



ORDINARY MEETING OF COUNCIL

Held at 12:30pm
25 February 2020

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

**Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 25 February 2020**

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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 D Aber), Director Infrastructure and Development (Mr T Seymour), Executive Manager Corporate Services (Ms S Glasson), Chief Financial Officer (Mr S Paul), Manager Planning and Development (Mr M Clarkson), Minute Clerk (B White).

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 there were no apologies received.

The Chair advised receipt of a request for Leave of Absence from Cr M Pearce.

MOTION (Crs L Sampson / M Dusting)

That:

Council accept the Leave of Absence from Cr M Pearce.

01.02/20 CARRIED

5. DISCLOSURES & DECLARATION OF INTERESTS

The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 25 February 2020 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr R Bell	Late Report to Council 1	Pecuniary	Work for UPC
Cr R Crouch	Item 12, Report 18	Non-Pecuniary	Own a property – close proximity
	Item 12, Late Confidential Report 1	Non-Pecuniary	Impacted by water carting on Rifle Range Rd
Cr M Dusting	Item 12, Report 21	Non-Pecuniary	Owens a house in John Street
	Item 12, Report 13	Non-Pecuniary	Owens a house in John St
	Item 12, Report 18	Non-Pecuniary	Owens a house in John St
Cr T Toomey	Item 12, Report 17	Non-Pecuniary	Family connection
	Late Report to Council 1	Non-Pecuniary	Business

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6. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 25 February 2020 Meeting:

- Minutes of Ordinary Meeting held 17 December 2019 (to be confirmed)
- Minutes of Extraordinary Meeting held 4 February 2020 (to be confirmed)

AMENDMENTS

The Chair referred Councillors to the Minutes of the Ordinary meeting held 17 December 2019 and the Extraordinary Meeting held 04 February 2020 and called for any amendments.

Cr T Toomey made reference to Page 29 on 04 February 2020 Extraordinary Meeting of Council misspelling and correction of name.

MOTION (Crs M Dusting / R Crouch)

That:

Council adopt the Minutes, together with amendments as noted, as a true and correct record of the Ordinary Meeting held 17 December 2019 and the Extraordinary Meeting of Council 04 February 2020.

02.02/20 CARRIED

Minutes to be received and noted at the 25 February 2020 Meeting:

- Budget Review and Finance Committee Meeting held 12 November 2019
- Australia Day Committee Meeting held 11 December 2019

MOTION (Crs T O'Connor / N Ledger)

That:

Council receive and note the following Minutes:

- Budget Review and Finance Committee Meeting held 12 November 2019
- Australia Day Committee Meeting held 11 December 2019

03.02/20 CARRIED

MOTION (Crs T O'Connor / I Strutt)

- Uralla Township and Environs Committee held on 10 December 2019 -
That discussion on the minutes of the Uralla Township and Environs Committee held on 10 December 2019 be deferred to Item 11 Report 25 where there is a staff recommendation to receive and endorse recommendations from the minutes of both the 8 October and 10 December 2019.
- Uralla Township and Environs Committee held on 11 February 2020 -
That minutes of the Uralla Township and Environs Committee held on 11 February 2020 be received and staff prepare a report on the recommendation contained in the minutes for Council's consideration.

04.02/20 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 Confidential Report 1 – Uralla Treated Sewerage Effluent Reuse Proposal

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

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

That:

The late items of business be heard under Item 13 – Confidential Matters in the Meeting Agenda as;

- Late Confidential Report 1 – Uralla Treated Sewerage Effluent Reuse Proposal

05.02/20 CARRIED

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8. PRESENTATIONS

PROCEDURAL MOTION (Crs L Sampson / T Toomey)

To include a presentation as Speaker 3

That:

Mr Stephen Powley be permitted to make a presentation for consideration by Council.

06.02/20 CARRIED

Speaker 1:	Megan Robinson/Simone Dutt
Subject:	Woodville Reserve

The Chair introduced the Speaker, Ms Megan Robinson and Ms Simone Dutt.

The Speaker made a presentation to Council in relation to Woodville Reserve.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for their presentation to Council.

Speaker 2:	Susan Lewis
Subject:	Water Management

The Chair introduced the Speaker, Ms Susan Lewis.

The Speaker made a presentation to Council in relation to Water Management.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

Speaker 3:	Stephen Powley
Subject:	Mt Mitchell Road

The Chair introduced the Speaker, Mr Stephen Powley.

