



ORDINARY MEETING OF COUNCIL

**Held at 12:30pm
27 November 2018**

ROLL CALL

Councillors:

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

Staff:

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

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 27 November 2018

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The Meeting Commenced at: 12:30pm

ATTENDANCE

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

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT TO COUNTRY

4. APOLOGIES

The Chair advised there were no apologies received.

5. REQUESTS FOR LEAVE OF ABSENCE

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

6. DISCLOSURES & DECLARATION OF INTERESTS

The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 27 November 2018 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr R Crouch	Report 6 Notice of Motion 4	Non-pecuniary Non-pecuniary	Near Neighbour Mr Baker is employed by a builder with whom I have a commercial relationship
Cr I Strutt	Report 5 – Development Application No. DA- 50-2018 Report 13	Non-pecuniary Non-pecuniary	I am a Parish Councillor – but as this report is for notation, not decision, I will leave meeting if discussion on this Development Application arises I am the Secretary of the Lions Club of Uralla
Cr N Ledger	Report 14 Notice of Motion 3	Non-pecuniary Pecuniary	Family friend Refund of expenses

7. CONFIRMATION OF MINUTES

Minutes to be confirmed or received and noted at the 27 November 2018 Meeting:

- Minutes of Extraordinary Meeting held 10 July 2018 (to be confirmed)
- Minutes of Ordinary Meeting held 30 October 2018 (to be confirmed)
- Minutes of Extraordinary Meeting held 13 November 2018 (to be confirmed)

AMENDMENTS

The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 10 July 2018 and called for any amendments.

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There were no amendments requested by Councillors.

MOTION (Crs M Dusting / I Strutt)

That;

Council adopt the Minutes, as a true and correct record of the Extraordinary Meeting held 10 July 2018.

01.11/18 CARRIED

AMENDMENTS

The Chair referred Councillors to the Minutes of the Ordinary meeting held 30 October 2018 and called for any amendments.

There were no amendments requested by Councillors.

MOTION (Crs I Strutt / L Sampson)

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 30 October 2018.

02.11/18 CARRIED

AMENDMENTS

The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 13 November 2018 and called for any amendments.

There were no amendments requested by Councillors.

MOTION (Crs M Dusting / I Strutt)

That;

Council adopt the Minutes, as a true and correct record of the Extraordinary Meeting held 13 November 2018.

03.11/18 CARRIED

8. ANNOUNCEMENTS

The Chair advised there were no announcements.

9. TABLING OF REPORTS & PETITIONS

The Chair advised there were no reports or petitions tabled.

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

The Chair referred Councillors to the items of business recommended for consideration in the confidential section of the meeting.

- Request for Local Government Area Boundary Adjustment

PROCEDURAL MOTION (Crs L Sampson / R Crouch)

To refer Agenda Items for hearing in Closed Session

That;

The Report in regard to Request for Local Government Area Boundary Adjustment be heard in closed session of Council, under Section 21 of the Meeting Agenda.

04.11/18 CARRIED

11. 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 – Audited Annual Financial Statements for 2017/18

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PROCEDURAL MOTION (Crs M Dusting / L Sampson)

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

That;

The late items of business be heard following the Presentation to Council in the Meeting Agenda as;

- Late Report 1 - Audited Annual Financial Statements for 2017/18

05.11/18 CARRIED

12. PRESENTATIONS

Speaker 1:	James Sugumar, Director, Financial Audit Audit Office of NSW
Subject:	Presentation on the audit of the Financial Statements for the year ended 30 June 2018

The Chair introduced the Speaker, James Sugumar.

The Speaker made a presentation to Council in relation to the audit of the Uralla Shire Council Financial Statements for the year ended 30 June 2018.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

16. LATE REPORTS TO COUNCIL (Rescheduled Report)

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Late Report 1 - Audited Annual Financial Statements for 2017/18

OFFICER'S RECOMMENDATION:

That;

The Auditor's Report and Annual Financial Statements for the year ended 30 June 2018 be adopted.

MOTION (Crs I Strutt / N Ledger)

That;

The Auditor's Report and Annual Financial Statements for the year ended 30 June 2018 be adopted.

06.11/18 CARRIED

13. DEPUTATIONS

There were no deputations registered for the 27 November 2018 Meeting.

14. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	27 November 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
30/10/2018	Ordinary Council Meeting	Uralla
08/11/2018	Northern Tablelands Regional Weeds Committee Meeting	Lake Keepit
13/11/2018	Extraordinary Meeting	Uralla
13/11/2018	Councillor Workshop	Uralla
26/11/2018	NEJO Meeting	Armidale
27/11/2018	Site inspection	Uralla

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COUNCILLOR NAME:		Robert Crouch
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
07/11/2018	Bundarra School of Arts Hall Committee meeting	Bundarra
13/11/2018	Councillor Workshop	Uralla
13/11/2018	Extraordinary Meeting	Uralla
13/11/2018	Uralla Township and Environs Committee meeting	Uralla
14/11/2018	EPA visit regarding rubbish bin signage	Uralla
16/11/2018	Munsie Bridge opening	Uralla
27/11/2018	Audit Risk and Improvement Committee meeting	Uralla
27/11/2018	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Levi Sampson
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/11/2018	Councillor Workshop	Uralla
13/11/2018	Extraordinary Meeting	Uralla
13/11/2018	Uralla Township and Environs Committee meeting	Uralla
27/11/2018	Ordinary Council Meeting	Uralla
27/11/2018	Site inspection	Uralla

COUNCILLOR NAME:		Natasha Ledger
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
30/10/2018	Ordinary Council Meeting	Uralla
	Future of Energy Screening	McCrossin's Mill, Uralla
07/11/2018	Bundarra School of Arts Hall Meeting	Bundarra
11/11/2018	Remembrance Day	Uralla
11/11/2018	Antique Show	
13/11/2018	Extraordinary Meeting	Uralla
13/11/2018	Uralla Township and Environs Committee meeting	Uralla
13/11/2018	Uralla Shire Show Society meeting	Uralla
16/11/2018	Munsie Bridge Opening	Uralla
20/11/2018	Australia Day Committee Meeting	Uralla
23/11/2018	NEJO Meeting	Armidale

COUNCILLOR NAME:		Tara Toomey
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
13/11/2018	Councillor Workshop	Uralla
13/11/2018	Extraordinary Meeting	Uralla
16/11/2018	Munsie Bridge Opening	Uralla
27/11/2018	Audit Risk & Improvement Committee Meeting	Uralla
27/11/2018	Site Inspection	Uralla
27/11/2018	Ordinary Meeting	Uralla

COUNCILLOR NAME:		Robert Bell
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
05/11/2018	Mid-North Weight of Loads Meeting	Dungog
12/11/2018	Kevin Ward Farewell	Uralla

