



ORDINARY MEETING OF COUNCIL

**Held at 12:30pm
28 May 2019**

ROLL CALL

Councillors:

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

Staff:

Mr A Hopkins, General Manager
Mr T Seymour, Director Infrastructure & Development
Mr S Paul, Chief Financial Officer
Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 28 May 2019

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ATTENDANCE

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

1. OPENING & WELCOME

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

2. PRAYER

The Chair recited the Uralla Shire Council prayer.

3. ACKNOWLEDGEMENT TO COUNTRY

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

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

The Chair advised receipt of an apology from Cr T Toomey.

MOTION (Crs M Dusing / R Crouch)

That;

Council accept the apology from Cr T Toomey for the ordinary meeting held 28 May 2019.

01.05/19

CARRIED

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

5. DISCLOSURES & DECLARATION OF INTERESTS

The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 28 May 2019 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
R Crouch	Report 13	Non-pecuniary	Near Neighbour

6. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 28 May 2019 Meeting:

- Minutes of Ordinary Meeting held 23 April 2019 (to be confirmed)
- Minutes of Extraordinary Meeting held 14 May 2019 (to be confirmed)

AMENDMENTS

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

There were no amendments requested by Councillors.

MOTION (Crs I Strutt / M Dusing)

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 23 April 2019.

02.05/19

CARRIED

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The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 14 May 2019 and called for any amendments.

There were no amendments requested by Councillors.

MOTION (Crs R Crouch / I Strutt)

That;

Council adopt the Minutes, as a true and correct record of the Extraordinary Meeting held 14 May 2019.

03.05/19

CARRIED

Minutes to be received and noted at the 28 May 2019 Meeting:

- Budget Review and Finance Committee Meeting held 9 April 2019
- Unconfirmed Minutes of the Bundarra School of Arts Hall s355 Committee Meeting held 17 April 2019
- New England Weeds Authority Meeting held 19 February 2019
- Unconfirmed Minutes of the New England Weeds Authority Meeting held 16 April 2019

MOTION (Crs N Ledger / I Strutt)

That;

Council receive and note the following Minutes:

- Budget Review and Finance Committee Meeting held 9 April 2019
- Unconfirmed Minutes of the Bundarra School of Arts Hall s355 Committee Meeting held 17 April 2019
- New England Weeds Authority Meeting held 19 February 2019

04.05/19

CARRIED

7. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS

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

8. PRESENTATIONS

Speaker 1:	Mr Calum Findlay
Subject:	Objection to Development Application DA-11-2019 – Wind Turbine and Tank Stand

The Chair introduced the Speaker, Mr Calum Findlay.

The Speaker addressed Council to speak against Development Application DA-11-2019 – Wind Turbine and Tank Stand.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

Speaker 2:	Ms Sharyn Kelly
Subject:	Objection to Development Application DA-11-2019 – Wind Turbine and Tank Stand

The Chair introduced the Speaker, Ms Sharyn Kelly.

The Speaker addressed Council to speak against Development Application DA-11-2019 – Wind Turbine and Tank Stand.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

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PROCEDURAL MOTION (Crs M Dusting / L Sampson)

To reschedule the Report 13 Agenda Item

That;

Report 13, DIVISION DECISION – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River be brought forward in the Agenda for consideration by Council following the Mayoral Minute.

05.05/19 CARRIED

9. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
23/4/2019	Ordinary Council Meeting	Uralla
14/5/2019	Regional Weeds Committee	Inverell
27/5/2019	New England Joint Organisation Meeting	Uralla

COUNCILLOR NAME:	Robert Crouch	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
3/5/2019	UNE Graduation	Armidale
7/5/2019	Audit, Risk and Improvement Training	Coffs Harbour
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Extraordinary Meeting of Council	Uralla
14/5/2019	Budget Review & Finance Committee Meeting	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Levi Sampson	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Extraordinary Meeting of Council	Uralla
14/5/2019	Budget Review & Finance Committee Meeting	Uralla
14/5/2019	Uralla Township & Environs Committee Meeting	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Natasha Ledger	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
7/5/2019	Budget Workshop	Uralla
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Extraordinary Meeting of Council	Uralla
14/5/2019	Budget Review & Finance Committee Meeting	Uralla
23/5/2019	Northern Inland Regional Waste	Tamworth
27/5/2019	New England Joint Organisation Meeting	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