The Speaker made a presentation to Council in relation to Mt Mitchell Road.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

9. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	25 February 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/01/20	Weed County Council	Armidale
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
18/02/20	NEWA County Council Meeting	Armidale
	Northern Tablelands Regional Weed Committee	Armidale
25/02/20	Ordinary Meeting of Council	Uralla

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COUNCILLOR NAME:	Bob Crouch	
COUNCIL MEETING DATE:	25 February 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
29/12/19	Tolleys Gully Bridge Announcement	Uralla
21/12/19 to 05/01/20	Water distribution, various days	Uralla
22/01/20	UPC drop in session	Uralla
26/01/20	Australia Day Breakfast	Balala
	Australia Day Parade and Ceremony	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
05/02/20	Bundarra Hall Committee	Bundarra
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
12/02/20	Financial Management Workshop	Walcha
14/02/20	Bundarra School selection panel	Bundarra
16/02/20	National Servicemen's Day Service	Armidale
20/02/20	Bundarra Water Meeting	Bundarra
25/02/20	Audit, Risk & Improvement Committee	Uralla
25/02/20	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:	Levi Sampson	
COUNCIL MEETING DATE:	25 February 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
04/02/20	Extraordinary Meeting of Council	Uralla
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
11/02/20	Uralla Township & Environs Committee Meeting	Uralla
25/02/20	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:	Natasha Ledger	
COUNCIL MEETING DATE:	25 February 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
08/01/20	Australia Day Committee	Uralla
11/01/20	Australia Day Street Stall	Uralla
29/12/19	Tolleys Gully Bridge Announcement	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
05/02/20	Bundarra 355	Bundarra
05/02/20	Tourism Summit	Inverell
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
12/02/20	Financial Management Workshop	Walcha
25/02/20	Audit, Risk & Improvement Committee Observer	Uralla
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COUNCILLOR NAME:		Isabel Strutt
COUNCIL MEETING DATE:		25 February 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
17/12/19	St Joseph's School Annual Award Evening	Uralla
22/01/20	UPC drop in session	Uralla
26/01/20	Australia Day Morning Tea & Ceremonies	Uralla
28/01/20	Z-Net Plus Water Information Evening	Uralla
30/01/20	Meeting with representatives of Woodville Reserve	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
11/02/20	Uralla Township & Environs Committee Meeting	Uralla
12/02/20	Financial Management Workshop	Walcha
25/02/20	Audit, Risk & Improvement Committee Observer	Uralla
25/02/20	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:		Rob Bell
COUNCIL MEETING DATE:		25 February 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/01/19	Z-Net Plus Water Information Evening	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
25/02/20	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:		Tom O'Connor
COUNCIL MEETING DATE:		25 February 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
29/12/19	Tolleys Gully Bridge Announcement	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
12/02/20	Financial Management Workshop	Walcha
25/02/20	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:		Tara Toomey
COUNCIL MEETING DATE:		25 February 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/01/20	Australia Day	Uralla
28/01/19	Z-Net Plus Water Information Evening	Uralla
04/02/20	Extraordinary Meeting of Council	Uralla
11/02/20	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
	Independent Planning Commission Hearing	Uralla
12/02/20	Financial Management Workshop	Walcha
25/02/20	Audit, Risk & Improvement Committee	Uralla
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COUNCILLOR NAME:		Michael Pearce
COUNCIL MEETING DATE:		25 February 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/01/2020	Mayor's Office - Admin	Uralla
14/01/2020	Mayor's Office - Admin	Uralla
15/01/2020	Mayor's Office - Admin	Uralla
16/01/2020	Mayor's Office - Admin	Uralla
20/01/2020	Mayor's Office - Admin	Uralla
21/01/2020	Mayor's Office - Admin	Uralla
22/01/2020	Mayor's Office - Admin	Uralla
23/01/2020	Mayor's Office - Admin	Uralla
25/01/2020	Dinner – Australia Day Committee and Ambassador	Uralla
26/01/2020	Australia Day Breakfast	Balala
26/01/2020	Australia Day Parade & Ceremony	Uralla
28/01/2020	Mayor's Office - Admin	Uralla
28/01/2020	ZNET Water Information night	Uralla
29/01/2020	Mayor's Office - Admin	Uralla
30/01/2020	Mayor's Office - Admin	Uralla
03/02/2020	Mayor's Office - Admin	Uralla
04/02/2020	Mayor's Office - Admin	Uralla
	Extraordinary Meeting of Council	Uralla
05/02/2020	Mayor's Office - Admin	Uralla
	2AD interview	Uralla
06/02/2020	Mayor's Office - Admin	Uralla
10/02/2020	Mayor's Office - Admin	Uralla
11/02/2020	Mayor's Office - Admin	Uralla
	Councillor Strategic Planning Workshop	Uralla
	Budget Review & Finance Committee	Uralla
12/02/2020	Mayor's Office - Admin	Uralla
13/02/2020	Mayor's Office - Admin	Uralla
17/02/2020	Mayor's Office - Admin	Uralla
18/02/2020	New England Bush Fire Management Committee	Armidale
19/02/2020	Mayor's Office - Admin	Uralla
	2AD interview	Uralla
20/02/2020	Mayor's Office - Admin	Uralla
24/02/2020	Mayor's Office - Admin	Uralla
25/02/2020	Mayor's Office - Admin	Uralla
25/02/2020	Ordinary Meeting of Council	Uralla

Cr L Sampson left the meeting at 1:15pm.

