



## **URALLA SHIRE COUNCIL BUSINESS PAPER**

Notice is hereby given, in accordance with the provision of the Local Government Act 1993 that a Meeting of Uralla Shire Council will be held in the Council Chambers, 32 Salisbury Street, Uralla, commencing at 12:30pm.

### **ORDINARY COUNCIL MEETING**

**26 March 2019**

Andrew Hopkins  
**GENERAL MANAGER**



Uralla Shire Council  
Council Business Paper – 26 March 2019

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

- 1. Opening & Welcome**
- 2. Prayer**
- 3. Acknowledgement of Country**
- 4. Apologies**
- 5. Requests for Leave of Absence**
- 6. Disclosures & Declaration of Interests**
- 7. Confirmation of Minutes of Previous Meeting**
- 8. Announcements**
- 9. Tabling of Reports & Petitions**
- 10. Recommendations for Items to be Considered in Confidential Section**
- 11. Urgent Supplementary & Late Items of Business**
- 12. Presentations**
  - Mr Antonius Vanden Hoogen – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River
- 13. Deputations**
- 14. Written Reports from Delegates**
  - Written Delegate Report from Councillor Bell – Mid North Weight of Loads
  - Written Delegate Report from Councillor Strutt – International Women’s Day Luncheon - Friday 15 March 2019
- 15. Mayoral Minute**
- 16. Reports to Council**
  - Report 1 - Cash at Bank and Investments
  - Report 2 - Monthly Report - Library
  - Report 3 - Monthly Report - Visitor Information Centre
  - Report 4 - Changes to Organisation Structure
  - Report 5 - 2019 Bush Bursary/Country Women’s Association Scholarship Program
  - Report 6 - Community Grants Program 2018/19 – Round 2
  - Report 7 - Fill Vacancy in the Community Grants Panel 2018-19
  - Report 8 - Responses to QBRS Questions from February 2019 Ordinary Meeting
  - Report 9 - Draft Internal Reporting Policy 2019
  - Report 10 - Revisions to the 2018 Drought Management Plan
  - Report 11 - Draft Uralla Local Approvals Policy
  - Report 12 - Bundarra Road Reconstruction at Barloo Road
  - Report 13 - Development Approvals and Refusals for February 2019
  - Report 14 - DIVISION DECISION – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River
  - Report 15 - DIVISION DECISION - Development Application 48/2018 – Croft Surveying and Mapping - 10 Lot Residential Subdivision – 216 Invergowrie Road, Uralla

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- Report 16 - Country Mayors Association – Minutes of the Meeting held 8 March 2019
- Report 17 - Minutes of Bundarra School of Arts Hall s355 Committee
- Report 18 - Summary for the New England Weeds Authority Ordinary Meeting in February 2019

**17. Motions on Notice**

**18. Schedule of Actions as at 26 March 2019**

**19. Responses to Questions from Previous Meeting**

**20. Questions for Next Meeting**

**21. Confidential Business**

**22. Meeting Close**

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**[www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au)**

**1. OPENING & WELCOME**

**2. PRAYER**

**3. ACKNOWLEDGEMENT OF COUNTRY**

**4. APOLOGIES**

**5. REQUESTS FOR LEAVE OF ABSENCE**

**6. DISCLOSURES & DECLARATIONS OF INTEREST**

To be tabled at the Meeting.

**7. CONFIRMATION OF MINUTES**

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

- Ordinary Meeting of Council held 26 February 2019 (copy enclosed)
- Extraordinary Meeting of Council held 12 March 2019 (copy enclosed)
- Extraordinary Meeting of Council held 18 March 2019 (copy enclosed)

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

- Budget Review and Finance Committee Meeting held 12 March 2019 (copy enclosed)



## ORDINARY MEETING OF COUNCIL

Held at 12:30pm  
26 February 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  
I Strutt  
Cr T Toomey

#### Staff:

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

# MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 February 2019

Resolution  
Number

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Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 February 2019

*The Meeting Commenced at: 12:31pm*

**ATTENDANCE**

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

**1. OPENING & WELCOME**

**2. PRAYER**

**3. ACKNOWLEDGEMENT TO COUNTRY**

**4. OATH OF OFFICE AS COUNCILLOR**

*Cr T O'Connor took the Oath of Office as Councillor.*

**5. APOLOGIES**

*The Chair advised there were no apologies received.*

**6. REQUESTS FOR LEAVE OF ABSENCE**

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

**7. DISCLOSURES & DECLARATION OF INTERESTS**

*The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 26 February 2019 Meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr R Bell	Report 16	Non-Pecuniary	Unpaid Project Manager DA-27-2015-5 Stage A
Cr B Crouch	Report 19	Non-Pecuniary	On the executive committee of the Uralla Business Chamber – one of the submission writers
Cr T Toomey	Report 16 Report 18	Non-Pecuniary Non-Pecuniary	Friendship Friendship

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 February 2019

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**8. CONFIRMATION OF MINUTES**

Minutes to be confirmed at the 26 February 2019 Meeting:

- Minutes of Ordinary Meeting held 18 December 2018 (to be confirmed)

**AMENDMENTS**

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

*There were no amendments requested by Councillors.*

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

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 18 December 2018.

**01.02/19 CARRIED**

Minutes to be received and noted at the 26 February 2019 Meeting:

- Australia Day Committee Meeting held 12 December 2018
- Budget Review and Finance Committee Meeting held 12 February 2019

**MOTION (Crs L Sampson / I Strutt)**

That;

Council receive and note the Minutes of the Australia Day Committee meeting held 12 December 2018 and the Budget Review and Finance Committee Meeting held 12 February 2019.

**02.02/19 CARRIED**

**9. ANNOUNCEMENTS**

*The Chair advised there were no announcements.*

**10. TABLING OF REPORTS & PETITIONS**

*The Chair advised there were no reports or petitions tabled.*

**11. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL SECTION**

*The Chair advised there were no items recommended for consideration in the confidential section of the meeting.*

**12. 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 - Tolleys Gully Bridge – GLE Business Case

**PROCEDURAL MOTION (Crs M Dusting / N Ledger)**

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

That;

The late items of business be heard following Report 26 in the Meeting Agenda as;

- Late Report 1 - Tolleys Gully Bridge – GLE Business Case

**03.02/19 CARRIED**

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**13. PRESENTATIONS**

Speaker 1:	Carmel Meznaric
Subject:	Service NSW

*The Chair introduced the Speaker, Carmel Meznaric.*

*The Speaker made a presentation to Council in relation to Service NSW.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for her presentation to Council.*

Speaker 2:	Tara Toomey
Subject:	Seasons of New England

*The Chair introduced the Speaker, Tara Toomey.*

*The Speaker made a presentation to Council in relation to Seasons of New England.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for her presentation to Council.*

Speaker 3:	Kevin Hartley
Subject:	Natural Burial Site, Saumarez Ponds

*The Chair introduced the Speaker, Kevin Hartley.*

*The Speaker made a presentation to Council in relation to a Natural Burial Site located at Saumarez Ponds.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for his presentation to Council.*

Speaker 4:	Anne and Greg Ward
Subject:	Modification of Development Application 26/2018 - Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)

*The Chair introduced the Speaker, Anne Ward.*

*The Speaker made a presentation to Council in relation to Modification of Development Application 26/2018 - Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369).*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for her presentation to Council.*

**PROCEDURAL MOTION (Crs M Pearce / M Dusting)**

**Five minute meeting adjournment.**

**04.02/19 CARRIED**

*The meeting resumed at 1:29pm.*

*Having previously declared a conflict of interest, Cr T Toomey left the meeting at 1:29pm.*

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**PROCEDURAL MOTION (Crs T O'Connor / L Sampson)**  
**To reschedule the Report 18 Agenda Item**

That;

Report 18 - DIVISION DECISION – Modification of Development Application 26/2018 – Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369) be brought forward in the Agenda for consideration by Council.