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COUNCILLOR NAME:	Rob Bell	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
7/5/2019	Budget Workshop	Uralla
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Extraordinary Meeting of Council	Uralla
14/5/2019	Budget Review & Finance Committee Meeting	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Tom O'Connor	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
7/5/2019	Budget Workshop	Uralla
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Budget Review and Finance Committee Meeting	Uralla
14/5/2019	Extraordinary Council Meeting	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Isabel Strutt	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
23/4/2019	Ordinary Meeting of Council	Uralla
25/4/2019	Anzac Day Ceremony	Uralla
1/5/2019	Central Northern Regional Library Meeting	Tamworth
7/5/2019	Budget Workshop	Uralla
14/5/2019	Councillor Strategic Planning Workshop	Uralla
14/5/2019	Extraordinary Meeting of Council	Uralla
14/5/2019	Budget Review & Finance Committee Meeting	Uralla
14/5/2019	Uralla Township and Environs Committee Meeting	Uralla
27/5/2019	New England Joint Organisation	Uralla
28/5/2019	Ordinary Council Meeting	Uralla

COUNCILLOR NAME:	Michael Pearce	
COUNCIL MEETING DATE:	28 May 2019	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
24/4/2019	Mayor's Office – Admin	Uralla
25/4/2019	Anzac Day march and activities in Uralla	Uralla
26/4/2019	Mayor's Office – Admin	Uralla
26/4/2019	Interview panel regarding Executive Officer position for New England JO	Uralla
29/4/2019	Interview panel regarding Executive Officer position for New England JO	Inverell
1/5/2019	Mayor's Office – Admin	Uralla
1/5/2019	2AD radio interview	Uralla
2/5/2019 to 12/5/2019	Leave of Absence	
13/5/2019	Mayor's Office - Admin	Uralla
14/5/2019 16/5/2019	Annual Waste Avoidance and Resource Recovery Conference	Coffs Harbour
20/5/2019	Mayor's Office – Admin	Uralla
21/5/2019	New England Bush Fire Management Committee meeting	Armidale

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22/5/2019	Mayor's Office – Admin	Uralla
23/5/2019	Northern Inland Regional Waste meeting	Tamworth
27/5/2019	New England Joint Organisation meeting	Uralla
28/5/2019	Mayor's Office – Admin	Uralla
28/5/2019	May Ordinary Council Meeting	Uralla

10. MAYORAL MINUTE

Submitted by: Mayor, Cr M Pearce
Reference/Subject: Minute of Silence in Honour of Former Councillor and Mayor Ron Filmer

MAYOR'S RECOMMENDATION:

That Council observe one minute of silence to honour the memory of former Councillor and Mayor Ron Filmer, who passed away on the evening of 20 May 2019.

MOTION (Crs M Dusting / T O'Connor)

That Council observe one minute of silence to honour the memory of former Councillor and Mayor Ron Filmer, who passed away on the evening of 20 May 2019.

06.05/19

CARRIED

12. REPORTS TO COUNCIL (Rescheduled Report)

Department: Infrastructure and Development
Submitted by: Manager Planning and Development
Reference/Subject: Report 13 – DIVISION DECISION – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River

Cr R Crouch, having previously declared a conflict of interest, left the meeting at 1:12pm.

OFFICER'S RECOMMENDATION:

That Council:

- *Lift the Development Application 11/2019 off the table, and*
- *Approve the Development Application 11/2019 for a wind turbine and tank stand at 24 McDonalds Lane Rocky River, being Lot 52 DP 755846, 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*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

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

Erection of signs

Please Note: *This does not apply in relation to:*

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

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

Notification of *Home Building Act 1989* requirements

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

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

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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. A Construction Certificate must be obtained from a Certifying Authority before work commences.

Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.

11. 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.

12. Any noise generated by the wind turbine is not to exceed a consistent
- (a) 55 decibels measured at ground level 15 metres from the turbine base, and
 - (b) 48 decibels at the property boundary.

Reason: To protect and preserve the amenity of the locality.

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

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

14. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000

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CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

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

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

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

ADVISORY NOTES – GENERAL

17. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
18. 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.
19. 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.
20. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
21. 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.

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22. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 approval must be obtained from Council. Please contact Council to obtain an application form.