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11/11/2018	Remembrance Day	Uralla
13/11/2018	Councillor Workshop	Uralla
16/11/2018	Munsie Bridge Opening	Uralla
27/11/2018	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Isabel Strutt
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
09/11/2018	State Librarian and Library Council of NSW Visit	Uralla
12/11/2018	Arts North West Morning Tea	Uralla
13/11/2018	Extraordinary Council Meeting	Uralla
13/11/2018	Councillor Workshop	Uralla
13/11/2018	Uralla Township and Environs Committee meeting	Uralla
14/11/2018	Central Northern Regional Library AGM	Tamworth
16/11/2018	Munsie Bridge Opening	Uralla
27/11/2018	Audit Risk & Improvement Committee meeting	Uralla
27/11/2018	Site-inspection	Uralla
27/11/2018	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:		Michael Pearce
COUNCIL MEETING DATE:		27 November 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
31/10/18	Mayor's Office – Admin	Uralla
1/11/18	Waste to Energy Forum Parliament House	Sydney
2/11/18	Country Mayors Association AGM/Meeting	Sydney
5/11/18	Mayor's Office – Admin	Uralla
6/11/18	Mayor's Office – Admin	Uralla
7/11/18	Soft Power roundtable discussion with Dept of Foreign Affairs and Trade, DFAT.	UNE
8/11/18	Mayor's Office – Admin	Uralla
11/11/18	Remembrance Day acknowledgement	Uralla
12/11/18	Mayor's Office – Admin	Uralla
13/11/18	Extraordinary Council meeting Councillor workshop and training	Uralla
14/11/18	New England Motorcycle Map Launch	Sydney
15/11/18	Mayor's Office – Admin Uralla Central School Presentation Night	Uralla
16/11/18	Mayor's Office – Admin Munsie's Bridge opening.	Uralla
17/11/18	Friends of McMaugh Gardens canteen, Thunderbolt Rodeo	Uralla
19/11/18	Mayor's Office – Admin Funding announcement	Uralla
20/11/18 21/11/18	National Local Roads and Transport Congress	Alice Springs
23/11/18	Mayor's Office - Admin	Uralla
26/11/18	New England Joint Organisation meeting	Armidale
27/11/18	Audit, Risk and Improvement meeting November Council meeting	Uralla

Cr M Dusting left the meeting at 1:06pm.

Cr M Dusting returned to the meeting at 1:08pm.

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15. MAYORAL MINUTE

Submitted by: Mayor, Cr Michael Pearce
Reference/Subject: Mayoral Minute – 27 November 2018

MAYOR'S RECOMMENDATION:

That;
The mayoral minute be received and noted.

MOTION (Crs M Dusting / I Strutt)

That;
The mayoral minute be received and noted.

07.11/18 CARRIED

16. REPORTS TO COUNCIL (Scheduled Reports)

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

OFFICER'S RECOMMENDATION:

That;
Council note the cash position as at 31 October, 2018 consisting of cash and overnight funds of \$1,437,816, term deposits of \$13,550,000 totalling \$14,987,816 of readily convertible funds.

MOTION (Crs M Dusting / N Ledger)

That;

1. Council note the cash position as at 31 October, 2018 consisting of cash and overnight funds of \$1,437,816, term deposits of \$13,550,000 totalling \$14,987,816 of readily convertible funds; and
2. Council appreciates the effort the staff have put in.

08.11/18 CARRIED

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 2 - 2018/19 – 1st Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

That;

1. The first quarter budget review summary for the 2018/19 financial year be received and noted;
2. The adjustments to budget allocations, including transfers to and from reserves, be adopted; and
3. Expenditure to be revoked from 2017/18 be adopted.

PROCEDURAL MOTION (Crs T Toomey / R Crouch)

To move to Committee of the Whole

09.11/18 CARRIED

Councillors held a detailed discussion in committee regarding the first quarter budget review summary.

PROCEDURAL MOTION (Crs I Strutt / M Dusting)

To resume Standing Orders

10.11/18 CARRIED

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

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MOTION (Crs I Strutt / L Sampson)

That;

1. The first quarter budget review summary for the 2018/19 financial year be received and noted;
2. The adjustments to budget allocations, including transfers to and from reserves, be adopted; and
3. Expenditure to be revoked from 2017/18 be adopted.

11.11/18 CARRIED

Department: Organizational Services – Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 3 - Note the Draft Long Term Financial Plan 2019-28

OFFICER'S RECOMMENDATION:

That Council;

1. Note the draft Long Term Financial Plan (LTFP) 2019-2028.
2. Refer the draft LTFP 2019-2028 to the Budget Review and Finance Committee for priority review so that the draft LTFP can be recommended for adoption by Council.

PROCEDURAL MOTION (Crs T Toomey / R Crouch)

To move to Committee of the Whole

12.11/18 CARRIED

Councillors held a detailed discussion in committee regarding the draft Long Term Financial Plan.

PROCEDURAL MOTION (Crs R Crouch / M Dusting)

To resume Standing Orders

13.11/18 CARRIED

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

MOTION (Crs I Strutt / R Crouch)

That Council;

1. Note the draft Long Term Financial Plan (LTFP) 2019-2028.
2. Refer the draft LTFP 2019-2028 to the Budget Review and Finance Committee for priority review so that the draft LTFP can be recommended for adoption by Council.

14.11/18 CARRIED

Department: Community and Governance
Submitted by: Director Community and Governance
Reference/Subject: Report 4 - Adoption of Annual Report 2017-18

OFFICER'S RECOMMENDATION:

That Council;

1. Adopt the Annual Report for the 2017-18 period, contained at Attachment A.
2. Note that Annual Report will be posted to Council's website and submitted to the NSW Minister for Local Government by 30 November 2018, as required under section 428(5) of the *Local Government Act 1993*.

PROCEDURAL MOTION (Crs R Crouch / N Ledger)

To move to Committee of the Whole

15.11/18 CARRIED

Councillors held a detailed discussion in committee regarding the 2017-18 Annual Report.

Cr L Sampson left the meeting at 1:51pm.

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Cr L Sampson returned to the meeting at 1:53pm.

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

16.11/18 CARRIED

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

MOTION (Crs R Crouch / M Disting)

That Council;

1. Adopt the Annual Report for the 2017-18 period, contained at Attachment A.
2. Note that Annual Report will be posted to Council's website and submitted to the NSW Minister for Local Government by 30 November 2018, as required under section 428(5) of the *Local Government Act 1993*.
3. That Council express their appreciation to staff for preparing the report and their efforts through the year.

17.11/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 5 - Development Approvals and Refusals for October 2018

OFFICER'S RECOMMENDATION:

That;

Council receive and note the development approvals and refusals for October 2018.

MOTION (Crs R Crouch / L Sampson)

That;

Council receive and note the development approvals and refusals for October 2018.

18.11/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 6 - DIVISION DECISION - Development Application 38/2018 - T and J Schofield - 14 Lot Residential Subdivision - 17 Leece Road, Uralla

Cr R Crouch, having previously declared a conflict of interest, left the meeting at (1:56pm).

OFFICER'S RECOMMENDATION:

That;

Council approve Development Application 38/2018 submitted by Trevor and Jennifer Schofield for a 14 lot residential subdivision on land known as 17 Leece Road, Uralla, being Lot 21 DP 1113205 subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

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

Erection of signs

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.*

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

Notification of Home Building Act 1989 requirements

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.*

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

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.*

7. 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.