**05.02/19 CARRIED**

**17. REPORTS TO COUNCIL (Rescheduled Report)**

Department: Infrastructure and Development  
Submitted by: Manager Planning and Development  
Reference/Subject: Report 18 - DIVISION DECISION - Modification of Development Application 26/2018 - Subdivision - 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369)

**OFFICER'S RECOMMENDATION:**

That;

Council refuse the Modification of Development Application 26/2018 for urban subdivision to not require provision of electricity to the property boundary at 26 Uralla Street and 56 Salisbury Street, Uralla (Lots 6 and 7 DP 583369) as:

- It is appropriate that all lots within a new subdivision within the Uralla urban footprint have access to mains power.
- The proposed alternative arrangements for electricity provision present as being insufficient to satisfy the energy needs of an average household;
- Clause 6.4 of the Uralla Local Environmental Plan 2012 states that development consent must not be granted to development unless the consent authority is satisfied that adequate arrangements for the supply of electricity for the proposed development have been made.

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

**06.02/19 CARRIED**

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

**PROCEDURAL MOTION (Crs M Dusting / I Strutt)**  
**To resume Standing Orders**

**07.02/19 CARRIED**

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

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

That Council approve the Modification of Development Application 26/2018 for urban subdivision to not require the provision of electricity to the property at the boundary at 26 Uralla Street and 56 Salisbury Street (Lots 6 and 7 DP 583369) subject to the provision of no less than 10KW solar power generation and 16KWh of battery storage combined with a 7 star rating for the residential thermal performance of the residence through a Section 88B Instrument:

- The off grid status promotes the on-site generation of alternative energy and improved thermal fabric of buildings in line with the Zeronet Energy Town - Uralla Case Study launched by the then Minister for the Environment, Hon Mark Speakman, on Tuesday 6th October 2015, and
- Clause 6.4 of the Uralla Local Environment Plan 2012 requires that Council must be satisfied that there are adequate arrangements for the supply of electricity for a proposed development are made before providing development consent.

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

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

That;

The matter lay on the table pending further technical and legal investigation.

**08.02/19 CARRIED**

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

*Cr T Toomey returned to the meeting at 2:10pm.*

**14. DEPUTATIONS**

There were no deputations registered for the 26 February 2019 Meeting.

**15. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)**

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

<b>COUNCILLOR NAME:</b>		Mark Dusting
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
18/12/2018	Ordinary Council Meeting	Uralla
5/2/2019	Northern Tablelands Regional Weeds Committee	Armidale
12/2/2019	Councillor Strategic Planning Workshop and Budget Review and Finance Committee Meeting	Uralla
19/2/2019	New England Weeds Authority	Armidale

<b>COUNCILLOR NAME:</b>		Bob Crouch
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
26/1/2019	Australia Day Activities	Uralla
12/2/2019	Councillor Strategic Planning Workshop	Uralla
12/2/2019	Budget Review and Finance Committee Meeting	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

<b>COUNCILLOR NAME:</b>		Levi Sampson
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
9/1/2019	Australia Day Committee	Uralla
25/1/2019	Australia Day Dinner	Uralla
26/1/2019	Australia Day Celebrations	Uralla
12/2/2019	Councillor Strategic Planning Workshop	Uralla
12/2/2019	Budget Review and Finance Committee	Uralla
12/2/2019	UTEC Meeting	Uralla
12/2/2019	Show Society Meeting	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

<b>COUNCILLOR NAME:</b>		Natasha Ledger
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
3/1/2019	Uralla Show Society Meeting	Uralla
25/1/2019	Australia Day Dinner	Uralla
26/1/2019	Australia Day Celebrations, Balala and Uralla	Uralla
31/1/2019	Uralla Show Judging	Uralla

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1/2/2019	Uralla Show Society Working Bee	Uralla
2/2/2019	Uralla Show Society Meeting	Uralla
4/2/2019	Arts North West Meeting	Inverell
5/1/2019	Alma Park Consultation	Uralla
6/2/2019	Bundarra School of Arts Hall Committee Meeting	Bundarra
7/2/2019	Uralla Shire Business Chamber Meeting	Uralla
12/2/2019	Councillor Strategic Planning Workshop and Budget Review and Finance Committee Meeting	Uralla
13/2/2019	Funeral, Kevin Ward	Armidale
15/2/2019	Peace Run Meeting	Uralla
16/2/2019	Peace Run	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

<b>COUNCILLOR NAME:</b>		Tara Toomey
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
26/1/2019	Australia Day Celebrations	Uralla
2/2/2019	Uralla Show	Uralla
5/2/2019	Alma Park Play Consultation	Uralla
12/2/2019	Budget Review and Finance Committee	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

<b>COUNCILLOR NAME:</b>		Rob Bell
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
12/2/2019	Councillor Strategic Planning Workshop	Uralla
12/2/2019	Budget Review and Finance Committee	Uralla

<b>COUNCILLOR NAME:</b>		Tom O'Connor
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
20/2/2019	Declaration of the Ward A By-election	Uralla
26/2/2019	On-site visit to 56 Salisbury/26 Uralla Street	Uralla
26/2/2019	Taking the Oath of Officer for Councillor	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

<b>COUNCILLOR NAME:</b>		Isabel Strutt
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
26/1/2019	Australia Day Morning Tea	Uralla
26/1/2019	Australia Day Celebrations	Uralla
5/2/2019	Community Information Session – Installation of Playground Equipment at Alma Park	Uralla
12/2/2019	Councillor Strategic Planning Workshop	Uralla
12/2/2019	Budget Review and Finance Committee Meeting	Uralla
12/2/2019	UTEC Meeting	Uralla
15/2/2019	Peace Run Meeting	Uralla
16/2/2019	Peace Run Torch Relay	Uralla
20/2/2019	Declaration of the Ward A By-election	Uralla
26/2/2019	Site Inspection	Uralla
26/2/2019	Ordinary Council Meeting	Uralla

