August 2019 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr T Toomey	Report 10	Pecuniary Interest	Operate a B&B outside of Uralla
Cr T O'Connor	Report 14	Non-Pecuniary Interest	Preparing grant application for Uralla Arts

6. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 27 August 2019 Meeting:

- Minutes of Ordinary Meeting held 23 July 2019 (to be confirmed)
- Minutes of Extraordinary Meeting held 13 August 2019 (to be confirmed)

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AMENDMENTS

The Chair referred Councillors to the Minutes of the Ordinary Meeting held 23 July 2019 and called for any amendments.

Cr T O'Connor made reference to the Written Reports from Delegates (Activity Summaries) which incorrectly recorded his attendance on 23 July 2019 for the LGNSW visit and the Ordinary Council Meeting. These activities are to be removed from the minutes.

MOTION (Crs I Strutt / R Crouch)

That;

Council adopt the Minutes, together with amendments as noted, as a true and correct record of the Ordinary Meeting held 23 July 2019 2019.

02.08/19 CARRIED

AMENDMENTS

The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 13 August 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 Extraordinary Meeting held 13 August 2019.

03.08/19 CARRIED

Minutes to be received and noted at the 27 August 2019 Meeting:

- Country Mayors Association Meeting held 2 August 2019

MOTION (Crs R Crouch / I Strutt)

That;

Council receive and note the Minutes of the Country Mayors Association Meeting held 2 August 2019.

04.08/19 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 Report #1 - Funding for Stronger Country Communities Round 3

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

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

That;

The late report to council be heard with Report 4 in the Meeting Agenda as;

- Late Report 1 - Funding for Stronger Country Communities Round 3

05.08/19 CARRIED

8. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

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COUNCILLOR NAME:		Bob Crouch
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Meeting of Council	Uralla
13/8/2019	Communication Workshop	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Levi Sampson
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
13/8/2019	Uralla Township and Environs Committee Meeting	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Natasha Ledger
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Tara Toomey
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
6/8/2019	Audit, Risk and Improvement Committee Meeting	Uralla
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
13/8/2019	Uralla Township and Environs Committee Meeting	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Rob Bell
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
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COUNCILLOR NAME:		Tom O'Connor
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Isabel Strutt
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/7/2019	Uralla Shire Business Chamber Awards Night	Uralla
3/8/2019	Z-Net Uralla Shire Council Sustainability Expo	Uralla
8/8/2019	United Hospital Auxiliary Annual General Meeting	Uralla
13/8/2019	Councillor Strategic Planning Workshop	Uralla
13/8/2019	Extraordinary Council Meeting	Uralla
13/8/2019	Communication Workshop	Uralla
27/8/2019	Winterbourne Wind Project - Walcha Energy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Michael Pearce
COUNCIL MEETING DATE:		27 August 2019
DATE	COMMITTEE/MEETING/EVENT	LOCATION
24/7/2019	Mayor's Office – Admin	Uralla
24/7/2019	2AD interview	Uralla
25/7/2019	Mayor's Office – Admin	Uralla
25/7/2019	Uralla RSL Sub-Branch Meeting	Uralla
26/7/2019	Mayor's Office – Admin	Uralla
26/7/2019	Uralla Shire Business Chamber Awards Night	Uralla
29/7/2019	Mayor's Office – Admin	Uralla
30/7/2019	Mayor's Office – Admin	Uralla
31/7/2019	Mayor's Office – Admin	Uralla
1/8/2019	Joint Organisation Chairs meeting, Parliament House	Sydney
2/8/2019	Country Mayors Association Meeting	Sydney
3/8/2019	Away – Approved Leave of Absence	
16/8/2019		
19/8/2019	Mayor's Office – Admin	Uralla
20/8/2019	Mayor's Office – Admin	Uralla
21/8/2019	Mayor's Office – Admin	Uralla
21/8/2019	2AD interview	Uralla
22/8/2019	Northern Inland Regional Waste (NIRW) Meeting	Bingara
26/8/2019	New England Joint Organisation Board Meeting	Narrabri
27/8/2019	Mayor's Office – Admin	Uralla
27/8/2019	Winterbourne Wind Project - WalchaEnergy Presentation to Council	Uralla
27/8/2019	Ordinary Council Meeting	Uralla

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9. MAYORAL MINUTE

There was no Mayoral Minute to the 27 August Meeting.