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GENERAL CONDITIONS

8. The development shall be implemented in accordance with:
- All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
 - 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:
- to meet the setback requirements of the approved plans,
 - to be located within the confines of the lot, and;
 - 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.*
10. This approval is for two stages being:
- Stage One being Lots 1 to 6
 - Stage Two being Lots 7 to 14
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
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. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Regional Council Engineering Design Codes in force at the time, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
- Reason: To ensure works are completed in line with appropriate standards.*
13. Council is to be given 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 clause 103 and 104 of the Environmental Planning and Assessment Regulation 2000.*
14. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.
- Reason: To ensure works are completed in line with appropriate standards.*
15. No storage of building materials, soil or equipment is to occur on Council's property or roads without the written consent of Council's Director of Infrastructure and Regulation. No unfenced, potentially dangerous activity or material is to be located in close proximity to the street boundary or pedestrian walkway adjoining the site. No unsupervised transit of plant, equipment or vehicles across public areas or other obstruction of those areas is permitted.
- Reason: To ensure that construction impacts from the development are generally contained within the site.*

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16. 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.
17. Under-road conduits are to be provided to cater for electricity, telecommunications, gas supply or other underground utility services. Utility crossings of public roads are to be under-road bored and Council's Director of Infrastructure & Regulation advised of the intention to commence work at least 48 hours in advance. The developer and its agents are responsible for ascertaining the location of existing underground services before commencing work. Any damage to existing services or to the road construction is to be made good at the expense of the developer.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
18. Effective dust control measures are to be maintained during construction to maintain public safety/amenity and construction activities are to be restricted solely to the subject site. No vehicular access from Depot Road is permitted during construction.
Reason: To preserve public amenity and minimise impacts on surrounding properties during construction.
19. Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798-1990 Guidelines on Earthworks for Commercial and Residential Developments. The developer's structural engineering consultant shall:
- identify the source of the fill and certify that it is free from contamination; and
 - classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1.
- Reason: To ensure any fill used in construction is of an appropriate standard.*
20. The driveway in the access handle is to be gravel and bitumen sealed or concreted for a width of 3 metres. This is to be constructed to a standard approved by the Director of Infrastructure and Regulation and is to be at the expense of the developer.
Reason: To ensure an appropriate level of access.
21. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
Reason: To ensure works are completed in line with appropriate standards.
22. The internal water mains within the estate are to form a looped system with no dead ends. The design must comply with firefighting minimum pressures and standards which are to be supplied in addition to peak instantaneous demands for a typical residential water demand.
Reason: To ensure works are completed in line with appropriate standards.
23. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.
Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

24. The subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council prior to the release of the subdivision certificate.
Reason: To ensure that subdivision is adequately serviced by utilities.
25. Prior to the issue of a subdivision certificate, an application for a subdivision certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.

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- Reason: To ensure provision of appropriate documentation.*
26. Prior to the issue of a subdivision certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
Reason: To ensure that subdivision is adequately serviced by utilities.
27. The applicants shall provide one set of print film copies of “work as executed” plans to Council for works carried out on Council property or benefiting Council. Each plan is to have a scale adjacent to the title block showing the scale used on that plan. The location of any fill introduced, by both plan limit and depth, together with relevant classifications shall be shown on the “work as executed” plans to be submitted to Council.
Reason: To ensure Council has been provided with the location of new infrastructure.
28. The applicant / developer shall have prepared documentation for presentation to the Land Titles Office for the dedication to Council of all drainage easements in order to protect the area from inadvertent filling or destruction that could change the flow characteristics of the flow regime.
Reason: To protect drainage lines from inappropriate development.
29. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an “easement for sewerage drainage” in favour of the proposed Lots.
 - (b) It must be located centrally over the new sewer line.
 - (c) It must have a minimum width of 1 metre.
- Reason: To protect sewer lines from inappropriate development.*
30. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an “easement for water supply” in favour of the proposed Lots.
 - (b) It must be located centrally over the new sewer line.
 - (c) It must have a minimum width of 1 metre.
- Reason: To protect water lines from inappropriate development.*
31. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an “easement for inter allotment drainage” in favour of the proposed Lots.
 - (b) It must be located centrally over the inter allotment drainage.
 - (c) It must have a minimum width of 1 metre.
- Reason: To protect drainage lines from inappropriate development.*
32. The developer must pay for the extension of Uralla Shire Council’s water main, and sewerage/effluent main to service the subdivision.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
33. The developer is to provide new kerb and gutter as well as vehicle entrances to the proposed lots to the satisfaction of Council, at their own expense. Driveways are to concrete or bitumen seal from the road to the property boundary.
Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.
34. The developer shall have submitted to Council three (3) copies of the Title Plan. The applicant/developer is to ensure that a checklist, clearly showing that all conditions of consent have been met, is provided with the subdivision certificate application.
Reason: To ensure that appropriate documentation is provided.
- Stage One**
35. Prior to release of the subdivision certificate for Stage One, a monetary contribution of 10% of the value of Lot 21 DP 1113205 as per the Valuer General’s current assessment is required to be paid to Council.

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Reason: The contribution is required towards public open space under the provisions of the Section 94 Contributions Plan for Uralla Town.

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

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

37. A splay corner, minimum 3m x 3m, is to be provided at the intersection of Leece Road and Wilkens Street at no cost to Council.

Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

38. All Stage One civil construction works must be completed.

Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.

39. That seven lots are created by the subdivision of Lot 21, DP 1113205:

- Lot 1 of around 868m²;
- Lot 2 of around 1271m²;
- Lot 3 of around 884m²;
- Lot 4 of around 1003m²;
- Lot 5 of around 1074m²;
- Lot 6 of around 1080m²;
- Residual lot of around 1.02 hectares.

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

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

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

Stage Two

41. That eight lots and cul-de-sac are created by the subdivision of the Stage One residual lot of around 10.2 hectares:

- Lot 7 of around 840m²;
- Lot 8 of around 825m²;
- Lot 9 of around 814m²;
- Lot 10 of around 814m²;
- Lot 11 of around 814m²;
- Lot 12 of around 1446m²;
- Lot 13 of around 1475m², and
- Lot 14 of around 1266m².

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

42. All Stage Two civil construction works must be completed.

Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.

43. A splay corner, minimum 3m x 3m, is to be provided at the intersection of Wilkens Street and the proposed cul-de-sac and be dedicated as a public road at no cost to Council.

Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

44. The plans supplied for issue of the subdivision certificate for Stage Two must show the battleaxe handle of proposed Lot 9 having a minimum width of 3.65 metres. The

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handle must be concrete or bitumen seal for the entirety of its length.

Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

45. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed on proposed Lots 10, 11, 12 and 13 that prohibits future dwellings being erected where the width of the frontage is less than 16 metres wide at the building line street setback.

Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

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

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

47. 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

48. 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.

49. 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.

50. 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.

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

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

52. 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.

53. 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.

54. 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.

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Reason: To ensure compliance with approved plans.

55. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.
- A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
 - 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,
 - The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
 - 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.

56. 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:
- divert uncontaminated run-off around cleared or disturbed areas,
 - erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - prevent tracking of sediment by vehicles onto roads,
 - 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.

57. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

1. 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.

2. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Stage One Civil Works

58. The applicant shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval, generally in accordance with Council's DCP 2011, for the construction of kerb and gutter, stormwater drainage, road pavement and inter-allotment drainage for the Leece Road and Wilkens Street frontages in accordance with the following requirements:

- Pavement design for Leece Road shall be based on a design traffic load of 1×10^6 ESA's with subgrade testing on 10 day soaked CBR's.
- Pavement design for Wilkens Street shall be based on a design traffic load of 5×10^5 ESA's with subgrade testing on 10 day soaked CBR's
- Full kerb and gutter and associated road pavement is to be provided along the frontage of Leece Road, carriageway width 11.2m, and Wilkens Street, carriageway width 8.0m.
- All roadworks shall be constructed with a minimum two (2) coat hot bitumen sealed pavement and include all necessary underground drainage.
- Traffic Management Plan including a Traffic Control Plan.

All the above works are to be designed and completed generally in accordance with Council's DCP 2011, and professional practical standards, before the issue of a subdivision certificate.

Reason: To provide appropriate infrastructure for the proposed development.

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59. Detailed water and sewer engineering drawings prepared by a suitably qualified person must be submitted for the approval of Council's Director of Infrastructure and Regulation (or nominee), and works shall be at the expense of the developer.
Reason: To provide appropriate infrastructure for the proposed development.
60. The applicant shall have prepared a plan demonstrating the protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedance Probability (AEP) and fail-safe aboveground flood ways to cater as a minimum for a flooding frequency of 1% AEP, to connect to the existing drainage gully adjacent to the site. Details are to be provided to the relevant Certifying Authority for approval before the issue of a Construction Certificate for the development. Completed works are to be inspected and approved by the relevant Certifying Authority, or works secured for an amount approved by Council's Director of Infrastructure and Regulation (or nominee), before the issue of a subdivision / occupation certificate.
Reason: To provide appropriate infrastructure for the proposed development.
61. The applicant shall have prepared an Inter-allotment drainage design for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details are to be provided to Council's Director of Infrastructure and Regulation or nominee for approval before the issue of a construction certificate for the development.
Title Plan submissions are to confirm easement details before the issue of a subdivision certificate for the development.
Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedance Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.
Reason: To provide appropriate infrastructure for the proposed development.
- Stage Two Civil Works**
62. The applicant shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval, generally in accordance with Council's DCP 2011, for the construction of kerb and gutter, stormwater drainage, road pavement and inter-allotment drainage for the Wilkens Street frontage and the new cul-de-sac in accordance with the following requirements:
- a) Pavement design for the new cul-de-sac shall be based on a design traffic load of 7 x 10⁴ ESA's with subgrade testing on 10 day soaked CBR's.
 - b) Pavement design for Wilkens Street shall be based on a design traffic load of 5 x 10⁵ ESA's with subgrade testing on 10 day soaked CBR's
 - c) Full kerb and gutter and associated road pavement is to be provided along the frontage Wilkens Street, carriageway width 8.0m.
 - d) Full kerb and gutter and associated road pavement is to be provided along the new cul-de-sac, carriageway width 6.0m.
 - e) All roadworks shall be constructed with a minimum two (2) coat hot bitumen sealed pavement and include all necessary underground drainage.
- Traffic Management Plan including a Traffic Control Plan.
- g) The cul-de-sac bulb shall be constructed at the end of the proposed new internal road with a minimum radius of 12 metres to face of kerb to accommodate the turning movement of a semi rigid truck.
Concrete footpath 1.5m wide within the proposed pathway area.
- All the above works are to be designed and completed generally in accordance with Council's DCP 2011, and professional practical standards, before the issue of a subdivision certificate.
Reason: To provide appropriate infrastructure for the proposed development.

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63. Detailed water and sewer engineering drawings prepared by a suitably qualified person must be submitted for the approval of Council's Director of Infrastructure & Regulation (or nominee), and works shall be at the expense of the developer.
Reason: To provide appropriate infrastructure for the proposed development.
64. The applicant shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's Managing Urban Stormwater - Soils and Construction, to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The Soil and Water Management Plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.
Reason: To ensure appropriate site management.
65. The applicant shall have prepared a plan demonstrating the protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedance Probability (AEP) and fail-safe aboveground flood ways to cater as a minimum for a flooding frequency of 1% AEP, to connect to the existing drainage gully adjacent to the site. Details are to be provided to the relevant Certifying Authority for approval before the issue of a construction certificate for the development. Completed works are to be inspected and approved by the relevant Certifying Authority, or works secured for an amount approved by Council's Director of Infrastructure and Regulation or nominee, before the issue of a subdivision certificate.
Reason: To provide appropriate infrastructure for the proposed development.
66. The applicant shall have prepared an inter-allotment drainage design for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details are to be provided to Council's Director of Infrastructure and Regulation or nominee for approval before the issue of a Construction Certificate for the development.
Title Plan submissions are to confirm easement details before the issue of a subdivision certificate for the development.
Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedance Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.
Reason: To provide appropriate infrastructure for the proposed development.

ADVISORY NOTES - GENERAL

67. No clearing of vegetation is authorised under this determination. Any works within the road reserve, including clearing, require a Section 138 approval from Council under the Roads Act 1993.
68. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
69. 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.
70. 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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71. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
72. 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.

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

These conditions are in accordance with Section 4.13 of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service.

73. The development proposal is to comply with the subdivision layout identified on the drawing prepared by Croft Surveying and Mapping titled "Proposed Lot Layout Lot 21 DP 113505 Leece Road Uralla NSW 2358" and dated 30 January 2018.
74. At the issue of Subdivision Certificate and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
75. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed on proposed lots 13 and 14 that prohibits a future dwelling being erected closer than 11m, when measured from;
 - The south eastern boundary of proposed lot 13, or
 - The southern boundary point of proposed lot 14.
76. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed upon the residual lot created by the completed development of Stage 1, to provide an APZ of at least 10m in width and located directly adjacent to any boundary that is common with proposed lot 6 (as created in Stage 1 of the subdivision).
77. Water, electricity and gas supply are to comply with section 4.1.3 of Planning for Bush Fire Protection 2006.
78. Public road access shall comply with section 4.1.3 (1) of Planning for Bush Fire Protection 2006.

MOTION (Crs R Bell / T Toomey)

That;

Council approve Development Application 38/2018 submitted by Trevor and Jennifer Schofield for a 14 lot residential subdivision on land known as 17 Leece Road, Uralla, being Lot 21 DP 1113205 subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

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

Erection of signs

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.*

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

Notification of Home Building Act 1989 requirements

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.*

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

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.*

7. 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.

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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.
10. This approval is for two stages being:
 - Stage One being Lots 1 to 6
 - Stage Two being Lots 7 to 14

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
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. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Regional Council Engineering Design Codes in force at the time, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.