PROCEDURAL MOTION (Crs I Strutt / R Bell)

To move to Committee of the Whole

07.05/19

CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs M Dusing / R Bell)

To resume Standing Orders

08.05/19

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Bell / T O'Connor)

That Council:

- *Lift the Development Application 11/2019 off the table, and*
- *Approve the Development Application 11/2019 for a wind turbine and tank stand at 24 McDonalds Lane Rocky River, being Lot 52 DP 755846, 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:

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

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
3. For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW H102 of Volume One of the *National Construction Code*.

Erection of signs

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Please Note: *This does not apply in relation to:*

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

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

Notification of *Home Building Act 1989* requirements

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

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

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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. A Construction Certificate must be obtained from a Certifying Authority before work commences.

Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.

11. 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.

12. Any noise generated by the wind turbine is not to exceed a consistent
- (a) 55 decibels measured at ground level 15 metres from the turbine base, and
 - (b) 48 decibels at the property boundary.

Reason: To protect and preserve the amenity of the locality.

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

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

14. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000

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CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

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

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

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

ADVISORY NOTES – GENERAL

17. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
18. 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.
19. 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.
20. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
21. 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.

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22. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 approval must be obtained from Council. Please contact Council to obtain an application form.

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

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

AGAINST: Nil

ABSENT: Cr B Crouch

09.05/19 CARRIED

Cr R Crouch returned to the meeting at 1:19pm.

11. REPORTS OF COMMITTEES

Department Corporate Services
Submitted by: Risk Management and Safety Officer
Reference/Subject: Report 1 – Report of the Audit, Risk and Improvement Committee Meeting
held on 16 April 2019

OFFICER'S RECOMMENDATION:

1. That Council note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 16 April 2019 [Attachment A].
2. Report No. 1 - DRAFT Policy: Complaints Management 2019
That Council note the Motion as made by the Committee:
 - a. The Audit Committee endorse the Draft policy: Complaints Management 2019 for Council consideration and public exhibition [Attachment C]; and
 - b. Clause 5.3 of the draft policy be amended to provide that the senior officer designated by the General Manager is not the Tier 1 reviewer.
3. Report No. 2 - Shared Internal Audit Resource
That Council note the Motion as made by the Committee:
That the Audit, Risk and Improvement Committee advise Council it has no objection to the concept of Council participating in a shared service arrangement for the provision of internal audit services.

MOTION (Crs I Strutt / R Crouch)

1. That Council note the unconfirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 16 April 2019 [Attachment A].
2. Report No. 1 - DRAFT Policy: Complaints Management 2019
That Council note the Motion as made by the Committee:
 - a. The Audit Committee endorse the Draft policy: Complaints Management 2019 for Council consideration and public exhibition [Attachment C]; and
 - b. Clause 5.3 of the draft policy be amended to provide that the senior officer designated by the General Manager is not the Tier 1 reviewer.
3. Report No. 2 - Shared Internal Audit Resource
That Council note the Motion as made by the Committee:
That the Audit, Risk and Improvement Committee advise Council it has no objection to the concept of Council participating in a shared service arrangement for the provision of internal audit services.

10.05/19 CARRIED

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12. REPORTS TO COUNCIL (Scheduled Reports)

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

OFFICER'S RECOMMENDATION:

That;

Council note the cash position as at 30 April, 2019 consisting of cash and overnight funds of \$2,765,808, term deposits of \$13,550,000 totalling \$16,315,808 of readily convertible funds.

MOTION (Crs M Dusting / N Ledger)

That;

Council note the cash position as at 30 April, 2019 consisting of cash and overnight funds of \$2,765,808, term deposits of \$13,550,000 totalling \$16,315,808 of readily convertible funds.

11.05/19

CARRIED

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 2 – 2018/19 - 3rd Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

1. That the third quarter budget review summary for the 2018/19 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted.

MOTION (Crs I Strutt / M Dusting)

1. That the third quarter budget review summary for the 2018/19 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted.

12.05/19

CARRIED

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 3 – Remuneration for Councillors and the Mayor 2019-20

OFFICER'S RECOMMENDATION:

That;

1. The report and determination of the New South Wales Remuneration Tribunal 2019 be noted;
2. Council determine to adopt the percentage increase of 2.5% as determined by the Tribunal and therefore set the level of fees payable to Councillors at \$11,400 per annum effective from 1 July 2019 to 30 June 2020; and
3. Council determine to adopt the percentage increase of 2.5% as determined by the Tribunal and set the additional fee payable to the Mayor at \$20,544 per annum effective from 1 July 2019 to 30 June 2020.