10. REPORTS OF COMMITTEES

Department: **Corporate Services**
Submitted by: *Acting Coordinator Governance and Risk*
Reference/Subject: Report 1 – Report of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019

OFFICER'S RECOMMENDATION:

1. That Council receive and note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 as detailed in Attachment A.

MOTION (Crs T Toomey / T O'Connor)

1. That Council receive and note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 as detailed in Attachment A.

06.08/19 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 31 July, 2019 consisting of cash and overnight funds of \$1,737,801, term deposits of \$14,500,000 totalling \$16,237,801 of readily convertible funds.
2. Council note the loan position as at 31 July, 2019 totalling \$2,403,563.

MOTION (Crs N Ledger / R Crouch)

That;

1. Council note the cash position as at 31 July, 2019 consisting of cash and overnight funds of \$1,737,801, term deposits of \$14,500,000 totalling \$16,237,801 of readily convertible funds.
2. Council note the loan position as at 31 July, 2019 totalling \$2,403,563.

07.08/19 CARRIED

Department: **Corporate Services**
Submitted by: *Acting Senior Executive Officer*
Reference/Subject: Report 2 – Monthly Report - Library

OFFICER'S RECOMMENDATION:

That the report be received and noted.

MOTION (Crs T O'Connor / I Strutt)

That the report be received and noted.

08.08/19 CARRIED

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Department: **Corporate Services**
Submitted by: Tourism Promotions and Operations Officer
Reference/Subject: Report 3 – Monthly Report - Visitor Information Centre

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

MOTION (Crs N Ledger / R Crouch)
That the report be received and noted.

9.08/19 CARRIED

Department: **Infrastructure & Development**
Submitted by: *Director Infrastructure & Development*
Reference/Subject: Report 4 – Notice of Late submission of Report to Council - Funding for Stronger Country Communities Round 3

OFFICER'S RECOMMENDATION:
That Council note the Stronger Country Communities Round 3 Report will be submitted as a late Report to Council.

11. LATE REPORTS TO COUNCIL

Department: **Infrastructure & Development**
Submitted by: *Director Infrastructure & Development*
Reference/Subject: Late Report #1 - Funding for Stronger Country Communities Round 3

OFFICER'S RECOMMENDATION:
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.

Youth focussed:

- ▶ Bundarra multipurpose courts at \$265,000
- ▶ Disabled change room at the Uralla swimming pool at \$95,000
- ▶ Library improvements – Uralla and Bundarra – including building works and equipment (High Technology Hub) and study spaces at \$200,000

Total Youth focussed \$560,000

Community focussed:

- ▶ McMaugh Gardens improvements at \$100,000 including generator, insulation improvements and provision for shortfall (if required) for ensuite upgrade project
- ▶ Toilet at Gilmore Park at \$50,000
- ▶ Memorial Hall additional works including painting and windows at \$125,000
- ▶ Digital Community including visual electronic displays and Free WiFi in the Uralla CBD – at \$50,000
- ▶ VIC refurbishment and provision for pop up shops – at \$100,000 with co contribution from Council at \$170,000
- ▶ Entry statements (3 of) at \$50,000 in total
- ▶ Pioneer Park refurbishment at \$50,000
- ▶ Outdoor gym either in The Glen or Pioneer Park at \$85,000
- ▶ Walking track as per UTEC recommendation connecting Porter Park to Alma Park and The Glen along the creek at \$250,000
- ▶ Mt Mutton Reservoir Murals at \$50,000
- ▶ Woolridge Fossicking Reserve upgrades to internal roads, camp grounds, BBQs, picnic tables, etc, at \$65,000

Total Community focussed at \$975,000

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And

That Council approve a budget variation funded from reserves at \$15,000 to undertake the necessary application preparation and community consultation.