Cr L Sampson returned to the meeting at 1:19pm.

10. MAYORAL MINUTE

Submitted by: Mayor, Cr M Pearce
Reference/Subject: Mayoral Minute 25 February 2020

MAYOR'S RECOMMENDATION:
That the Mayoral Minute be received and noted.

MOTION (Crs L Sampson / I Strutt)
That the Mayoral Minute be received and noted.

07.02/20 CARRIED

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11. REPORTS OF COMMITTEES

There were no Reports of Committees to the 25 February 2020 Meeting.

12. REPORTS TO COUNCIL (Scheduled Reports)

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

OFFICER'S RECOMMENDATION:

That;

1. Council note the cash position as at 31 December, 2019 consisting of cash and overnight funds of \$1, 707, 294, term deposits of \$14,500,000 totalling \$16,207,294 of readily convertible funds.
2. Council note the loan position as at 31 December, 2019 totalling \$2,302,733.

MOTION (Crs I Strutt / N Ledger)

That:

1. Council note the cash position as at 31 December, 2019 consisting of cash and overnight funds of \$1, 707, 294, term deposits of \$14,500,000 totalling \$16,207,294 of readily convertible funds.
2. Council note the loan position as at 31 December, 2019 totalling \$2,302,733.

08.02/20 CARRIED

Department: Organisations Services – Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 2 – Cash at Bank and Investments January

OFFICER'S RECOMMENDATION:

That;

1. Council note the cash position as at 31 January, 2020 consisting of cash and overnight funds of \$1,491,542 term deposits of \$14,500,000 totalling \$15,991,542 of readily convertible funds.
2. Council note the loan position as at 31 January, 2020 totalling \$2,292,341.

MOTION (Crs R Crouch / M Dusting)

That:

1. Council note the cash position as at 31 January, 2020 consisting of cash and overnight funds of \$1,491,542 term deposits of \$14,500,000 totalling \$15,991,542 of readily convertible funds.
2. Council note the loan position as at 31 January, 2020 totalling \$2,292,341.

09.02/20 CARRIED

Department: Budget Review and Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 3 – Strategic Direction for Water & Sewer Funds

OFFICER'S RECOMMENDATION:

That Council:

Set a strategic objective for both the Water and Sewer Funds to operate during the next ten years at a balanced operating position including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment and the modelling of tiered water pricing.

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

10.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION (Crs L Sampson / M Dusting)
To resume Standing Orders**

11.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / N Ledger)

That Council:

1. Amend the Reference/Subject of Report 3 to Strategic Direction for Water & Sewer Funds.
2. Set a strategic objective for both the Water and Sewer Funds to operate during the next ten years at a balanced operating position including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment and the modelling of tiered water pricing.

12.02/20 CARRIED

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 4 – 2019/20 2nd Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

1. That the second 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.

MOTION (Crs T Toomey / R Crouch)

That:

1. the second quarter budget review summary for the 2019/20 financial year be received and noted.
2. the adjustments requested to budget allocations be approved with the following exceptions:
 - a. Budget adjustments requested under issues 6 & 7 for \$238,000 and \$289,000 respectively are not approved as part of this QBRs as this would pre-empt the outcomes of reports 21 and 22 being considered in this meeting. (Note that this also relates to the Notes 36 & 37 under Income & Expenses Review Notes and to Notes 3 & 4 under Capital Budget Review Statement Notes).
 - b. Budget adjustments requested in relation to depreciation under issue 8 for \$112,000 is not approved until the depreciation being identified is related back to the appropriate Asset Management Plan.

13.02/20 CARRIED

Cr I Strutt , Cr N Ledger & Cr L Sampson requested that their vote against the motion be recorded.

Department: General Manager's Office
Submitted by: Senior Executive Officer
Reference/Subject: Report 5 – Schedule of Actions as at 25 February 2020

OFFICER'S RECOMMENDATION:

That Council receive and note the Schedule of Actions as at 25 February 2020.

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MOTION (Crs I Strutt / R Crouch)

That Council receive and note the Schedule of Actions as at 25 February 2020.

14.02/20 CARRIED

Department: General Manager's Office
Submitted by: Senior Executive Officer
Reference/Subject: Report 6 – Communication of Drought Relief & Economic Recovery Measure Information

OFFICER'S RECOMMENDATION:

That Council receive and note the report as at 25 February 2020.