Reason: To ensure works are completed in line with appropriate standards.
13. Council is to be given 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 clause 103 and 104 of the Environmental Planning and Assessment Regulation 2000.
14. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Reason: To ensure works are completed in line with appropriate standards.
15. No storage of building materials, soil or equipment is to occur on Council's property or roads without the written consent of Council's Director of Infrastructure and Regulation. No unfenced, potentially dangerous activity or material is to be located in close proximity to the street boundary or pedestrian walkway adjoining the site. No unsupervised transit of plant, equipment or vehicles across public areas or other obstruction of those areas is permitted.

Reason: To ensure that construction impacts from the development are generally contained within the site.

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16. 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.
17. Under-road conduits are to be provided to cater for electricity, telecommunications, gas supply or other underground utility services. Utility crossings of public roads are to be under-road bored and Council's Director of Infrastructure & Regulation advised of the intention to commence work at least 48 hours in advance. The developer and its agents are responsible for ascertaining the location of existing underground services before commencing work. Any damage to existing services or to the road construction is to be made good at the expense of the developer.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
18. Effective dust control measures are to be maintained during construction to maintain public safety/amenity and construction activities are to be restricted solely to the subject site. No vehicular access from Depot Road is permitted during construction.
Reason: To preserve public amenity and minimise impacts on surrounding properties during construction.
19. Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798-1990 Guidelines on Earthworks for Commercial and Residential Developments. The developer's structural engineering consultant shall:
- identify the source of the fill and certify that it is free from contamination; and
 - classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1.
- Reason: To ensure any fill used in construction is of an appropriate standard.*
20. The driveway in the access handle is to be gravel and bitumen sealed or concreted for a width of 3 metres. This is to be constructed to a standard approved by the Director of Infrastructure and Regulation and is to be at the expense of the developer.
Reason: To ensure an appropriate level of access.
21. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
Reason: To ensure works are completed in line with appropriate standards.
22. The internal water mains within the estate are to form a looped system with no dead ends. The design must comply with firefighting minimum pressures and standards which are to be supplied in addition to peak instantaneous demands for a typical residential water demand.
Reason: To ensure works are completed in line with appropriate standards.
23. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.
Reason: To ensure pedestrian and vehicular safety during construction.
- CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE**
24. The subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council prior to the release of the subdivision certificate.
Reason: To ensure that subdivision is adequately serviced by utilities.
25. Prior to the issue of a subdivision certificate, an application for a subdivision certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.

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- Reason: To ensure provision of appropriate documentation.*
26. Prior to the issue of a subdivision certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
Reason: To ensure that subdivision is adequately serviced by utilities.
27. The applicants shall provide one set of print film copies of "work as executed" plans to Council for works carried out on Council property or benefiting Council. Each plan is to have a scale adjacent to the title block showing the scale used on that plan. The location of any fill introduced, by both plan limit and depth, together with relevant classifications shall be shown on the "work as executed" plans to be submitted to Council.
Reason: To ensure Council has been provided with the location of new infrastructure.
28. The applicant / developer shall have prepared documentation for presentation to the Land Titles Office for the dedication to Council of all drainage easements in order to protect the area from inadvertent filling or destruction that could change the flow characteristics of the flow regime.
Reason: To protect drainage lines from inappropriate development.
29. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an "easement for sewerage drainage" in favour of the proposed Lots.
 - (b) It must be located centrally over the new sewer line.
 - (c) It must have a minimum width of 3 metres.
- Reason: To protect sewer lines from inappropriate development.*
30. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an "easement for water supply" in favour of the proposed Lots.
 - (b) It must be located centrally over the new water line.
 - (c) It must have a minimum width of 3 metres.
- Reason: To protect water lines from inappropriate development.*
31. Where applicable, the developer must create an easement under Section 88B of the Conveyancing Act in the following context:
- (a) The purpose is an "easement for inter allotment drainage" in favour of the proposed Lots.
 - (b) It must be located centrally over the inter allotment drainage.
 - (c) It must have a minimum width of 1 metre.
- Reason: To protect drainage lines from inappropriate development.*
32. The developer must pay for the extension of Uralla Shire Council's water main, and sewerage/effluent main to service the subdivision.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
33. The developer is to provide new kerb and gutter as well as vehicle entrances to the proposed lots to the satisfaction of Council, at their own expense. Driveways are to concrete or bitumen seal from the road to the property boundary.
Reason: To ensure that costs associated with establishing the subdivision is borne by the developer.
34. The developer shall have submitted to Council three (3) copies of the Title Plan. The applicant/developer is to ensure that a checklist, clearly showing that all conditions of consent have been met, is provided with the subdivision certificate application.
Reason: To ensure that appropriate documentation is provided.
- Stage One**
35. The Section 94 contributions be set at zero dollars.
Reason: The contribution is required towards public open space under the provisions of the Section 94 Contributions Plan for Uralla Town.

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36. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.
Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.
37. A splay corner, minimum 3m x 3m, is to be provided at the intersection of Leece Road and Wilkens Street at no cost to Council.
Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.
38. All Stage One civil construction works must be completed.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
39. That seven lots are created by the subdivision of Lot 21, DP 1113205:
- Lot 1 of around 868m²;
 - Lot 2 of around 1271m²;
 - Lot 3 of around 884m²;
 - Lot 4 of around 1003m²;
 - Lot 5 of around 1074m²;
 - Lot 6 of around 1080m²;
 - Residual lot of around 1.02 hectares.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
40. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.
Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.

Stage Two

41. That eight lots and cul-de-sac are created by the subdivision of the Stage One residual lot of around 10.2 hectares:
- Lot 7 of around 840m²;
 - Lot 8 of around 825m²;
 - Lot 9 of around 814m²;
 - Lot 10 of around 814m²;
 - Lot 11 of around 814m²;
 - Lot 12 of around 1446m²;
 - Lot 13 of around 1475m², and
 - Lot 14 of around 1266m².
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
42. All Stage Two civil construction works must be completed.
Reason: To ensure that costs associated with establishing the subdivision are borne by the developer.
43. A splay corner, minimum 3m x 3m, is to be provided at the intersection of Wilkens Street and the proposed cul-de-sac and be dedicated as a public road at no cost to Council.
Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.
44. The plans supplied for issue of the subdivision certificate for Stage Two must show the battleaxe handle of proposed Lot 9 having a minimum width of 3.65 metres. The handle must be concrete or bitumen seal for the entirety of its length.

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Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

45. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed on proposed Lots 10, 11, 12 and 13 that prohibits future dwellings being erected where the width of the frontage is less than 16 metres wide at the building line street setback.

Reason: To ensure compliance with the development standards in the Uralla Development Control Plan 2011.

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

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

47. 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

48. 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.

49. 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.

50. 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.

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

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

52. 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.

53. 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.

54. 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.

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55. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.
- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
 - (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
 - (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
 - (d) The fixing of the kerb adaptor and 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.

56. 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.

57. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

3. 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.