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<b>COUNCILLOR NAME:</b>		Michael Pearce
<b>COUNCIL MEETING DATE:</b>		26 February 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
19/12/2018	Mayor's Office - Admin	Uralla
20/12/2018	RFS, Armidale re debrief, Section 44, Melrose near Enmore and Moona Plains fires	Armidale
14/1/2019	Mayor's Office - Admin	Uralla
15/1/2019	Mayor's Office - Admin	Uralla
16/1/2019	Mayor's Office - Admin	Uralla
17/1/2019	Mayor's Office - Admin	Uralla
21/1/2019	Mayor's Office - Admin	Uralla
22/1/2019	Mayor's Office - Admin	Uralla
23/1/2019	Mayor's Office - Admin	Uralla
24/1/2019	Mayor's Office - Admin	Uralla
25/1/2019	Dinner with Australia Day Ambassador, Bryce Collins	Uralla
26/1/2019	Australia Day activities, Balala and Uralla	Uralla
29/1/2019	Mayor's Office - Admin	Uralla
30/1/2019	Mayor's Office - Admin	Uralla
31/1/2019	Mayor's Office - Admin	Uralla
2/2/2019	Uralla Show – Official opening	Uralla
4/2/2019	Mayor's Office - Admin	Uralla
5/2/2019	Mayor's Office - Admin	
6/2/2019	Mayor' Office - Admin	Uralla
7/2/2019	Mayor's Office - Admin	Uralla
11/2/2019	Mayor's Office - Admin	Uralla
12/2/2019	Councillor Strategic Planning Workshop	Uralla
12/2/2019	Budget Review and Finance Committee Meeting	Uralla
13/2/2019	Mayor's Office - Admin	Uralla
13/2/2019	Funeral, Kevin Ward	Armidale
14/2/2019	Mayor's Office - Admin	Uralla
15/2/2019	Meeting regarding Peace Run	Uralla
16/2/2019	Peace Run – Torch Relay	Uralla
17/2/2019	National Servicemen's Commemoration Day	Armidale
18/2/2019	Mayor's Office - Admin	Uralla
19/2/2019	Mayor's Office - Admin	Uralla
20/2/2019	Mayor's Office - Admin	Uralla
21/2/2019	Mayor's Office - Admin	Uralla
25/2/2019	New England Joint Organisation (NEJO) – Board Meeting	Inverell
26/2/2019	Mayor's Office - Admin	Uralla
26/2/2019	February Ordinary Council Meeting	Uralla

**15. WRITTEN REPORTS FROM DELEGATES (Reports to Council)**

Submitted by: Cr Isabel Strutt  
Reference/Subject: Central Northern Regional Libraries – Annual General and Ordinary Meetings held in Tamworth on Wednesday 14 November 2018

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

That the report be received and noted.

**09.02/19 CARRIED**

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**16. MAYORAL MINUTE**

Submitted by: Mayor, Cr Michael Pearce  
Reference/Subject: Minute of Silence in Honour of Ex-Councillor Kevin Ward

**MAYOR'S RECOMMENDATION:**

That;

Council observe one minute of silence to honour the memory of ex-councillor Kevin Ward, who passed away on the evening of 8th February 2019.

**MOTION (Crs M Pearce / B Crouch)**

That;

Council observe one minute of silence to honour the memory of ex-councillor Kevin Ward, who passed away on the evening of 8th February 2019.

**10.02/19 CARRIED**

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

To reschedule the Report 17 Agenda Item

That Report 17, DIVISION DECISION – Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla be brought forward in the Agenda for consideration by Council ahead of Report 1.

**11.02/19 CARRIED**

**17. REPORTS TO COUNCIL (Rescheduled Report)**

Department: Infrastructure and Development  
Submitted by: Manager Planning and Development  
Reference/Subject: Report 17 - DIVISION DECISION – Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla

**OFFICER'S RECOMMENDATION:**

That Council refuse the Development Application 35/2017 for a dwelling at 36 Uralla Street, Uralla (Lots 30 and 31 DP 1000678) as:

- Part of the proposed dwelling footprint is located below the Flood Planning Level (1% Annual Exceedance Probability Level), and
- Part of the proposed dwelling footprint is located within a High Hazard Floodway as defined by the NSW Floodplain Development Manual, and
- Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) "Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure", and
- The flood hazard to the proposed dwelling is inconsistent with applicable development standards in the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011.
- The proposed eastern side setback is inconsistent with the Uralla Development Control Plan 2011.
- The proposed development would increase the flood risk to surrounding properties if constructed.
- The proposal is inconsistent with Direction 12, Action 12.1 of the New England North West Regional Plan.

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

**To move to Committee of the Whole**

**12.02/19 CARRIED**

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

*Cr T O'Connor left the meeting at 2:54pm.*

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**PROCEDURAL MOTION (Crs I Strutt / M Disting)**  
**To resume Standing Orders**

**13.02/19 CARRIED**

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

*The Chair outlined details of the relevant matters about the application which were discussed in committee.*

*Cr T O'Connor returned to the meeting at 2:56pm.*

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

**14.02/19 CARRIED**

*Cr L Sampson left the meeting at 3:05pm.*

*Cr L Sampson returned to the meeting at 3:07pm.*

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

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

**15.02/19 CARRIED**

*The Chair outlined details of the relevant matters about the application which were discussed in committee.*

**MOTION (Crs T Toomey / )**

Lay the application on the table and provide written instruction to the applicant a significantly different design will need to be provided to address the following matters:

- \* Part of the proposed dwelling footprint is located below the Flood Planning Level (1% Annual Exceedance Probability Level), and
- Part of the proposed dwelling footprint is located within a High Hazard Floodway as defined by the NSW Floodplain Development Manual, and
- Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) "Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure", and
- The flood hazard to the proposed dwelling is inconsistent with applicable development standards in the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011.
- The proposed eastern side setback is inconsistent with the Uralla Development Control Plan 2011.
- The proposed development would increase the flood risk to surrounding properties if constructed.
- The proposal is inconsistent with Direction 12, Action 12.1 of the New England North West Regional Plan.

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

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

That Council;

Accept the Development Application 35/2017 for a dwelling at 36 Uralla Street, Uralla (Lots 30 and 31 DP 1000678) subject to a Hydraulic and Structural Engineer certifying that the application addresses the following matters and have been corrected:

- Part of the proposed dwelling footprint is located below the Flood Planning Level (1% Annual Exceedance Probability Level), and
- Part of the proposed dwelling footprint is located within a High Hazard Floodway as defined by the NSW Floodplain Development Manual, and
- Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) "Unsafe for

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vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure”, and

- The flood hazard to the proposed dwelling is inconsistent with applicable development standards in the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011.

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

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

That Council;

- a) Lift the matter from the table; and
- b) Refuse the Development Application 35/2017 for a dwelling at 36 Uralla Street, Uralla (Lots 30 and 31 DP 1000678) as:
  - Part of the proposed dwelling footprint is located below the Flood Planning Level (1% Annual Exceedance Probability Level), and
  - Part of the proposed dwelling footprint is located within a High Hazard Floodway as defined by the NSW Floodplain Development Manual, and
  - Part of the proposed dwelling footprint has a Hazard Vulnerability Classification of H5 as per the Australian Disaster Resilience Handbook Collection, Flood Hazard, Guideline 7.3 (2017) “Unsafe for vehicles and people, all building types vulnerable to structural damage, some less robust building types vulnerable to failure”, and
  - The flood hazard to the proposed dwelling is inconsistent with applicable development standards in the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011.
  - The proposed eastern side setback is inconsistent with the Uralla Development Control Plan 2011.
  - The proposed development would increase the flood risk to surrounding properties if constructed.
  - The proposal is inconsistent with Direction 12, Action 12.1 of the New England North West Regional Plan.