PROCEDURAL MOTION (Crs R Crouch / M Dusting)

To move to Committee of the Whole

15.02/20 CARRIED

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

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs M Dusting / R Crouch)

To resume Standing Orders

16.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / R Crouch)

That Council receive and note the report as at 25 February 2020.

17.02/20 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 R Bell / T O'Connor)

That the report be received and noted.

18.02/20 CARRIED

Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 8 – Monthly Report - Library

OFFICER'S RECOMMENDATION:

That the report be received and noted.

MOTION (Crs I Strutt / M Dusting)

That the report be received and noted.

19.02/20 CARRIED

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Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 9 – Agency Information Guide 2020

OFFICER'S RECOMMENDATION:

That Council:

1. Place the Agency Information Guide 2020 at Attachment A on public exhibition for a period of 28 days; and
2. Subject to no submissions being received, adopt the Agency Information Guide 2020 at Attachment A.

MOTION (Crs R Crouch / T Toomey)

That Council:

1. Place the Agency Information Guide 2020 at Attachment A on public exhibition for a period of 28 days; and
2. Subject to no submissions being received, adopt the Agency Information Guide 2020 at Attachment A.

20.02/20 CARRIED

Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 10 – Participation in 2020 Bush Bursary/Country Women's Association Scholarship Program

OFFICER'S RECOMMENDATION:

That Council:

1. Participate in the Bush Bursary/Country Women's Association Scholarship program provided that one of the Uralla based medical practices commits to assisting with hosting the medical student in the Sponsorship program; and
2. Allocate \$3,000 for the sponsorship of one or two medical students in the 2020/21 Operational Plan and Budget.

(OR)

That Council not participate in the Bush Bursary/Country Women's Association Scholarship program in 2020.

MOTION (Crs I Strutt / M Dusting)

That Council:

1. Participate in the Bush Bursary/Country Women's Association Scholarship program provided that one of the Uralla based medical practices commits to assisting with hosting the medical student in the Sponsorship program; and
2. Allocate \$3,000 for the sponsorship of one or two medical students in the 2020/21 Operational Plan and Budget.

21.02/20 CARRIED

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

Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 11 – 2019-20 Operational Plan Progress Report at 30 December 2019

OFFICER'S RECOMMENDATION:

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

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

22.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr M Dusting left the meeting at 2:19pm.

Cr M Dusting returned to the meeting at 2:23pm.

Cr L Sampson left the meeting at 2:28pm.

Cr L Sampson returned to the meeting at 2:30pm.

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

23.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / R Bell)

That Council:

1. receive and note the 2019-2020 Operational Plan Second Quarter Progress Report as at 31 December 2019,
2. request staff prepare a report on the status, 4 green and 4 amber, of the Overarching Asset Management Strategy and Asset Management Plans listed for preparation, review, and updating in the Annual Action in Section 2.4.2.1 of the Goal 2.4 "Communities that are well serviced with essential services".
3. Request staff prepare a report on the status, green, of the Kentucky Creek Safety Plan listed for review in Annual Action in Section 3.1.3.1 of the Goal 3.1 "To preserve, protect and renew our beautiful natural environment"

24.02/20 CARRIED

Cr N Ledger and Cr L Sampson requested that their vote against the motion be recorded.

PROCEDURAL MOTION (Crs M Pearce / M Dusting)
Meeting Adjournment 2:45pm to 2:55pm.

25.02/20 CARRIED

The Meeting resumed at 2:55pm.

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 12 – Regulatory Statistics Ending 31 December 2019

OFFICER'S RECOMMENDATION:

That the Regulatory Function Statistics ending 31 December 2019 be received and noted.

MOTION (Crs I Strutt / T Toomey)

That the Regulatory Function Statistics ending 31 December 2019 be received and noted.

26.02/20 CARRIED

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Department: Infrastructure & Development
Submitted by: Director of Infrastructure & Development
Reference/Subject: Report 13 – Development Approvals and Refusals for December 2019

Department: Infrastructure & Development
Submitted by: Director of Infrastructure & Development
Reference/Subject: Report 14 – Development Approvals and Refusals for January 2020

Cr M Dusting, having previously declared a conflict of interest, left the meeting at 2:56pm.

OFFICER'S RECOMMENDATION:

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

MOTION (Crs T O'Connor / N Ledger)

That Council receive and note the development approvals and refusals for December 2019 and January 2020.

27.02/20 CARRIED

Cr M Dusting was absent at the time of voting. Cr M Dusting returned to the meeting at 2:58pm.

Department: Infrastructure & Development
Submitted by: Manager of Development and Planning
Reference/Subject: Report 15 – Amended Uralla Development Control Plan 2011 Amendment No 5

OFFICER'S RECOMMENDATION:

That Council:

1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a second period of not less than 28 days; and
2. 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.