PROCEDURAL MOTION (Crs I Strutt / M Dusting)

To move to Committee of the Whole

13.05/19

CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

14.05/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs M Dusting / R Crouch)

That;

1. The report and determination of the New South Wales Remuneration Tribunal 2019 be noted;
2. Council determine to adopt the percentage increase of 2.5% as determined by the Tribunal and therefore set the level of fees payable to Councillors at \$11,400 per annum effective from 1 July 2019 to 30 June 2020; and
3. Council determine to adopt the percentage increase of 2.5% as determined by the Tribunal and set the additional fee payable to the Mayor at \$20,544 per annum effective from 1 July 2019 to 30 June 2020.

15.05/19 CARRIED

Department: Corporate Services
Submitted by: Acting Coordinator Governance and Risk
Reference/Subject: Report 4 – Draft Complaints Management Policy 2019

OFFICER'S RECOMMENDATION:

That Council;

1. Approve the "Draft Complaints Management Policy 2019" at Attachment A for public exhibition for 28 days; and
2. Subject to no submissions received during public exhibition, adopt the "Draft Complaints Management Policy 2019" at Attachment A.

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

16.05/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

17.05/19 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs R Crouch / T O'Connor)

That Council;

1. Approve the "Draft Complaints Management Policy 2019" at Attachment A for public exhibition for 28 days;
2. Subject to no submissions received during public exhibition, adopt the "Draft Complaints Management Policy 2019" at Attachment A;
3. Receive a report about the capability of and capacity for existing council resources to provide the following information:
 - a) The number of complaints received;
 - b) The outcomes of complaints including complaints received at the front line;
 - c) Issues arising from complaints;
 - d) Systematic issues identified; and
 - e) The number of requests received for internal and/or external review of our complaints handling.
4. The report is to identify the likely costs and timeframes (for both system augmentation and on-

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going administration) required to enable a, b, c, d and e (of item 1 above) to be provided to Council at 6 monthly intervals.

5. That the July Ordinary Meeting of Council receive the report.

18.05/19 CARRIED

Department: Corporate Services
Submitted by: Coordinator Community Development and Engagement
Reference/Subject: Report 5 – Community Grants Program - Individuals 2018-19

OFFICER'S RECOMMENDATION:

That Council approve two Community Grants under the "Individuals" category to Mr Finn O'Keefe to the value of \$300 and to Mrs Kelly Wisemantel on behalf of her daughter, Ms Hayley Wisemantel to the value of \$300.

MOTION (Crs T O'Connor / R Bell)

That Council approve two Community Grants under the "Individuals" category to Mr Finn O'Keefe to the value of \$300 and to Mrs Kelly Wisemantel on behalf of her daughter, Ms Hayley Wisemantel to the value of \$300.

19.05/19 CARRIED

Department: Corporate Services
Submitted by: Coordinator Community Development & Engagement
Reference/Subject: Report 6 – Monthly Report - Library

OFFICER'S RECOMMENDATION:

That the report be received and noted.

MOTION (Crs I Strutt / N Ledger)

That the report be received and noted.

20.05/19 CARRIED

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

OFFICER'S RECOMMENDATION:

That the report be received and noted.

MOTION (Crs T O'Connor / L Sampson)

That the report be received and noted.

21.05/19 CARRIED

Department: General Manager's Office
Submitted by: Senior Executive Officer
Reference/Subject: Report 8 – Schedule of Actions as at 28 May 2019

OFFICER'S RECOMMENDATION:

That Council receive and note the Schedule of Actions as at 28 May 2019.

MOTION (Crs I Strutt / T O'Connor)

That Council receive and note the Schedule of Actions as at 28 May 2019.