PROCEDURAL MOTION (Crs T O'Connor / R Crouch)
To move to Committee of the Whole

10.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

C N Ledger left the meeting at 1:51pm.

Cr N Ledger returned to the meeting at 1:52pm.

PROCEDURAL MOTION (Crs T O'Connor / I Strutt)
To resume Standing Orders

11.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Crouch / I Strutt)

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.

Youth focussed:

- ▶ Bundarra multipurpose courts at \$265,000
- ▶ Upgrade to toilet block and canteen at the Uralla swimming pool including disabled and family change rooms and toilets at \$190,000
- ▶ Library improvements – Uralla and Bundarra – including building works and equipment (High Technology Hub) and study spaces at \$200,000

Total Youth focussed \$655,000

Community focussed:

- ▶ McMaugh Gardens improvements at \$100,000 including generator, insulation improvements and provision for shortfall (if required) for ensuites upgrade project
- ▶ Toilet at Gilmore Park at \$50,000
- ▶ Memorial Hall additional works including painting and windows at \$125,000
- ▶ Digital Community including visual electronic displays and Free WiFi in the Uralla CBD – at \$50,000
- ▶ VIC refurbishment at \$100,000 with co contribution from Council at \$170,000
- ▶ Entry statements (3 of) at \$50,000 in total
- ▶ Pioneer Park refurbishment at \$50,000
- ▶ Outdoor gym either in The Glen or Pioneer Park at \$85,000
- ▶ Walking track as per UTEC recommendation connecting Porter Park to Alma Park and The Glen along the creek at \$250,000
- ▶ Mt Mutton Reservoir Murals at \$50,000
- ▶ Woolridge Fossicking Reserve upgrades to internal roads, camp grounds, BBQs, picnic tables, etc, at \$65,000

Total Community focussed at \$975,000

And

That Council approve a budget variation funded from reserves at \$15,000 to undertake the necessary application preparation and community consultation.

12.08/19 CARRIED

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Department: **Corporate Services**
Submitted by: *Acting Coordinator Governance and Risk*
Reference/Subject: Report 5 – Draft Complaints Management Policy 2019

OFFICER'S RECOMMENDATION:

That Council:

1. Approve the "Draft Complaints Management Policy 2019" at Attachment A for public exhibition for 28 days.
2. Subject to no submissions received during public exhibition, adopt the "Draft Complaints Management Policy 2019" at Attachment A.
3. That \$14,000 be included in the current budget to fund the first stage of the Complaints Handling System for training to be completed and the system operational, with funding to be addressed at the quarterly budget review.
4. That \$15,000 be listed in the 2020/2021 budget considerations for the full implementation of the Complaints Handling System.

Cr L Sampson left the meeting at 2:05pm.

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

13.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr L Sampson returned to the meeting at 2:07pm.

Cr T O'Connor left the meeting at 2:10pm. Cr T O'Connor returned to the meeting at 2:12pm.

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

14.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Crouch / I Strutt)

That Council:

1. Amend page 2 of the "Draft Complaints Management Policy 2019" under the heading 'Further Document Information and Relationships' to read *'The Councillors also represent the interests of the residents and ratepayers and can bring forward a complaint made to to the Councillors at any time.'*
2. Approve the "Draft Complaints Management Policy 2019" at Attachment A for public exhibition for 28 days.
3. Subject to no submissions received during public exhibition, adopt the "Draft Complaints Management Policy 2019" at Attachment A.
4. That \$14,000 be included in the current budget to fund the first stage of the Complaints Handling System for training to be completed and the system operational, with funding to be addressed at the quarterly budget review.
5. That \$15,000 be listed in the 2020/2021 budget considerations for the full implementation of the Complaints Handling System.
6. Receive a biannual report outlining:
 - The number of complaints received;
 - The outcomes of complaints including matters resolved at the front line;
 - Issues arising from complaints;
 - Systemic issues identified; and
 - The number of requests received for internal and/or external review of our complaint handling.