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

**FOR:** Cr N Ledger, Cr M Dusting, Cr M Pearce, Cr I Strutt, Cr T O'Connor

**AGAINST:** Cr L Sampson, Cr R Crouch, Cr R Bell, Cr T Toomey

**ABSENT:** Nil

16.02/19 CARRIED

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

Meeting adjournment – 5 minute break

17.02/19 CARRIED

*The meeting resumed at 3:44pm.*

**17. REPORTS TO COUNCIL (Scheduled Reports)**

Committee: Budget Review and Finance  
Submitted by: General Manager  
Reference/Subject: Report 1 - LTFP – Horizontal Service Review – Priority Actions

**OFFICER'S RECOMMENDATION:**

That Council;

Address the actions identified in the 'First Tranche of Potential Actions' list, in the Report, as follows:

- I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.
- II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as

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quickly as possible for consideration and direction.

- III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget.

**MOTION (Crs B Crouch / I Strutt)**

That Council;

Address the actions identified in the 'First Tranche of Potential Actions' list, in the Report, as follows:

- I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.
- II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as quickly as possible for consideration and direction.
- III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget.
- IV. Items directly relating to Bundarra, specifically Item 6, be referred to the Bundarra School of Arts Hall Committee.

**18.02/19 CARRIED**

Committee: Budget Review and Finance  
Submitted by: Manager Waste, Water and Sewer Services  
Reference/Subject: Report 2 - Scope of Works for Waste Management Consultancy

**OFFICER'S RECOMMENDATION:**

That Council;

1. Note the clarifications and additions to the Draft Scope of Works for the Waste Management Consultancy, as outlined under Key Issues; and
2. Acknowledge the Budget Review and Finance Committee Meeting resolution 3/19 part 2, "Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved."

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

**To move to Committee of the Whole**

**19.02/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the draft scope of works.*

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

**To resume Standing Orders**

**20.02/19 CARRIED**

*The Chair outlined details of the considerations by the committee about the draft scope of works.*

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

That Council;

1. Note the clarifications and additions to the Draft Scope of Works for the Waste Management Consultancy, as outlined under Key Issues; and
2. Adopt the Budget Review and Finance Committee Meeting resolution 3/19 part 2, "Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved."
3. Incorporate words around reducing waste through education.
4. Page 3: Kerbside waste collection/scope/2 – incorporate at the end of sentence "and kerbside waste collections" and delete point A.
5. Page 4: Green waste/scope – remove point 3.

**21.02/19 CARRIED**

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Department: Organisational Services - Finance  
Submitted by: Chief Financial Officer  
Reference/Subject: Report 3 - Cash at Bank and Investments as at 31 December 2018

OFFICER'S RECOMMENDATION:

That;

Council note the cash position as at 31 December, 2018 consisting of cash and overnight funds of \$2,203,340, term deposits of \$13,550,000 totalling \$15,753,340 of readily convertible funds.

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

That;

Council note the cash position as at 31 December, 2018 consisting of cash and overnight funds of \$2,203,340, term deposits of \$13,550,000 totalling \$15,753,340 of readily convertible funds.

**23.02/19 CARRIED**

Department: Organisational Services - Finance  
Submitted by: Chief Financial Officer  
Reference/Subject: Report 4 - Cash at Bank and Investments as at 31 January 2019

OFFICER'S RECOMMENDATION:

That;

Council note the cash position as at 31 January, 2019 consisting of cash and overnight funds of \$1,398,818, term deposits of \$13,550,000 totalling \$15,948,818 of readily convertible funds.

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

That;

Council note the cash position as at 31 January, 2019 consisting of cash and overnight funds of \$1,398,818, term deposits of \$13,550,000 totalling \$15,948,818 of readily convertible funds.

**23.02/19 CARRIED**

Department: Finance  
Submitted by: Chief Financial Officer  
Reference/Subject: Report 5 - 2018/19 – 2nd Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

1. That the second 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.

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

**To move to Committee of the Whole**

**24.02/19 CARRIED**

*Councillors held a detailed discussion in committee regarding Report 3 – 2018/19 2<sup>nd</sup> Quarter Budget Review Statements.*

**PROCEDURAL MOTION (Crs M Dusting / N Ledger)**

**To resume Standing Orders**

**25.02/19 CARRIED**

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

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**MOTION (Crs I Strutt / N Ledger)**

1. That the second quarter budget review summary for the 2018/19 financial year be received and noted;
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted;
3. That information be provided to Council on the impact on the resealing program by the transfer of funding to the gravel re-sheeting program on the Transport Asset Management Plan; and
4. A list of consultants and expenditure be provided to Council.

**26.02/19 CARRIED**

Department: Community and Governance  
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 T O'Connor / L Sampson)**

That the report be received and noted.

**27.02/19 CARRIED**

Department: Community and Governance  
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 Toomey / R Crouch)**

That the report be received and noted.

**28.02/19 CARRIED**

Department: Community and Governance  
Submitted by: Acting Coordinator Governance and Risk  
Reference/Subject: Report 8 - Quarterly Review – Progress of Actions on the Combined Delivery Program 2017-21 and Operational Plan 2018-19 as at 31 December 2018

**OFFICER'S RECOMMENDATION:**

That Council receive and note the report.

**MOTION (Crs M Dusting / N Ledger)**

That Council receive and note the report.

**29.02/19 CARRIED**

Department: Community and Governance  
Submitted by: Acting Coordinator Governance and Risk  
Reference/Subject: Report 9 - Policy – Draft Code of Meeting Practice 2019

**OFFICER'S RECOMMENDATION:**

That Council;

1. Exhibit the Draft Code of Meeting Practice 2019 for 28 days
2. Subject to no submissions being received within 42 days, adopt the Draft Code of Meeting

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3. Allocate funding of \$15,000, from Council's reserves, to provide for recording and webcasting of council meetings in accordance with s5.19 of the Draft Code of Meeting Practice.

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

That Council;

1. Exhibit the Draft Code of Meeting Practice 2019 for 28 days.
2. Subject to no submissions being received within 42 days, adopt the Draft Code of Meeting Practice 2019.
3. Allocate funding of \$15,000, from Council's reserves, to provide for recording and webcasting of council meetings in accordance with s5.19 of the Draft Code of Meeting Practice.

**30.02/19 CARRIED**

Department: Community and Governance  
Submitted by: Acting Coordinator Governance and Risk  
Reference/Subject: Report 10 - Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019

**OFFICER'S RECOMMENDATION:**

That Council;

1. Exhibit the "Draft Code of Conduct 2019" (Attachment 1) for 28 days and
2. Exhibit "Draft Procedures for the Administration of the Draft Code of Conduct 2019" (Attachment 2) for 28 days
3. Subject to no submissions being received within 42 days, Council adopt the Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019
4. Review council's panel of conduct reviewers as required by the Draft Code.