PROCEDURAL MOTION (Crs R Crouch / T Toomey)

To move to Committee of the Whole

28.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs I Strutt / N Ledger)

To resume Standing Orders

29.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs N Ledger / I Strutt)

That Council:

1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a second period of not less than 28 days; and
2. 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.

30.02/20 CARRIED

Department: Infrastructure & Development

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Submitted by: Manager of Development and Planning
Reference/Subject: Report 16 – Draft Uralla Local Strategic Planning Statement 2020

OFFICER'S RECOMMENDATION:

That Council:

1. Places the draft Uralla Local Strategic Planning Statement 2020 on public exhibition for a period of not less than 28 days; and
2. Give the General Manager delegated authority to adopt and make the Uralla Local Strategic Planning Statement 2020 if no submissions are received from the public or the Department of Planning, Industry and Environment.

PROCEDURAL MOTION (Crs R Crouch / T Toomey)

To move to Committee of the Whole

31.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T Toomey / R Bell)

To resume Standing Orders

32.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs I Strutt / R Bell)

That discussion on this Local Strategic Planning Statement 2020 be included in a March Councillor Strategic Planning Workshop.

33.02/20 CARRIED

Cr T Toomey left the meeting at 3:41pm.

Department: Infrastructure and Development
Submitted by: Manager Planning and Development
Reference/Subject: Report 17 – DIVISION DECISION – Development Application 71/2019 – Studio, Carport & Laundry/Store Area – 22 Fitzroy Street, Uralla

OFFICER'S RECOMMENDATION:

That Council approve the Development Application 71/2019 for a Studio, Carport & Laundry/Store Area at 22 Fitzroy Street, Uralla (Lot 29 DP 258313) subject to the following conditions of consent:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Nil

GENERAL CONDITIONS

1. 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.

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2. 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.
3. The studio is not to be used as a domicile without prior written consent from Council..

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
4. No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.
5. 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.
6. Any rainwater tank must be installed so that it is:
 - (a) Not interconnected in any way with Council's water supply without a backflow prevention device.
 - (b) If it is connected with Council's water supply, then it must have a backflow prevention device that is compliant with AS 3500 National Plumbing and Drainage Code - Compendium
 - (c) The overflow is to be connected to the stormwater system.

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

MOTION (Crs R Bell / T O'Connor)

That:

Council approve the Development Application 71/2019 for a Studio, Carport & Laundry/Store Area at 22 Fitzroy Street, Uralla (Lot 29 DP 258313) subject to the following conditions of consent:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Nil

GENERAL CONDITIONS

1. 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.
2. 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.
3. The studio is not to be used as a domicile without prior written consent from Council..

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

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

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

5. 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.

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

(a) Not interconnected in any way with Council's water supply without a backflow prevention device.

(b) If it is connected with Council's water supply, then it must have a backflow prevention device that is compliant with AS 3500 National Plumbing and Drainage Code - Compendium

(c) The overflow is to be connected to the stormwater system.

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

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 M Dusting, Cr B Crouch, Cr L Sampson, Cr N Ledger

AGAINST: Nil

ABSENT: Cr T Toomey

34.02/20 CARRIED

Cr T Toomey returned to the meeting at 3:42pm.

Department: Infrastructure and Development
Submitted by: Manager Planning and Development
Reference/Subject: Report 18 – DIVISION DECISION – DA-80-2019 Verandah Enclosure, Ensuite and Garage – 51 John Street, Uralla

Cr M Dusting & Cr R Crouch, having previously declared a conflict of interest, left the meeting at 3:42pm.

OFFICER'S RECOMMENDATION:

That Council approve the Development Application 80/2019 for a verandah enclosure, ensuite and garage at 51 John Street, Uralla (Lot 12 DP 1198902) 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.

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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*.

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.

Notification of Home Building Act 1989 requirements

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.

GENERAL CONDITIONS

8. The development shall be implemented in accordance with:
- (c) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
 - (d) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
9. 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.*

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10. The structures are 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.

11. 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.

12. Occupancy of the buildings 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.

13. 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 existing stormwater channel in John Street.
- (b) By piping to a rainwater tank and then via the overflow to the existing stormwater channel in John Street.

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

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

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

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

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15. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.

The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.

Reason: Statutory requirement

16. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.

Reason: Statutory requirement

Note: A certificate of compliance is a written document, in an approved form, that certifies that the plumbing and drainage work to which it relates is code compliant.

17. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:

- a) The owner of the land or the owner's agent,
- b) The Council.

Reason: Statutory requirement

18. 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.

19. The driveway must be concrete or bitumen sealed from John Street to the garage.

Reason: To prevent dust from detrimentally affecting the amenity of neighbouring properties..