4. 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.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Stage One Civil Works

58. The applicant shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval, generally in accordance with Council's DCP 2011, for the construction of kerb and gutter, stormwater drainage, road pavement and inter-allotment drainage for the Leece Road and Wilkens Street frontages in accordance with the following requirements:

- a) Pavement design for Leece Road shall be based on a design traffic load of 1×10^6 ESA's with subgrade testing on 10 day soaked CBR's.
- b) Pavement design for Wilkens Street shall be based on a design traffic load of 5×10^5 ESA's with subgrade testing on 10 day soaked CBR's
- c) Full kerb and gutter and associated road pavement is to be provided along the frontage of Leece Road, carriageway width 11.2m, and Wilkens Street, carriageway width 8.0m.
- d) All roadworks shall be constructed with a minimum two (2) coat hot bitumen sealed pavement and include all necessary underground drainage.
- e) Traffic Management Plan including a Traffic Control Plan.

All the above works are to be designed and completed generally in accordance with Council's DCP 2011, and professional practical standards, before the issue of a subdivision certificate.

Reason: To provide appropriate infrastructure for the proposed development.

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59. Detailed water and sewer engineering drawings prepared by a suitably qualified person must be submitted for the approval of Council's Director of Infrastructure and Regulation (or nominee), and works shall be at the expense of the developer.
Reason: To provide appropriate infrastructure for the proposed development.
60. The applicant shall have prepared a plan demonstrating the protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedance Probability (AEP) and fail-safe aboveground flood ways to cater as a minimum for a flooding frequency of 1% AEP, to connect to the existing drainage gully adjacent to the site. Details are to be provided to the relevant Certifying Authority for approval before the issue of a Construction Certificate for the development. Completed works are to be inspected and approved by the relevant Certifying Authority, or works secured for an amount approved by Council's Director of Infrastructure and Regulation (or nominee), before the issue of a subdivision / occupation certificate.
Reason: To provide appropriate infrastructure for the proposed development.
61. The applicant shall have prepared an Inter-allotment drainage design for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details are to be provided to Council's Director of Infrastructure and Regulation or nominee for approval before the issue of a construction certificate for the development.
Title Plan submissions are to confirm easement details before the issue of a subdivision certificate for the development.
Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedance Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.
Reason: To provide appropriate infrastructure for the proposed development.
Stage Two Civil Works
62. The applicant shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval, generally in accordance with Council's DCP 2011, for the construction of kerb and gutter, stormwater drainage, road pavement and inter-allotment drainage for the Wilkens Street frontage and the new cul-de-sac in accordance with the following requirements:
- a) Pavement design for the new cul-de-sac shall be based on a design traffic load of 7 x 10⁴ ESA's with subgrade testing on 10 day soaked CBR's.
 - b) Pavement design for Wilkens Street shall be based on a design traffic load of 5 x 10⁵ ESA's with subgrade testing on 10 day soaked CBR's
 - c) Full kerb and gutter and associated road pavement is to be provided along the frontage Wilkens Street, carriageway width 8.0m.
 - d) Full kerb and gutter and associated road pavement is to be provided along the new cul-de-sac, carriageway width 6.0m.
 - e) All roadworks shall be constructed with a minimum two (2) coat hot bitumen sealed pavement and include all necessary underground drainage.
- Traffic Management Plan including a Traffic Control Plan.
- g) The cul-de-sac bulb shall be constructed at the end of the proposed new internal road with a minimum radius of 12 metres to face of kerb to accommodate the turning movement of a semi rigid truck.
 - h) Concrete footpath 1.5m wide within the proposed pathway area.
- All the above works are to be designed and completed generally in accordance with Council's DCP 2011, and professional practical standards, before the issue of a subdivision certificate.
Reason: To provide appropriate infrastructure for the proposed development.
63. Detailed water and sewer engineering drawings prepared by a suitably qualified person must be submitted for the approval of Council's Director of Infrastructure & Regulation (or nominee), and works shall be at the expense of the developer.
Reason: To provide appropriate infrastructure for the proposed development.

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64. The applicant shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's Managing Urban Stormwater - Soils and Construction, to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The Soil and Water Management Plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.
Reason: To ensure appropriate site management.
65. The applicant shall have prepared a plan demonstrating the protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedance Probability (AEP) and fail-safe aboveground flood ways to cater as a minimum for a flooding frequency of 1% AEP, to connect to the existing drainage gully adjacent to the site. Details are to be provided to the relevant Certifying Authority for approval before the issue of a construction certificate for the development. Completed works are to be inspected and approved by the relevant Certifying Authority, or works secured for an amount approved by Council's Director of Infrastructure and Regulation or nominee, before the issue of a subdivision certificate.
Reason: To provide appropriate infrastructure for the proposed development.
66. The applicant shall have prepared an inter-allotment drainage design for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details are to be provided to Council's Director of Infrastructure and Regulation or nominee for approval before the issue of a Construction Certificate for the development.
Title Plan submissions are to confirm easement details before the issue of a subdivision certificate for the development.
Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedance Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.
Reason: To provide appropriate infrastructure for the proposed development.

ADVISORY NOTES - GENERAL

67. No clearing of vegetation is authorised under this determination. Any works within the road reserve, including clearing, require a Section 138 approval from Council under the Roads Act 1993.
68. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
69. 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.
70. 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.
71. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.

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72. 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.

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

These conditions are in accordance with Section 4.13 of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service.

73. The development proposal is to comply with the subdivision layout identified on the drawing prepared by Croft Surveying and Mapping titled "Proposed Lot Layout Lot 21 DP 113505 Leece Road Uralla NSW 2358" and dated 30 January 2018.
74. At the issue of Subdivision Certificate and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
75. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed on proposed lots 13 and 14 that prohibits a future dwelling being erected closer than 11m, when measured from;
- The south eastern boundary of proposed lot 13, or
 - The southern boundary point of proposed lot 14.
76. A restriction to the land use, pursuant to Section 88B of the Conveyancing Act 1919, shall be placed upon the residual lot created by the completed development of Stage 1, to provide an APZ of at least 10m in width and located directly adjacent to any boundary that is common with proposed lot 6 (as created in Stage 1 of the subdivision).
77. Water, electricity and gas supply are to comply with section 4.1.3 of Planning for Bush Fire Protection 2006.
78. Public road access shall comply with section 4.1.3 (1) of Planning for Bush Fire Protection 2006.

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

FOR: Cr M Pearce, Cr I Strutt, Cr R Bell, Cr T Toomey, Cr M Dusting, Cr L Sampson, Cr N Ledger

AGAINST: Nil

ABSENT: Cr R Crouch

19.11/18 CARRIED

Cr R Crouch returned to the meeting at 2:03pm.

Department: Infrastructure and Regulation
Submitted by: Director of Infrastructure and Regulation
Reference/Subject: Report 7 - Recommendation to fill the member vacancy on Uralla Township and Environs Committee

OFFICER'S RECOMMENDATION:

That;

Council appoint Ms Anne Mayo to the Uralla Township and Environs Committee for the term of this Council and in accordance with the Uralla Township and Environs Committee Constitution.

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MOTION (Crs L Sampson / R Crouch)

That;

Council appoint Ms Anne Mayo to the Uralla Township and Environs Committee for the term of this Council and in accordance with the Uralla Township and Environs Committee Constitution.