22.05/19 CARRIED

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

OFFICER'S RECOMMENDATION:

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

MOTION (Crs R Crouch / L Sampson)

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

23.05/19 CARRIED

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 10 – Heritage Advisory Services Summary for May 2019

OFFICER'S RECOMMENDATION:

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

MOTION (Crs M Dusting / I Strutt)

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

24.05/19 CARRIED

Department: Infrastructure & Development
Submitted by: Environmental Management Coordinator
Reference/Subject: Report 11 – Proposed Resignation of Management from Selected Council Managed Crown Reserves

OFFICER'S RECOMMENDATION:

That Council make a written application to the Minister for Department of Industry - Crown Lands confirming Council's resignation request as Crown land manager of the following Crown land reserves;

- Lot 322 DP 755811 Saumarez Ponds - (Barry Munday) Recreation Reserve;
- Lot 153 DP 755838 Kentucky South Reserve;
- Lot 153 DP 755838 Kentucky South Reserve;
- Lot 7010 DP 93183 Bundarra CBD Reserve;
- Lot 7002 DP 1072010 Rocky River Recreation Reserve, and
- Lot 7302 DP 1155531 Saumarez Reserve.

PROCEDURAL MOTION (Crs R Crouch / M Dusting)

To move to Committee of the Whole

25.05/19 CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr N Ledger left the meeting at 2:13pm.

Cr N Ledger returned to the meeting at 2:14pm.

Cr N Ledger left the meeting at 2:18pm.

Cr N Ledger returned to the meeting at 2:19pm.

PROCEDURAL MOTION (Crs L Sampson / M Dusting)

To resume Standing Orders

26.05/19 CARRIED

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The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / N Ledger)

That Council;

1. Place the proposal on public exhibition for a period of 28 days, and
2. In the event of no objections being received, make a written application to the Minister for Department of Industry - Crown Lands confirming Council's resignation request as Crown land manager of the following Crown land reserves;
 - Lot 322 DP 755811 Saumarez Ponds - (Barry Munday) Recreation Reserve;
 - Lot 153 DP 755838 Kentucky South Reserve;
 - Lot 153 DP 755838 Kentucky South Reserve;
 - Lot 7010 DP 93183 Bundarra CBD Reserve;
 - Lot 7002 DP 1072010 Rocky River Recreation Reserve, and
 - Lot 7302 DP 1155531 Saumarez Reserve.

27.05/19 CARRIED

Department: Infrastructure & Development
Submitted by: Director of Infrastructure & Development
Reference/Subject: Report 12 – Service NSW Easy to do Business Program

OFFICER'S RECOMMENDATION:

That Council:

1. Delegate authority to the General Manager to enter into an agreement with Service NSW to deliver the Easy to do Business program to Uralla Shire; and
2. Any necessary, associated documents be authorised for execution under the Common Seal of Council.

MOTION (Crs R Crouch / I Strutt)

That Council:

1. Delegate authority to the General Manager to enter into an agreement with Service NSW to deliver the Easy to do Business program to Uralla Shire; and
2. Any necessary, associated documents be authorised for execution under the Common Seal of Council.

28.05/19 CARRIED

13. MOTIONS ON NOTICE/QUESTIONS WITH NOTICE

There were no Notices of Motion or Questions with Notice addressed to the 28 May Meeting.

14. CONFIDENTIAL MATTERS

PROCEDURAL MOTION (Crs M Dusting / R Crouch)

To move into Closed Session of Council

That;

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

The matters referred to the Closed Session of the 28 May 2019 meeting are received by Council under Section 10A (2)(a) of the Local Government Act (NSW) 1993.

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

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

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- (2) The matters and information are the following:**
(a) personnel matters concerning particular individuals (other than councillors),

29.05/19 CARRIED

REPORTS TO CLOSED SESSION

Department: General Manager's Office
Submitted by: General Manager
Reference/Subject: Confidential Report 1 – General Manager Mid Term Performance Review
1/07/2018 to 31/12/2018

OFFICER'S RECOMMENDATION:

That Council:

Acknowledge the General Manager received an average result of 'Exceeds Expectations' for his 2018-2019 mid-term performance review conducted on Thursday 4th April 2019.

MOTION (Crs R Crouch / I Strutt)

That Council:

1. Acknowledge the General Manager received an average result of 'Exceeds Expectations' for his 2018-2019 mid-term performance review conducted on Thursday 4th April 2019.
2. Engage with Local Government NSW to develop a General Manager's Performance Agreement for Uralla Shire Council that better reflects the needs of Council.

30.05/19 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION (Crs M Dusing / I Strutt)

That;

The resolutions of Closed Session of Council become the resolutions of Open Session of Council.

31.05/19 CARRIED

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

CLOSURE OF MEETING

The meeting was closed at: 3:00pm

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