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.

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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. 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.*
28. 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.

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

Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

30. 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.

31. 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.

MOTION (Crs R Bell / I Strutt)

That Council approve the Development Application 80/2019 for a verandah enclosure, ensuite and garage at 51 John Street, Uralla (Lot 12 DP 1198902) 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:

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

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

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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.

Notification of Home Building Act 1989 requirements

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.

GENERAL CONDITIONS

8. 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.
9. 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.

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10. The structures are 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.

11. 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.

12. Occupancy of the buildings 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.

13. 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 existing stormwater channel in John Street.
- (b) By piping to a rainwater tank and then via the overflow to the existing stormwater channel in John Street.

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

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

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

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

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15. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.

The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.

Reason: Statutory requirement

16. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.

Reason: Statutory requirement

Note: A certificate of compliance is a written document, in an approved form, that certifies that the plumbing and drainage work to which it relates is code compliant.

17. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:

- a) The owner of the land or the owner's agent,
- b) The Council.

Reason: Statutory requirement

18. 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.

19. The driveway must be concrete or bitumen sealed from John Street to the garage.

Reason: To prevent dust from detrimentally affecting the amenity of neighbouring properties..

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.

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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. 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.*
28. 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.

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

Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

30. 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.

31. 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.

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 L Sampson, Cr N Ledger

AGAINST: Nil

ABSENT: Cr R Crouch, Cr M Dusting

35.02/20 CARRIED

Cr M Dusting & Cr R Crouch returned to the meeting at 3:43pm.

Department: Infrastructure & Development
Submitted by: Director of Infrastructure & Development
Reference/Subject: Report 19 – Operational Classification of Land for the Bundarra Sewage Treatment Plant

OFFICER'S RECOMMENDATION:

That Council resolve to classify the recently purchased land for the Bundarra Sewage Treatment Plant, being Lot 1 DP 1259420, as operational.

MOTION (Crs N Ledger / T O Connor)

That Council resolve to classify the recently purchased land for the Bundarra Sewage Treatment Plant, being Lot 1 DP 1259420, as operational.

36.02/20 CARRIED

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Department: Infrastructure & Development
Submitted by: Environmental Management Co-ordinator
Reference/Subject: Report 20 – Bulk replacement of existing streetlight lamps with LED lamps in Uralla Shire.

OFFICER'S RECOMMENDATION:

That:

Council resolve to fund capital expenditure of \$74,994.21 for the bulk replacement of existing streetlight lamps with LED lamps in Uralla Shire from the Council Reserves or grant funding if available.

MOTION (Crs N Ledger / I Strutt)

That:

Council resolve to fund capital expenditure of \$74,994.21 for the bulk replacement of existing streetlight lamps with LED lamps in Uralla Shire from the Council Reserves with preference to grant funding if available.

37.02/20

CARRIED

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 21 – Works Progress Report as at 31 January 2020

Cr M Dusting, having previously declared a conflict of interest, left the meeting at 3:52pm.

OFFICER'S RECOMMENDATION:

That:

the report be received and noted for the works completed or progressed during January 2020, and works programmed for February 2020.

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

To move to Committee of the Whole

38.02/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr L Sampson left the meeting at 4:13pm.

Cr L Sampson returned to the meeting at 4:17pm.

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

To resume Standing Orders

39.02/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / R Bell)

That:

Council note the contents of Works Progress Report as at 31 January 2020 for works undertaken for the months of December 2019 and January 2020 and the works to be continued or undertaken in February 2020, while expressing concern that the unfunded road upgrade construction on Mt Mitchell Road and John Street asphalt overlay which have not been before Council for approval prior to commencement of construction.

40.02/20

CARRIED

Cr M Dusting was absent at the time of voting. Cr M Dusting returned to the meeting at 4:20pm.

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Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 22 – Funding Approval - Mt Mitchell Road Upgrade Funding

OFFICER'S RECOMMENDATION:

That Council:

Approve the estimated expenditure for the sprayed seal and safety barriers at \$108,000 for the upgrade works at Mt Mitchell Road from the Roads and Traffic Facilities Section 94 Contributions (Invergowrie)

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

41.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION (Crs T O Connor/ T Toomey)
To extend the time past 5:00pm**

42.02/20 CARRIED

**PROCEDURAL MOTION (Crs M Dusing / R Bell)
To resume Standing Orders**

43.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / R Bell)

That Council:

1. Approve the estimated expenditure for the sprayed seal and safety barriers at \$108,000 for the upgrade works at Mt Mitchell Road from a source that the Chief Financial Officer is to advise at the March Ordinary Meeting of Council.
2. Acknowledges that this is unauthorised expenditure under Section 211 authorisation of expenditure NSW Local Government (General) Regulation 2005.