**MOTION (Crs I Strutt / M Dusing)**

That Council;

1. Exhibit the "Draft Code of Conduct 2019" (Attachment 1) for 28 days; and
2. Exhibit "Draft Procedures for the Administration of the Draft Code of Conduct 2019" (Attachment 2) for 28 days;
3. Subject to no submissions being received within 42 days, Council adopt the Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019; and
4. Review council's panel of conduct reviewers as required by the Draft Code.
5. Request the Mayor to ask the New England Joint Organisation to consider the establishment of a regional panel of Conduct Reviewers for the member Councils of the Organisation.

**31.02/19 CARRIED**

Department: General Manager's Office  
Submitted by: Senior Executive Officer  
Reference/Subject: Report 11 - Cost Shifting on Local Government

**OFFICER'S RECOMMENDATION:**

That the report be received and noted.

**MOTION (Crs I Strutt / M Dusing)**

That the report be received and noted.

**32.02/19 CARRIED**

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Department: Infrastructure & Development  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 12 - Works Progress Report as at 31 January 2019

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during December 2018, January 2019 and works programmed for February 2019.

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

That;

1. The report be received and noted for the works completed or progressed during December 2018, January 2019 and works programmed for February 2019; and
2. That Council receive the report on the Bundarra/Barloo Road Project expenditure.

**33.02/19 CARRIED**

Department: Infrastructure and Development  
Submitted by: Manager Waste, Water and Sewer Services  
Reference/Subject: Report 13 - Bundarra Sewer Scheme Quarterly Report October - December 2018

OFFICER'S RECOMMENDATION:

That the October - December 2018 Bundarra Sewer Scheme progress report be received and noted by Council.

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

**To move to Committee of the Whole**

**34.02/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the Bundarra Sewer Scheme.*

*Cr T O'Connor left the meeting at 4:43pm.*

*Cr T O'Connor returned to the meeting at 4:45pm.*

*Cr T Toomey left the meeting at 4:50pm.*

*Cr T Toomey returned to the meeting at 4:50pm.*

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

**To resume Standing Orders**

**35.02/19 CARRIED**

*The Chair outlined details of the committee's discussion about the Bundarra Sewer Scheme project.*

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

That;

1. The October - December 2018 Bundarra Sewer Scheme progress report be received and noted by Council; and
2. Council note the progress of the Mayor and staff's efforts to obtain funding through the relevant NSW State Government Departments and the Local Member.

**36.02/19 CARRIED**

Department: Infrastructure & Development  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 14 - Development Approvals and Refusals for December 2018

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for December 2018.

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

That Council receive and note the development approvals and refusals for December 2018.

**37.02/19 CARRIED**

Department: Infrastructure & Development  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 15 - Development Approvals and Refusals for January 2019

**OFFICER'S RECOMMENDATION:**

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

**MOTION (Crs I Strutt / N Ledger)**

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

**38.02/19 CARRIED**

Department: Infrastructure and Development  
Submitted by: Manager Development and Planning  
Reference/Subject: Report 16 - Road Naming: "Somerset Close" in Stage A Phase 1 – DA-27-2015-5 – 114 Barleyfields Road, Uralla and "Wards Lane" off Eastern Avenue, Kentucky South

*Cr R Bell and Cr T Toomey, having previously declared a conflict of interest, left the meeting at 4:55pm.*

**OFFICER'S RECOMMENDATION:**

That Council resolve to:

1. Accept the name of "Somerset Close" as a suitable name for a road off Warwick Street within the Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla.
2. Accept the name of "Wards Lane" as a suitable name for the unformed road off Eastern Avenue, Kentucky South, to access Lot Lots 203-207 and Lots 2011-213 DP 755829.
3. Advertise both names for public submissions and, if no submissions are made, the General Manager be given delegated authority to accept the road names on behalf of Council.
4. Follow the process through NSW Online Road Naming System for approval by the Geographical Names Board, which involves notification to relevant parties and gazettal for "Somerset Close" and "Wards Lane".
5. Advertise both road names in the local newspaper and on council's website once gazetted.

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

That Council;

1. Accept the name of "Somerset Close" as a suitable name for a road off Warwick Street within the Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla.
2. Accept the name of "Wards Lane" as a suitable name for the unformed road off Eastern Avenue, Kentucky South, to access Lot Lots 203-207 and Lots 2011-213 DP 755829.
3. Advertise both names for public submissions and, if no submissions are made, the General Manager be given delegated authority to accept the road names on behalf of Council.
4. Follow the process through NSW Online Road Naming System for approval by the Geographical Names Board, which involves notification to relevant parties and gazettal for "Somerset Close" and "Wards Lane".
5. Advertise both road names in the local newspaper and on council's website once gazetted.

**39.02/19 CARRIED**

*Cr R Bell and Cr T Toomey were absent from the room at the time of voting.*

*Cr R Bell and Cr T Toomey returned to the meeting at 4:57pm.*

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Department: Infrastructure and Development  
Submitted by: Manager Development and Planning  
Reference/Subject: Report 19 - DIVISION DECISION – Development Application 51/2018 – 23 Lot  
Industrial Subdivision – Rowan Avenue Uralla

*Cr R Crouch, having previously declared a conflict of interest, left the meeting at 4:57pm.*

**OFFICER'S RECOMMENDATION:**

That Council approve Development Application 51/2018 for a 23 Lot Industrial Subdivision on Rowan Avenue Uralla, being Lot 14 DP 787477, 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**

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

**Erection of signs**

2. 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.
3. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**GENERAL CONDITIONS**

4. The applicant shall develop a landscaping plan to address visual amenity from the New England Highway and Rowan Avenue. The plan should include details of landscaping provision and design elements/treatment. The plan shall be submitted to and approved of by Council's Development & Planning Section prior to the issue of a Construction Certificate.
5. The applicant must demonstrate that the intersection of Rowan Avenue and the New England Highway is appropriate for the largest design vehicle to safely access the proposed subdivision. The requirements of this condition shall be satisfied prior to the issue of a Construction Certificate.
6. A detailed flora and fauna assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
7. The applicant shall provide a land contamination assessment for the site. The assessment shall consider historic land uses and potential contamination sources with respect to the proposed subdivision. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
8. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Uralla Shire Council shall be submitted to the certifier prior to issue of a Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.
9. An archaeological assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.

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10. A traffic impact assessment shall be completed for the development. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by Council prior to the issue of a Construction Certificate.
11. 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.
12. This approval is for two stages being:
- Stage One being Lots 1 to 11;
  - Stage Two being Lots 11 to 23.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
13. The internal water mains within the subdivision are to form a looped system with no dead ends. The design must comply with fire fighting 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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**

19. 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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20. 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 prevent pollution from detrimentally affecting the public or environment.*

21. 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.*

**CONDITIONS TO BE COMPLETED WITH DURING CONSTRUCTION**

22. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.

*Reason: To ensure amenity of the locality is maintained..*

23. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.

*Reason: To ensure compliance with appropriate standards.*

**CONDITIONS TO BE COMPLETED DURING CONSTRUCTION**

24. 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.

25. 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.

**CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING**

26. Occupancy of the site is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued.

*Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*

**CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE(S)**

27. That twenty three lots are created by the subdivision of Lot 14, DP 787477.
- Stage One being Lots 1 to 11;
  - Stage Two being Lots 11 to 23.