15.08/19 CARRIED

Cr T Toomey requested that her vote against the motion be recorded.

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PROCEDURAL MOTION (Crs N Ledger / M Pearce)
Meeting Adjournment (2:35pm – 2:53pm)

16.08/19 CARRIED

Department: **General Manager's Office**
Submitted by: *Acting General Manager*
Reference/Subject: Report 6 – Recommendations from the Communications Workshop Discussion

OFFICER'S RECOMMENDATION:

That the results of the communication workshop on the 13th August 2019 be considered by the Council and that recommendations be made from the ideas for communication improvement listed in this report.

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

17.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T O'Connor / L Sampson)
To resume Standing Orders

18.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / L Sampson)

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:

1. Prepare an A3 version of the newsletter to be posted on community noticeboards.
2. Establish space at community noticeboards in the villages for council materials such as the newsletter, press releases and advertisements.
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.
4. Establish an email address register for local contractors who wish to be informed of opportunities to provide services to council.
5. Have a standard item for communication on the Council's Ordinary Meeting agenda to discuss communication of council's decisions at that meeting.
6. Provide letters to adjoining owners prior to construction works being carried out in the vicinity.
7. The weekly works report be published on the Council's web page.

19.08/19 CARRIED

Department: **Infrastructure & Development**
Submitted by: *Director Infrastructure & Development*
Reference/Subject: Report 7 – Heritage Advisory Services Summary for August 2019

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary for August 2019 be received and noted by Council.

MOTION (Crs I Strutt / N Ledger)

That the Heritage Advisory Services Summary for August 2019 be received and noted by Council.

20.08/19 CARRIED

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Department: **General Manager's Office**
Submitted by: *Acting General Manager*
Reference/Subject: Report 8 – Election of Chairman, Uralla Township and Environs Committee

OFFICER'S RECOMMENDATION:

That the appointment of the Chairman of the Uralla Township and Environs Committee be a matter for the Council's consideration from the list of nominees received by the General Manager.

MOTION (Crs I Strutt / R Bell)

That the matter be considered in Closed Session of Council.

21.08/19

CARRIED

Department: **Infrastructure & Development**
Submitted by: *Director of Infrastructure & Development*
Reference/Subject: Report 9 – Development Approvals and Refusals for July 2019

OFFICER'S RECOMMENDATION:

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

MOTION (Crs N Ledger / L Sampson)

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

22.08/19

CARRIED

Department: **Infrastructure & Development**
Submitted by: *Director of Infrastructure & Development*
Reference/Subject: Report 10 – Development Application 41-2019 – J Gray – Dual Occupancy and Tourist / Visitor Accommodation – 55 King Street, Uralla

Cr T Toomey, having previously declared a conflict of interest, left the meeting at 3:15pm.

OFFICER'S RECOMMENDATION:

That Council approve Development Application 41/2019 submitted by J Gray for a Dual Occupancy and Tourist / Visitor Accommodation on land known as 55 King Street, Uralla, being Lot 1 Section 15 DP 759022 subject to the following conditions:

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

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

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

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

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

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3. For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW H102 of Volume One of the *National Construction Code*.

(c) **Erection of signs**

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

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

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal 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.

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

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

6. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal 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.
7. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

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136D Fulfilment of BASIX commitments

8. This clause applies to the following development:
- (a) BASIX affected development,
 - (b) any BASIX optional development in relation to which a person has made an application for a complying development certificate that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A of Schedule 1 for it to be so accompanied).