FORESHADOWED MOTION (Cr N Ledger)

1. Approve the estimated expenditure for the sprayed seal and safety barriers at \$108,000 for the upgrade works at Mt Mitchell Road from a source that the Chief Financial Officer is to advise at the March Ordinary Meeting of Council.
2. That Council would appreciate inclusion to any changes to the Transport Management Asset Plan to come to Council before enacted for deliberations.

In the absence of a SECONDER the Chair declared the FORSHADOWED MOTION as LAPSED.

The Chair referred Councillors to the MOTION before Council, moved Cr T O'Connor Seconded Cr R Bell.

44.02/20 The MOTION was PUT and CARRIED without further debate

Department: Infrastructure & Development
Submitted by: Manager Waste, Water and Sewer Services
Reference/Subject: Report 23 – Water Update - Arsenic Treatment Progress

OFFICER'S RECOMMENDATION:

That Council:

Receive and note the report regarding the actions and implications of the elevated levels of arsenic in the Kentucky Creek Dam and the summary of tests from 2019 and 2020 for arsenic.

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

44.02/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr L Sampson left the meeting at 5:39pm.

Cr L Sampson returned to the meeting at 5:42pm.

Cr R Bell left the meeting at 5:45pm.

Cr R Bell returned to the meeting at 5:47pm.

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

45.02/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T Toomey / R Bell)

That Council:

1. Receive and note the report regarding the actions and implications of the elevated levels of arsenic in the Kentucky Creek Dam and the summary of tests from 2019 and 2020 for arsenic.
2. Receive advice from the Acting General Manager to satisfy the following areas
 - a. Why has Council applied for funding for a system with a flow rate at Level 4 restrictions (ie 600kl/day)?
 - b. What is the cost of implementing a system that would return the water plant to 1,200 kl/day (No restrictions) flow rate?
 - c. What testing authority has been relied upon to determine that the system Council staff have applied for is in fact the correct solution for the Uralla Shire water supply and that it will certainly deal with the elevated arsenic levels?
 - d. How many tests were conducted at private testing facilities and at what cost? What are the dates and results of these tests, including the timeframe between the sample date and the result being received?
 - e. Was a non NATA accredited facility used to conduct the tests?
 - f. Why is there only one test prior to November 2019?
 - g. Please explain the testing regime during 2019. The previous statements about the 6 monthly arsenic testing regime are not borne out by the data provided.

46.02/20 CARRIED

**PROCEDURAL MOTION (Crs N Ledger / M Pearce)
Meeting Adjournment 5:49pm to 5:59pm.**

47.02/20 CARRIED

The Meeting resumed at 5:59pm.

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 24 – Bundarra Sewer Scheme Request for Tender

OFFICER'S RECOMMENDATION:

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That Council:

1. Increase the upper limit of its funding commitment to the project from to \$1,772,000 to \$2,255,630, and
2. Advertise the tender for the construction of the Bundarra Sewerage Scheme upon the finalisation of the Request for Tender documentation and completion of the new funding deed for funding through the Safe and Secure Water Program.

MOTION (Crs T O'Connor / R Bell)

That Council:

1. Increase the upper limit of its funding commitment to the project from to \$1,772,000 to \$2,255,630, and
2. Advertise the tender for the construction of the Bundarra Sewerage Scheme upon the finalisation of the Request for Tender documentation and completion of the new funding deed for funding through the Safe and Secure Water Program.
3. Provide a report on the review of the performance of the Project Management Consultant to the March Ordinary Meeting of Council.

48.02/20 CARRIED

Department: Infrastructure and Development
Submitted by: Manager Development and Planning
Reference/Subject: Report 25 – Recommendations of Uralla Township and Environs Committee
October and December 2019 meetings

OFFICER'S RECOMMENDATION:

That Council resolve to:

1. Receive and note the minutes of 8 October 2019 and 10 December 2019 meetings of the Uralla Township and Environs Committee, and
2. Endorse the officer's recommendations that:
 - a) Council not pursue investigations into providing further short term stay parking through use of the vacant block on Queen St behind the CBD, and the railway station precinct in Uralla;
 - b) The recommendations for the Bridge Street Blister Gardens should be considered in development of the detailed design of the Bridge Street High Pedestrian Activity Concept Plan;
 - c) Council staff request UTEC confirm the details of the proposal "That Council make an effort to clean up walkways, in particular the path on Maitland Street to Alma Park."
 - d) Council undertake refurbishment of the "Arnold Goode" rotunda in Alma Park under Round 2 of the Stronger Country Communities Programme".