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

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28. 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 the subdivision is adequately serviced by utilities.*
29. Prior to the issue of a subdivision certificate, the applicant shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to each of the lots 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 the subdivision is adequately serviced by utilities.*
30. 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.*
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 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.*
32. 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 3 metres.  
*Reason: To protect water lines from inappropriate development.*
33. 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.*
34. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Council and to be centrally located over all inter allotment drainage lines.  
*Reason: To protect drainage lines from inappropriate development.*
35. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Essential Energy and to be centrally located over all electricity infrastructure.  
*Reason: To protect electricity infrastructure from inappropriate development.*
36. The internal access road is to be excised from the subdivided land and dedicated as a public road.  
*Reason: The excision of part of the current Lot 14 DP 787477 for the purposes of public road is appropriate as it must form part of Council's road network to ensure ongoing maintenance.*
37. 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.*

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38. 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 & Development 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.*
39. 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.*
40. 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.*

**ADVISORY NOTES – GENERAL**

41. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
42. 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.
43. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
44. 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.
45. 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.
46. 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.

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

**40.02/19 CARRIED**

*Councillors held a detailed discussion in committee regarding Report 19 - Development Application 51/2018.*

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

**41.02/19 CARRIED**

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

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

That Council approve Development Application 51/2018 for a 23 Lot Industrial Subdivision on Rowan Avenue Uralla, being Lot 14 DP 787477, 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**

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

**Erection of signs**

2. 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.
3. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**GENERAL CONDITIONS**

4. The applicant shall develop a landscaping plan to address visual amenity from the New England Highway and Rowan Avenue. The plan should include details of landscaping provision and design elements/treatment. The plan shall be submitted to and approved of by Council's Development & Planning Section prior to the issue of a Construction Certificate.
5. The applicant must demonstrate that the intersection of Rowan Avenue and the New England Highway is appropriate for the largest design vehicle to safely access the proposed subdivision. The requirements of this condition shall be satisfied prior to the issue of a Construction Certificate.
6. A detailed flora and fauna assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
7. The applicant shall provide a land contamination assessment for the site. The assessment shall consider historic land uses and potential contamination sources with respect to the proposed subdivision. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.

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8. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Uralla Shire Council shall be submitted to the certifier prior to issue of a Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.
9. An archaeological assessment shall be completed for the development site by an appropriately qualified person. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by the certifier prior to the issue of a Construction Certificate.
10. A traffic impact assessment shall be completed for the development. Any recommendations made in the assessment shall be incorporated into the design of the development. The assessment shall be submitted to and approved of by Council prior to the issue of a Construction Certificate.
11. 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.
12. This approval is for two stages being:
  - Stage One being Lots 1 to 11;
  - Stage Two being Lots 11 to 23.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.
13. The internal water mains within the subdivision are to form a looped system with no dead ends. The design must comply with fire fighting 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.
14. 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.
15. 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.
16. 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.
17. 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.

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18. 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**

19. 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.*
20. 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 prevent pollution from detrimentally affecting the public or environment.*
21. 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.*

**CONDITIONS TO BE COMPLETED WITH DURING CONSTRUCTION**

22. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.  
*Reason: To ensure amenity of the locality is maintained..*
23. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.  
*Reason: To ensure compliance with appropriate standards.*

**CONDITIONS TO BE COMPLETED DURING CONSTRUCTION**

24. 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. |
25. 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.

**CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING**

26. Occupancy of the site is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued.  
*Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*

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**CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE(S)**

27. That twenty three lots are created by the subdivision of Lot 14, DP 787477.
- Stage One being Lots 1 to 11;
  - Stage Two being Lots 11 to 23.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
28. 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 the subdivision is adequately serviced by utilities.*
29. Prior to the issue of a subdivision certificate, the applicant shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to each of the lots 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 the subdivision is adequately serviced by utilities.*
30. 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.*
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 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.*
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  - (b) It must be located centrally over the new sewer line.
  - (c) It must have a minimum width of 3 metres.
- Reason: To protect water lines from inappropriate development.*
33. 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.*
34. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Council and to be centrally located over all inter allotment drainage lines.
- Reason: To protect drainage lines from inappropriate development.*
35. The creation by the developer, under Section 88B of the Conveyancing Act, of a minimum one metre wide easement to be in favour of Essential Energy and to be centrally located over all electricity infrastructure.
- Reason: To protect electricity infrastructure from inappropriate development.*

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36. The internal access road is to be excised from the subdivided land and dedicated as a public road.  
*Reason: The excision of part of the current Lot 14 DP 787477 for the purposes of public road is appropriate as it must form part of Council's road network to ensure ongoing maintenance.*
37. 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.*
38. 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 & Development 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.*
39. 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.*
40. 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.*

**ADVISORY NOTES – GENERAL**

41. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
42. 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.
43. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
44. 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.

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45. 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.
46. 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 Toomey, Cr T O'Connor, Cr I Strutt, Cr M Dusting, Cr L Sampson, Cr N Ledger

**AGAINST:** Nil

**ABSENT:** Cr B Crouch

**42.02/19 CARRIED**

*Cr T Toomey left the meeting at 5:08pm.*

Department: Infrastructure & Development  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 20 - Planning Proposal 8 – Amendment of Land Classification – Public Hearing and Recommendation

**OFFICER'S RECOMMENDATION:**

That Council;

1. Resolve to note and receive the Public Hearing Report and Recommendation prepared by Barnson (Ref: 30501-PR01\_B) dated 10 January 2019, and
2. Resolve to continue to progress Planning Proposal 8 – Amendment of Land Classification to reclassify the Uralla Caravan Park (Lot 30 DP793510) and the proposed Industrial Estate (Lot 14 DP787477) from community land to operational land with the Department of Planning and Environment.

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

That Council;

1. Resolve to note and receive the Public Hearing Report and Recommendation prepared by Barnson (Ref: 30501-PR01\_B) dated 10 January 2019, and
2. Resolve to continue to progress Planning Proposal 8 – Amendment of Land Classification to reclassify the Uralla Caravan Park (Lot 30 DP793510) and the proposed Industrial Estate (Lot 14 DP787477) from community land to operational land with the Department of Planning and Environment.

**43.02/19 CARRIED**

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

*Cr T Toomey returned to the meeting at 5:09pm.*

Department: Infrastructure & Development  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 21 - Drought Communities Assistance Program

**OFFICER'S RECOMMENDATION:**

That Council;

1. Submit a grant application (being the second under this program) based on the quoted works

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for: Bundarra School of Arts Hall; Dangars Lagoon bird hide; Arding Hall; Kentucky Memorial Hall; and Uralla Memorial Hall.

2. Seek additional quotations from contractors and tradespeople, inside and outside the Uralla Shire for works to: the Uralla Memorial Hall; the Uralla Shire Council owned preschool building; the Uralla Court House; the McMaugh Garden's garden shed; and the Council Chambers/Administration Building, subject to available funding
3. Seek quotations for potential rectification work to the Grace Munro buildings where such would not otherwise be funded by the recently awarded ACRRRI grant for that facility.
4. Submit a grant application (being the third under this program) for works identified in accordance with 2 and 3, above, and to exhaust the remainder of the 'up to' \$1 million grant available to Council.