Shoring and adequacy of adjoining property

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

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

GENERAL CONDITIONS

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

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

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

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

12. The 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**

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- ** 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.
- Applicants should give at least 24 hours' notice to guarantee an inspection.
- *All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer
- Reason: To ensure compliance with appropriate standards.*
13. A Construction Certificate must be obtained from a Certifying Authority before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
14. 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.*
15. 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.*
16. Parking facilities, including one (1) disabled car park, are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off-street Car Parking and Australian Standard 2890.6 – Off Street Parking for People with Disabilities.
- Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.*
17. All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.
- Reason: To prevent the intrusion of light onto adjoining premises.*
18. Drainage from evaporative air conditioners is to be directed onto lawn and garden areas only. It is not to be disposed of into Council's storm water or sewerage systems.
- Reason: To ensure that Council's stormwater and effluent systems are free of contamination and un-necessary load.*
19. 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.*

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CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

20. 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

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

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

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

Reason: Requirement of Council as the Road Authority.

28. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

Reason: To ensure that public infrastructure is maintained.

30. The developer is to meet the cost of and be responsible for the construction of vehicular entrances and exits in accordance with Council's requirements.

Reason: To provide appropriate access to the site.

ADVISORY NOTES – GENERAL

1. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
2. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
3. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

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4. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
5. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
6. 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.

PROCEDURAL MOTION (Crs T O'Connor / R Crouch)
To move to Committee of the Whole

23.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T O'Connor / N Ledger)
To resume Standing Orders

24.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / N Ledger)

That Council approve Development Application 41/2019 submitted by J Gray for a Dual Occupancy and Tourist / Visitor Accommodation on land known as 55 King Street, Uralla, being Lot 1 Section 15 DP 759022 subject to the following conditions:

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

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

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

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

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

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3. For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW H102 of Volume One of the *National Construction Code*.

(c) **Erection of signs**

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

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

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal 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.

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

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

6. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal 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.
7. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

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136D Fulfilment of BASIX commitments

8. This clause applies to the following development:
- (a) BASIX affected development,
 - (b) any BASIX optional development in relation to which a person has made an application for a complying development certificate that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A of Schedule 1 for it to be so accompanied).

Shoring and adequacy of adjoining property

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

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

GENERAL CONDITIONS

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

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

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

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

12. The 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**

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- ** 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.
- Applicants should give at least 24 hours' notice to guarantee an inspection.
- *All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer
- Reason: To ensure compliance with appropriate standards.*
13. A Construction Certificate must be obtained from a Certifying Authority before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
14. 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.*
15. 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.*
16. Parking facilities, including one (1) disabled car park, are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off-street Car Parking and Australian Standard 2890.6 – Off Street Parking for People with Disabilities.
- Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.*
17. All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.
- Reason: To prevent the intrusion of light onto adjoining premises.*
18. Drainage from evaporative air conditioners is to be directed onto lawn and garden areas only. It is not to be disposed of into Council's storm water or sewerage systems.
- Reason: To ensure that Council's stormwater and effluent systems are free of contamination and un-necessary load.*
19. 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.*

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CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

20. 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

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

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

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

Reason: Requirement of Council as the Road Authority.

28. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

Reason: To ensure that public infrastructure is maintained.

30. The developer is to meet the cost of and be responsible for the construction of vehicular entrances and exits in accordance with Council's requirements.

Reason: To provide appropriate access to the site.

ADVISORY NOTES – GENERAL

1. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
2. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
3. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

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4. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
5. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
6. 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.

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

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

AGAINST: Nil

ABSENT: Cr M Dusting, Cr T Toomey

25.08/19 CARRIED

Cr T Toomey returned to the meeting at 3:19pm.

Department: **Infrastructure & Development**
Submitted by: *Director Infrastructure & Development*
Reference/Subject: Report 11 – Uralla Pedestrian Access Mobility Plan (PAMP) for Adoption

OFFICER'S RECOMMENDATION:

That Council adopt the Uralla Pedestrian Access Mobility Plan – August 2019.