MOTION (Crs I Strutt / N Ledger)

That Council resolve to:

1. Receive and note the minutes of 8 October 2019 and 10 December 2019 meetings of the Uralla Township and Environs Committee, and
2. Endorse the officer's recommendations that:
 - a) Council not pursue investigations into providing further short term stay parking through use of the vacant block on Queen St behind the CBD, and the railway station precinct in Uralla;
 - b) The recommendations for the Bridge Street Blister Gardens should be considered in development of the detailed design of the Bridge Street High Pedestrian Activity Concept Plan;

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- c) Council staff request UTEC confirm the details of the proposal "That Council make an effort to clean up walkways, in particular the path on Maitland Street to Alma Park." Council undertake refurbishment of the "Arnold Goode" rotunda in Alma Park under Round 2 of the Stronger Country Communities Programme".

49.02/20 CARRIED

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 26 – Heritage Advisory Services Summary for February 2020

OFFICER'S RECOMMENDATION:

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

MOTION (Crs R Crouch / M Dusting)

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

50.02/20 CARRIED

13. MOTIONS ON NOTICE / QUESTIONS WITH NOTICE

There were no Notices of Motion or Questions with Notice addressed to the 25 February Meeting.

14. CONFIDENTIAL MATTERS

PROCEDURAL MOTION (Crs I Strutt / M Dusting)

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 25 February 2020 meeting are received by Council under Section 10A (2)(d)(i) of the Local Government Act (NSW) 1993.

(1) 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:

- (d) commercial information of a confidential nature that would, if disclosed:**
(i) prejudice the commercial position of the person who supplied it, or

51.02/20 CARRIED

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REPORTS TO CLOSED SESSION

Department: Infrastructure & Development
Submitted by: Assets Manager
Reference/Subject: Late Confidential Report 1 – Uralla Treated Sewage Effluent Reuse Proposal

Cr R Bell, Cr R Crouch & Cr T Toomey having previously declared a conflict of interest, left the meeting at 6:11pm.

OFFICER'S RECOMMENDATION:

That Council:

1. endorse the applicant's proposal for the provision of the necessary infrastructure for the additional treatment and collection by tankers of treated sewage effluent from the Uralla sewage treatment plant subject to the following;
 - Detailed costing's to be provided for the scheme as proposed upon completion of the detailed design;
 - All works be designed, constructed and commissioned to Council's satisfaction;
 - Procurement to be undertaken in accordance with Council and State Government requirements;
 - All costs associated with the development of the detailed design and securing of approvals to be met by the applicant;
 - Appropriate arrangements be put in place to ensure that any repairs related to damage to the local roads resulting from this activity be met by the applicant;
 - Maintenance costs of the scheme be met by the applicant for the first three years of operation;
 - A risk assessment be undertaken to support the detailed design to be approved by Council;
 - An independent probity assessment at the applicant's cost to consider the detailed application that confirms the appropriate arrangements to deliver the project.
2. Set the charge for treated sewage effluent at \$1/kL for the 20/21 financial year in determining the fees and charges.

MOTION (Crs T O Connor / L Sampson)

That Council:

1. Endorse UPC Renewables Australia Pty Ltd proposal for the provision of the necessary infrastructure for the additional treatment and collection by tankers of treated sewage effluent from the Uralla sewage treatment plant subject to the following;
 - Detailed costing's to be provided for the scheme as proposed upon completion of the detailed design;
 - All works be designed, constructed and commissioned to Council's satisfaction;
 - Procurement to be undertaken in accordance with Council and State Government requirements;
 - All costs associated with the development of the detailed design and securing of approvals to be met by the applicant;
 - Appropriate arrangements be put in place to ensure that any repairs related to damage to the local roads resulting from this activity be met by the applicant;
 - Maintenance costs of the scheme be met by the applicant for the first three years of operation;
 - A risk assessment be undertaken to support the detailed design to be approved by Council;
 - An independent probity assessment at the applicant's cost to consider the detailed application that confirms the appropriate arrangements to deliver the project.
2. Set the charge for treated sewage effluent at \$1/kL for the 20/21 financial year in determining the fees and charges.

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52.02/20 CARRIED

Cr Crouch, Bell & Toomey was absent at the time of voting.

MOVE TO OPEN SESSION

**PROCEDURAL MOTION (Crs M Disting / L Sampson)
To return to Open Session of Council.**

53.02/20 CARRIED

**PROCEDURAL MOTION (Crs M Disting / L Sampson)
That:
The resolutions of Closed Session of Council become the resolutions of Open Session of Council.**

54.02/20 CARRIED

15. COMMUNICATION OF COUNCIL DECISIONS

CLOSURE OF MEETING

The meeting was closed at: 6:15pm

COUNCIL MINUTES CONFIRMED BY:

RESOLUTION NUMBER:	01.03/20
DATE:	24 March 2020
MAYOR:	