*Cr L Sampson left the meeting at 5:14pm.*

*Cr L Sampson returned to the meeting at 5:16pm.*

**MOTION (Crs I Strutt / N Ledger)**

That Council;

1. Submit a grant application (being the second under this program) based on the quoted works for: the Showgrounds Projects, Bundarra School of Arts Hall; Dangars Lagoon bird hide; Arding Hall; Kentucky Memorial Hall; the Uralla Preschool building, and Uralla Memorial Hall.
2. Seek additional quotations from contractors and tradespeople, inside and outside the Uralla Shire for works to: the Uralla Memorial Hall; the Uralla Shire Council owned preschool building; the Uralla Court House; the McMaugh Garden's garden shed; and the Council Chambers/Administration Building, subject to available funding.
3. Seek quotations for potential rectification work to the Grace Munro buildings where such would not otherwise be funded by the recently awarded ACRRRI grant for that facility.
4. Submit a grant application (being the third under this program) for works identified in accordance with 2 and 3, above, and to exhaust the remainder of the 'up to' \$1 million grant available to Council.

**44.02/19 CARRIED**

Department: Infrastructure & Development  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 22 - Regulatory Statistics Ending 31 December 2018

**OFFICER'S RECOMMENDATION:**

That the Regulatory Function Statistics ending 31 December 2018 be received and noted.

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

That the Regulatory Function Statistics ending 31 December 2018 be received and noted.

**45.02/19 CARRIED**

Department: Infrastructure & Development  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 23 - Heritage Advisory Services Summary for January 2019

**OFFICER'S RECOMMENDATION:**

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

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

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

**46.02/19 CARRIED**

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Department: Infrastructure & Development  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 24 - Heritage Advisory Services Summary for February 2019

OFFICER'S RECOMMENDATION:

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

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

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

**47.02/19 CARRIED**

Department: Infrastructure and Development  
Submitted by: Manager Development and Planning  
Reference/Subject: Report 25 - Recommendations of Uralla Township and Environs Committee  
November and December 2018 meetings

OFFICER'S RECOMMENDATION:

That Council resolve to:

1. Receive and note the minutes of the November 2018 meeting of the Uralla Township and Environs Committee.

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

That Council:

receive and note the minutes of Uralla Township and Environs Committee for Tuesdays 13 November and 11 December 2018 and adopt the following suggestions as recommendations:

1. Council provide clear parameters to the Uralla Township and Environs Committee.
2. Council explore the concept of Uralla 2358 in the development of a Fibonacci Discovery Park or other options in the Pioneer Park Precinct with the Uralla community and seek avenues of funding as part of the development of the Open Space Strategy.

**48.02/19 CARRIED**

*Cr M Dusting requested that his vote against the motion be recorded.*

Department: Infrastructure and Development  
Submitted by: Director of Infrastructure and Development  
Reference/Subject: Report 26 - Recommendation to fill the member vacancies on the Uralla Township and Environs Committee

OFFICER'S RECOMMENDATION:

That Council appoint (select four of the applicants) to the Uralla Township and Environs Committee for the term of this Committee and in accordance with the Uralla Township and Environs Committee Constitution.

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

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

That;

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

The matters referred to the Closed Session of the 26 February 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.

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 February 2019

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

**(a) personnel matters concerning particular individuals (other than councillors),**

**49.02/19 CARRIED**

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

That Council appoint:

- Carol Higginbottom
- Sonia Repin
- Bob Anderson
- Kath Corcoran

to the Uralla Township and Environs Committee for the term of this Committee and in accordance with the Uralla Township and Environs Committee Constitution.

**50.02/19 CARRIED**

**PROCEDURAL MOTION (Crs N Ledger / R Crouch )**

**To move into Open Session of Council.**

**51.02/19 CARRIED**

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

**That;**

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

**52.02/19 CARRIED**

**17. LATE REPORTS TO COUNCIL**

Department: Infrastructure and Development  
Submitted by: Director of Infrastructure and Development  
Reference/Subject: Late Report 1 - Tolleys Gully Bridge – GLE Business Case

**OFFICER'S RECOMMENDATION:**

That Council;

1. Vote \$30,000 from Council's reserves to fund the development of the Business Case for the Tolleys Gully Bridge replacement and road realignment.

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

That Council;

1. Vote \$30,000 from Council's reserves to fund the development of the Business Case for the Tolleys Gully Bridge replacement and road realignment.

**53.02/19 CARRIED**

**18. MOTIONS ON NOTICE**

Submitted by: Cr Tara Toomey  
Reference/Subject: Uralla VIC

**NOTICE of MOTION**

That Council;

- 1) Resolve to progress the redevelopment of the VIC in accordance with the plans put on display;
- 2) Draw on the VIC Restricted Funds to meet the costs;
- 3) Prioritise the VIC building refurbishment ahead of the Tower if funding priorities require a decision in this area; and
- 4) Seek additional funding for any shortfall, including consulting with our local Members of Parliament.

Minutes of the Uralla Shire Council at an Ordinary Meeting  
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**MOTION (Crs T Toomey / R Bell)**

That Council;

- 1) Resolve to progress the detailed design, costings and tender documentation of the VIC in accordance with the plans put on display; and
- 2) Draw on the VIC Restricted Funds to meet the costs.

**54.02/19 CARRIED**

**19. SCHEDULE OF COUNCIL RESOLUTIONS**

Schedule of Action Items as at: 26 February 2019

*Councillors undertook a review of the Schedule of Action Items.*

**20. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING**

**Questions from 18 December 2018 Ordinary Meeting of Council**

**Cr Ledger**

1. Is it possible to create an initiative to facilitate sales at the VIC during the months from August to November?

*At the February 2019 ordinary meeting, Council will consider a recommendation from the Finance Committee including that;*

*Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible.*

*Item 1 referred to above is "Review and increase pricing of stock at the VIC".*

*The initiative above is not exclusive for the months from August to November.*

**21. QUESTIONS FOR NEXT MEETING**

**Questions for 26 March 2019 Ordinary Meeting of Council**

**Cr T O'Connor**

*Cr T O'Connor raised the following question at the 26 February meeting of Council:-*

1. The three year average full time equivalent staff numbers, before vacancies, for the 30 June 2013 to 2015 was 109 (106, 106 and 114) and the three year average for the years 2016 to 2018 was 129 (132, 120 and 136). This is an 18% increase in employed staff, resulting in a 16% increase in Employees Costs 2014 to 2018.

Can the General Manager provide to the Budget Review and Finance Committee a list of positions that have been created in the period 2015 to 2018?

**Cr T Toomey**

*Cr T Toomey raised the following question at the 26 February meeting of Council:-*

1. Approximately 6-8 months ago, both myself and Kevin Ward asked questions around the management of the Glen in relation to regular complaints by residents of the Uralla Shire that the area was being used for camping. As this is not a permitted use for the Glen the matter was raised as a Question on Notice. The reply was that the staff monitoring the area could see no evidence of the occupancy being claimed by residents.