20.11/18 CARRIED

Department: Infrastructure and Regulation
Submitted by: Manager Planning and Regulation
Reference/Subject: Report 8 - Recommendations of Uralla Township and Environs Committee September and October 2018 meetings

OFFICER'S RECOMMENDATION:

That Council:

1. Include consideration of the Rocky River Tennis Courts in the Uralla Open Spaces Strategy and provide UTEC with information regarding the tenure of the site, specifically with regard to leasing.
2. Instruct Council's heritage advisor to investigate the history of Fuller Memorial Park as part of the reference material for the Uralla Open Spaces Strategy.
3. Instruct Council's heritage advisor to research the history of the plaque that was removed when Thunderbolt's Grave was enhanced and provide suggestions on options for interpretive signage for the layout of the Pioneer Cemetery.
4. Investigate options for suitable visual enhancement of the dump point and toilet at the Pioneer Cemetery.
5. Invite the McCrossin's Mill Museum to submit an application for advertising signage at the Pioneer Cemetery directing people to the Museum for further information regarding the history of the cemetery.
6. Review the information available on tourist sites within Uralla and possible means of imparting information on significant sites to the travelling public.
7. Consult with representatives from community groups once Council has a draft plan for the installation of the new playground equipment in Alma Park which was formerly allocated to Pioneer Park under Round 1 of the Stronger Country Communities Fund.

MOTION (Crs L Sampson / I Strutt)

That Council:

1. Include consideration of the Rocky River Tennis Courts in the Uralla Open Spaces Strategy and provide UTEC with information regarding the tenure of the site, specifically with regard to leasing.
2. Instruct Council's heritage advisor to investigate the history of Fuller Memorial Park as part of the reference material for the Uralla Open Spaces Strategy.
3. Instruct Council's heritage advisor to research the history of the plaque that was removed when Thunderbolt's Grave was enhanced and provide suggestions on options for interpretive signage for the layout of the Pioneer Cemetery.
4. Investigate options for suitable visual enhancement of the dump point and toilet at the Pioneer Cemetery.
5. Invite the McCrossin's Mill Museum to submit an application for advertising signage at the Pioneer Cemetery directing people to the Museum for further information regarding the history of the cemetery.
6. Review the information available on tourist sites within Uralla and possible means of imparting information on significant sites to the travelling public.
7. Consult with representatives from community groups once Council has a draft plan for the installation of the new playground equipment in Alma Park which was formerly allocated to Pioneer Park under Round 1 of the Stronger Country Communities Fund.

21.11/18 CARRIED

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Department: General Manager's Office
Submitted by: Andrew Hopkins
Reference/Subject: Report 9 - Agenda Items for Budget Review and Finance Committee Meeting

OFFICER'S RECOMMENDATION:

That;
Council determine the agenda items for the inaugural Budget Review and Finance Committee meeting to be held at 12:30pm on Tuesday 11th December 2018 as follows: (insert agenda items)

MOTION (Crs I Strutt / R Bell)

That;
Council determine the agenda item for the inaugural Budget Review and Finance Committee meeting to be held at 12:30pm on Tuesday 11th December 2018 be as follows:
1. Review of the Long Term Financial Plan.

22.11/18 CARRIED

Department: General Manager's Office
Submitted by: General Manager
Reference/Subject: Report 10 - Minutes of Bundarra School of Arts Hall s355 Committee

OFFICER'S RECOMMENDATION:

That;
Council note the 7th November 2018 Minutes of the Bundarra School of Arts Hall s355 Committee.

Cr N Ledger left the meeting at 2:17pm.

MOTION (Crs L Sampson / R Crouch)

That;
Council note the 7th November 2018 Minutes of the Bundarra School of Arts Hall s355 Committee.

23.11/18 CARRIED

*Cr N Ledger was absent at the time of voting.
Cr N Ledger returned to the meeting at 2:19pm.*

**PROCEDURAL MOTION (Crs N Ledger / M Dusting)
Meeting adjournment (2:20pm to 2:25pm)**

24.11/18 CARRIED

The meeting resumed at 2:33pm.

Department: Infrastructure and Regulation
Submitted by: Environmental Management Coordinator
Reference/Subject: Report 11 – Provision of name and contact details of Council's Native Title Managers to the Minister of Lands and Forestry

OFFICER'S RECOMMENDATION:

That;
Council resolve to provide the name and contact details of the Manager Planning and Regulation and the Environmental Management Coordinator as Uralla Shire Council's Native Title Managers to the Minister of Lands and Forestry in accordance with Section 8.8 of the Crown Land Management (CLM) Act 2016.

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MOTION (Crs N Ledger / I Strutt)

That;

Council resolve to provide the name and contact details of the Manager Planning and Regulation and the Environmental Management Coordinator as Uralla Shire Council's Native Title Managers to the Minister of Lands and Forestry in accordance with Section 8.8 of the Crown Land Management (CLM) Act 2016.

25.11/18 CARRIED

Department: Community and Governance
Submitted by: Tourism Promotions and Operations Officer
Reference/Subject: Report 12 - Monthly Report - Visitor Information Centre and Library

OFFICER'S RECOMMENDATION:

That the report be received and noted.

MOTION (Crs N Ledger / L Sampson)

That the report be received and noted.

26.11/18 CARRIED

Department: Community & Governance
Submitted by: Coordinator Community Development & Engagement
Reference/Subject: Report 13 - Community Grants - Extension of Time to The Lions Club of Uralla for Completion of Dangars Lagoon Project

Cr I Strutt, having previously declared a conflict of interest, left the meeting at 2:37pm.

OFFICER'S RECOMMENDATION:

That Council;

1. Grant an extension of time to 30 June 2019 for the grant made to The Lions Club of Uralla in Round 2 of Council's Community Grants program 2017-18, to assist with the completion of the Dangars Lagoon bird hide and picnic facilities repair and maintenance project; and
2. Notify the Lions Club of Uralla in writing that the grant funds for the funded project be completely expended by 30 June 2019 and no further extensions of time will be made.

MOTION (Crs N Ledger / R Bell)

That Council;

1. Grant an extension of time to 30 June 2019 for the grant made to The Lions Club of Uralla in Round 2 of Council's Community Grants program 2017-18, to assist with the completion of the Dangars Lagoon bird hide and picnic facilities repair and maintenance project; and
2. Notify the Lions Club of Uralla in writing that the grant funds for the funded project be completely expended by 30 June 2019 and no further extensions of time will be made.

27.11/18 CARRIED

Cr I Strutt was absent at the time of voting.

Cr I Strutt returned to the meeting at 2:39pm.

Department: Community and Governance
Submitted by: Coordinator Community Development and Engagement
Reference/Subject: Report 14 - Community Grants Program 2018-19 – Individuals

Cr N Ledger, having previously declared a conflict of interest, left the meeting at 2:39pm.

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OFFICER'S RECOMMENDATION:

That Council approve a \$300 Community Grant in the "Individuals" category to Mrs Nicole Parsons for her daughter Sophie Parsons in accordance with the Community Grants Guidelines - Individual (page 5).

MOTION (Crs L Sampson / T Toomey)

That Council approve a \$300 Community Grant in the "Individuals" category to Mrs Nicole Parsons for her daughter Sophie Parsons in accordance with the Community Grants Guidelines - Individual (page 5).