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

To move to Committee of the Whole

26.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr R Bell left the meeting at 3:24pm. Cr R Bell returned to the meeting at 3:25pm.

PROCEDURAL MOTION (Crs L Sampson / R Crouch)

To resume Standing Orders

27.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs I Strutt / N Ledger)

That Council adopt the Uralla Pedestrian Access Mobility Plan – August 2019.

28.08/19 CARRIED

Cr T O'Connor requested that his vote against the motion be recorded.

Cr T Toomey requested that her vote against the motion be recorded and to note that her only objection is the inclusion of the High Pedestrian Activity Zone on page 152.

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Department: **Infrastructure & Development**
Submitted by: *Environmental Management Coordinator*
Reference/Subject: Report 12 – Public exhibition and consultation outcomes for proposed resignation of management from selected Council managed Crown Reserves

OFFICER'S RECOMMENDATION:

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:

- Lot 31 DP 755838 Kentucky South Reserve;
- Lot 153 DP 755838 Kentucky South Reserve;
- Lot 7010 DP 93183 Bundarra CBD Reserve; and
- Lot 7002 DP 1072010 Rocky River Recreation Reserve.

PROCEDURAL MOTION (Crs R Bell / T O'Connor)
To move to Committee of the Whole

29.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs I Strutt / T Toomey)
To resume Standing Orders

30.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Crouch / N Ledger)

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:

- Lot 31 DP 755838 Kentucky South Reserve;
- Lot 153 DP 755838 Kentucky South Reserve;
- Lot 7010 DP 93183 Bundarra CBD Reserve; and
- Lot 7002 DP 1072010 Rocky River Recreation Reserve.

31.08/19 CARRIED

Cr L Sampson left the meeting at 3:54pm.

Department: **Infrastructure and Development**
Submitted by: *Director Infrastructure and Development*
Reference/Subject: Report 13 – Draft Licence Variation EPL 1626 Uralla Sewer August 2019

OFFICER'S RECOMMENDATION:

That Council:

Accept the conditions of the Pollution Studies and Reduction Program as proposed on the draft Environmental Protection Licence (EPL 1626) at U1 for the Uralla sewer treatment plant and reticulation network.

Cr L Sampson returned to the meeting at 3:56pm.

MOTION (Crs T O'Connor / R Bell)

That Council:

Adopt the conditions of the Pollution Studies and Reduction Program as proposed on the draft Environmental Protection Licence (EPL 1626) at U1 for the Uralla sewer treatment plant and reticulation network.

32.08/19 CARRIED

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Department: **Infrastructure and Development**
Submitted by: *Director Infrastructure and Development*
Reference/Subject: Report 14 – Request from Uralla Arts Council for Approval to Continue the Constellations of the South Project

Cr T O'Connor declared a conflict of interest and left the meeting at 3:57pm.

OFFICER'S RECOMMENDATION:

That;

Option A

- 1) Written approval to continue the Constellations of the South project in The Glen be given to the Uralla Shire Arts Council to support a funding application under Round 3 of the Stronger Country Communities program administered by the NSW State Government.
- 2) The written approval is to note that:
 - a) Council will not be held liable for any monetary or in kind contribution toward the project;
 - b) Council approval for each of the proposed sculptures and the location is required prior to the commencement of construction;
 - c) Engineering drawing including structural certification be provided prior to commencement of any works;
 - d) Evidence of Public liability insurance of \$20 million dollars be provided to Council;
 - e) All works be undertaken in a safe manner to the satisfaction of Council.
- 3) Thank the Uralla Arts Council for taking this initiative.

Or

Option B

- 1) Written approval to continue the Constellations of the South project in The Glen not be given to the Uralla Shire Arts Council to support a funding application under Round 3 of the Stronger Country Communities program administered by the NSW State Government.
- 2) Thank the Uralla Arts Council for taking this initiative.