28.11/18 CARRIED

Cr N Ledger was absent at the time of voting.

Cr N Ledger returned to the meeting at 2:41pm.

Department: Infrastructure & Regulation
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 15 - Heritage Advisory Services Summary for November 2018

OFFICER'S RECOMMENDATION:

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

MOTION (Crs I Strutt / L Sampson)

That;

1. The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and
2. That consideration be given to utilising the bronze plaques prepared for the Old Cemetery in Uralla as part of the Open Spaces Strategy.

29.11/18 CARRIED

Department: Infrastructure & Regulation
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 16 - Works Progress Report as at 31 October 2018

OFFICER'S RECOMMENDATION:

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

MOTION (Crs N Ledger / T Toomey)

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

30.11/18 CARRIED

17. MOTIONS ON NOTICE

Submitted by: Cr Isabel Strutt
Reference/Subject: Notice of Motion 1 - Impact of Cost Shifting on Local Government in NSW

NOTICE of MOTION

That Council:

- a) Note the latest LGNSW report on the Impact of Cost Shifting on Local Government in New South Wales;
- b) strongly supports the actions of LGNSW in calling on the New South Wales and Federal Governments to end cost shifting and to make a commitment to make no new, increased or

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transferred responsibilities to local government without a corresponding source of revenue sufficient for the responsibility;

- c) write to State Member the Hon. Adam Marshall MP and Federal Member Hon. Barnaby Joyce MHR confirming the detrimental effect of cost-shifting for Local Government and stating Council's strong support for the actions of LGNSW to achieve an end to cost shifting;
- d) refer this matter to the New England Joint Organisation and the Country Mayors Association seeking support from these organisation for LGNSW actions to bring an end to cost shifting.

MOTION (Crs I Strutt / N Ledger)

That Council:

- a) Note the latest LGNSW report on the Impact of Cost Shifting on Local Government in New South Wales;
- b) strongly supports the actions of LGNSW in calling on the New South Wales and Federal Governments to end cost shifting and to make a commitment to make no new, increased or transferred responsibilities to local government without a corresponding source of revenue sufficient for the responsibility;
- c) write to State Member the Hon. Adam Marshall MP and Federal Member Hon. Barnaby Joyce MHR confirming the detrimental effect of cost-shifting for Local Government and stating Council's strong support for the actions of LGNSW to achieve an end to cost shifting;
- d) refer this matter to the New England Joint Organisation and the Country Mayors Association seeking support from these organisation for LGNSW actions to bring an end to cost shifting.

31.11/18 CARRIED

Submitted by: Cr Levi Sampson
Reference/Subject: Notice of Motion 2 - Disclosure of Weekly Works

NOTICE of MOTION

That the works updates, contained within the 'Weekly Update' from the GM's office be put on public display via regular Facebook posts including photo/video content when applicable, the Council's new Webpage, and the Council Newsletter eg "Monthly Works Column".

PROCEDURAL MOTION (Crs R Crouch / M Disting)

To move to Committee of the Whole

32.11/18 CARRIED

Councillors held a detailed discussion in committee regarding the Notice of Motion.

PROCEDURAL MOTION (Crs R Crouch / M Disting)

To resume Standing Orders

33.11/18 CARRIED

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

MOTION (Crs L Sampson / I Strutt)

That selected extracts from the works updates, contained within the 'Weekly Update' from the GM's office be put on public display via regular Facebook posts including photo/video content when applicable, the Council's new Webpage, and the Council Newsletter eg "Monthly Works Column".

34.11/18 CARRIED

Submitted by: Cr Natasha Ledger
Reference/Subject: Notice of Motion 3 - Refund of expenses

Cr N Ledger, having previously declared a conflict of interest, left the meeting at 3:02pm.

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NOTICE of MOTION

That Council approve reimbursement of \$3240 for travel / fuel expenses.

Date of Travel September 2016 - August 2018 subject to approval by the Chief Financial Officer.

Telecommunications of \$25 per month as set in Appendix B Standards and limits for payments
Total \$600

No child care fees required.

Total \$3840.00

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

35.11/18 CARRIED

Councillors held a detailed discussion in committee regarding the Notice of Motion.

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

36.11/18 CARRIED

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

MOTION (Crs M Pearce / M Dusting)

That Council approve reimbursement of such an amount as is reasonably able to be claimed per Council's policies and as reviewed by Councillors Strutt and Crouch.

37.11/18 CARRIED

Cr N Ledger was absent from the room at the time of voting.

Cr N Ledger returned to the meeting at 3:20pm.

Submitted by: Cr Robert Crouch
Reference/Subject: Notice of Motion 4 - Interpretation of Sections 531B and 548A of the
Local Government Act 1993

Cr R Crouch, having previously declared a conflict of interest, left the meeting at 3:21pm.

NOTICE of MOTION

That Council sign and send the attached letter requesting advice from Local Government NSW on the interpretation of Sections 531B and 548A of the Local Government Act.

MOTION (Crs T Toomey / R Bell)

That Council sign and send the attached letter requesting advice from Local Government NSW on the interpretation of Sections 531B and 548A of the Local Government Act.

38.11/18 CARRIED

Cr R Crouch was absent from the room at the time of voting.

Cr R Crouch returned to the meeting at 3:22pm.

18. SCHEDULE OF COUNCIL RESOLUTIONS

Schedule of Action Items as at: 27 November 2018

Councillors undertook a review of the Schedule of Action Items.

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19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING

The Chair noted there were no questions from the previous meeting.

20. QUESTIONS FOR NEXT MEETING

Questions for 18 December 2018 Ordinary Meeting of Council

Cr R Bell

Cr R Bell raised the following question/s at the 27 November meeting of Council:-

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

21. CONFIDENTIAL BUSINESS

PROCEDURAL MOTION (Crs M Dusting / L Sampson)

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 November 2018 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),**

39.11/18 CARRIED

REPORTS TO CLOSED SESSION

Department: General Manager's Office
Submitted by: Senior Executive Officer
Reference/Subject: Confidential Report 1 - Request for Local Government Area Boundary Adjustment

OFFICER'S RECOMMENDATION:

That Council advise Walcha Council it has no objections to the transfer of 4,715m² forming Part Lot 1 in Deposited Plan 1215714 from the Uralla Shire Council to the Walcha Council, provided that the cost of survey and any other outgoings are borne by either the applicant or Walcha Council.

MOTION (Crs R Bell / M Dusting)

That Council advise Walcha Council it has no objections to the transfer of 4,715m² forming Part Lot 1 in Deposited Plan 1215714 from the Uralla Shire Council to the Walcha Council, provided that the cost of survey and any other outgoings are borne by either the applicant or Walcha Council.

40.11/18 CARRIED

PROCEDURAL MOTION (Crs M Dusting / L Sampson)

To return to Open Session of Council

That;

Council move back to Open Session and that the resolutions of the Closed Session become the Resolutions in Open Session.

41.11/18 CARRIED

Resolution
Number

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CLOSURE OF MEETING

The meeting was closed at: 3:32pm

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