MOTION (Crs R Bell / R Crouch)

That;

- 1) Written approval to continue the Constellations of the South project in The Glen be given to the Uralla Shire Arts Council to support a funding application under Round 3 of the Stronger Country Communities program administered by the NSW State Government.
- 2) The written approval is to note that:
 - a) Council will not be held liable for any monetary or in kind contribution toward the project;
 - b) Council approval for each of the proposed sculptures and the location is required prior to the commencement of construction;
 - c) Engineering drawing including structural certification be provided prior to commencement of any works;
 - d) Evidence of Public liability insurance of \$20 million dollars be provided to Council;
 - e) All works be undertaken in a safe manner to the satisfaction of Council.
- 3) Thank the Uralla Arts Council for taking this initiative.

33.08/19 CARRIED

Cr T O'Connor was absent from the room at the time of voting.

Cr T O'Connor returned to the meeting at 3:58pm.

Department: **General Manager's Office**
Submitted by: *Acting Senior Executive Officer*
Reference/Subject: Report 15 – Schedule of Actions as at 27 August 2019

OFFICER'S RECOMMENDATION:

That Council receive and note the Schedule of Actions as at 27 August 2019.

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 27 August 2019

Resolution
Number

MOTION (Crs R Bell / L Sampson)

That Council receive and note the Schedule of Actions as at 27 August 2019.

34.08/19 CARRIED

12. MOTIONS ON NOTICE / QUESTIONS WITH NOTICE

Submitted by: *Cr Tom O'Connor*

Reference/Subject: Notice of Motion 1 – Constitutional Referendum for Number of Councillors,
Number of Wards and Method of Election of the Mayor

NOTICE of MOTION

That Council:

1. Conduct a constitutional referendum on a proposal to reduce the number of councillors from nine to seven, at the next local government election scheduled for September 2020;
2. Conduct a constitutional referendum on a proposal to abolish the ward system for the Uralla Shire Council, at the next local government election scheduled for September 2020; and
3. Conduct a constitutional referendum on a proposal to rescind the election of the mayor by electors at large at the next local government election scheduled for September 2020.

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

To move to Committee of the Whole

35.08/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T Toomey / I Strutt)

That the Ordinary Meeting of 27 August 2019 continue past 5:00pm until all items of business on the agenda have been heard.

36.08/19 CARRIED

PROCEDURAL MOTION (Crs L Sampson / T Toomey)

To resume Standing Orders

37.08/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Bell / L Sampson)

That Council not apply for the constitutional referendum and retain the nine councillors at the local government election scheduled for September 2024.

38.08/19 CARRIED

Cr T O'Connor abstained from voting.

Submitted by: *Cr Robert Bell*

Reference/Subject: Notice of Motion 2 – Electricity and telecommunications supply to rural residential Subdivision/Development

NOTICE of MOTION

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

MOTION (Crs R Bell / T Toomey)

That Council lay the matter on the table until the October 2019 Ordinary Meeting of Council.

39.08/19 CARRIED

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 27 August 2019

Resolution
Number

13. CONFIDENTIAL MATTERS

PROCEDURAL MOTION (Crs L Sampson / I Strutt)

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 27 August 2019 meeting are received by Council under Section 10A (2)(a) 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),

40.08/19 CARRIED

MOTION (Crs T O'Connor / L Sampson)

That Council appoint Mr Kent Mayo for the position of Chairperson of the Uralla Township and Environs Committee for the 2019-2020 year.

41.08/19 CARRIED

MOTION (Crs M Pearce / R Crouch)

That Council commence the recruitment process for a new General Manager utilising the services of Local Government NSW Employment Solutions.

42.08/19 CARRIED

MOVE TO OPEN SESSION

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

To return to Open Session of Council and the resolutions of Closed Session of Council become the resolutions of Open Session of Council.

43.08/19 CARRIED

CLOSURE OF MEETING

The meeting was closed at: 5:28pm

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