As a result of this feedback being duly provided to those making the complaint they have kept a

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photographic record of those camping illegally at the Glen, and of the impact that is having on the Glen. The images were taken during February 2019 and show :

- Repurposed large school buses parking at the Glen
- People setting up solar panels as part of their stay at the Glen
- Visitors photographed camping for up to 3 days
- Vehicles situated in various areas of the Glen
- Human excrement and associated toilet paper left around various places in the Glen

At the risk of causing a stir, the resident refrained from taking photos of :

- The camper taking a shower in the open under a camping shower attached to their vehicle
- The washing hanging around the campers vehicles and in the trees

Can council staff provide further advice as to what action they will now take to address the illegal camping at the Glen?

**Cr R Bell**

*Cr R Bell raised the following question at the 26 February meeting of Council:-*

1. Could we please have a copy of the reply to the owners of the Altona Motel in response to their letter dated 28 January 2019 regarding water quality?

**Cr M Pearce**

*Cr M Pearce raised the following question at the 26 February meeting of Council:-*

1. Does Uralla Shire Council have a current policy or procedure for drug or alcohol testing for council staff and councillors?

**22. CONFIDENTIAL BUSINESS**

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

**CLOSURE OF MEETING**

*The meeting was closed at: 6:16pm.*

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



## EXTRAORDINARY MEETING OF COUNCIL

Held at 12:45pm  
12 March 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 & Regulation  
Mr S Paul, Chief Financial Officer  
Minute Clerk

# MINUTES

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held at 12:45pm on 12 March 2019

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held at 12:45pm on 12 March 2019

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*The Meeting Commenced at: 12:46pm*

**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, and T Toomey, General Manager Andrew Hopkins, Director Infrastructure and Development (Mr T Seymour), Chief Financial Officer (Mr S Paul), and Minute Clerk.

**1. OPENING OF EXTRAORDINARY MEETING AND PRAYER**

**2. ACKNOWLEDGEMENT OF COUNTRY**

**3. APOLOGIES**

*The Chair advised there were no apologies received.*

**4. DISCLOSURES & DECLARATION OF INTERESTS**

*The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 12 March 2019 Meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr T O'Connor	Report 1	Non-Pecuniary	I was a member of the Community Reference Group for the UPC Community Benefit Sharing Initiative from the New England Solar Farm Project.
Cr T O'Connor	Report 2	Non-Pecuniary	I was a member of the Community Reference Group for the UPC Community Benefit Sharing Initiative from the New England Solar Farm Project.

**5. PRESENTATIONS**

Speaker 1:	Mr Hugh Sutherland
Subject:	For the proposed New England Solar Farm

*The Chair introduced the Speaker, Mr Hugh Sutherland.*

*The Speaker made a presentation to Council in relation to the proposed New England Solar Farm.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for his presentation to Council.*

**Minutes of the Uralla Shire Council at an Extraordinary Meeting  
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Speaker 2:	Mr Mark Fogarty
Subject:	Against the proposed New England Solar Farm

*The Chair introduced the Speaker, Mr Mark Fogarty.*

*The Speaker made a presentation to Council in relation to the proposed New England Solar Farm.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for his presentation to Council.*

Speaker 3:	Ms Abby Croft
Subject:	For the proposed New England Solar Farm

*The Chair introduced the Speaker, Ms Abby Croft.*

*The Speaker made a presentation to Council in relation to the proposed New England Solar Farm.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for her presentation to Council.*

Speaker 4:	Mr John Peatfield
Subject:	Against the proposed New England Solar Farm

*The Chair introduced the Speaker, Mr John Peatfield.*

*The Speaker made a presentation to Council in relation to the proposed New England Solar Farm.*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for his presentation to Council.*

## **6. REPORTS TO COUNCIL**

Department: Infrastructure & Development  
Submitted by: Manager of Development & Planning  
Reference/Subject: Report 1 / New England Solar Farm submission

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

That Council resolve to make a submission to the Department of Planning and Environment in relation to the proposed New England Solar Farm stating that Council endorses sustainable development within the Shire, and expects the Development Application to be considered in the context of our Community Strategic Plan, particularly the following stated goals:

- To preserve, protect and renew our beautiful natural environment.
- Maintain a healthy balance between development and the environment.
- An attractive environment for business, tourism and industry.
- Growing and diversified employment, education and tourism opportunities.

Further:

- A 'cradle to grave' approach should be taken to ensure the project is environmentally sustainable during construction, operation, and decommissioning;
- Operation of the worker's village should be 'best practice' with regard to environmental impacts;
- Any upgrades to Council Infrastructure to service the construction and/or operation of the development should be at the developers expense;
- No Council infrastructure should be negatively impacted by the solar farm construction, and

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- Protection of the amenity of residents surrounding the solar farm and along transport routes should be the paramount consideration in the decision making process.

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

**X01.03/19 CARRIED**

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

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

**X02.03/19 CARRIED**

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

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

That;

Council resolve to make a submission to the Department of Planning and Environment in relation to the proposed New England Solar Farm stating that Council endorses sustainable development within the Shire, and expects the Development Application to be considered in the context of our Community Strategic Plan, particularly the following stated goals:

- To preserve, protect and renew our beautiful natural environment.
- Maintain a healthy balance between development and the environment.
- An attractive environment for business, tourism and industry.
- Growing and diversified employment, education and tourism opportunities.

Further:

- A 'cradle to grave' approach should be taken to ensure the project is environmentally sustainable during construction, operation, and decommissioning through appropriate bonding arrangements with the NSW Government
  - Operation of the worker's village should be 'best practice' with regard to environmental impacts;
  - That local employment be preferred
  - Systems be put in place to preserve environmental values
  - Any upgrades and maintenance to Council Infrastructure to service the construction and/or operation of the development should be at the developers expense;
  - No Council infrastructure should be negatively impacted by the solar farm construction and or operation
- and
- Protection of the amenity of residents surrounding the solar farm and along transport routes should be the paramount consideration in the decision making process.

**X03.03/19 CARRIED**

Department: Infrastructure & Development  
Submitted by: Manager of Development & Planning  
Reference/Subject: Report 2 / New England Solar Farm technical submission

**OFFICER'S RECOMMENDATION:**

That Council resolve to make a technical submission on infrastructure to the Department of Planning and Environment in relation to the proposed New England Solar Farm with the following recommended conditions of consent:

Minutes of the Uralla Shire Council at an Extraordinary Meeting  
held at 12:45pm on 12 March 2019

Resolution  
Number

Roads

- A Traffic Management Plan prepared by an accredited certifier with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken. The Traffic Management Plan is to detail specific routes for heavy vehicles and dust suppression maintenance standards.
- Project-related heavy vehicles are not to traverse any roads not specifically identified in the approved Traffic Management Plan.
- Any damage to Councils road infrastructure is to be rectified by the developer, at their cost, to the satisfaction of Councils General Manager or nominee.
- Local roads proposed to be used for project-related traffic are to be constructed, at the cost of the developer, to meet the current Austroads design standard at the time of construction, based on peak predicted traffic volumes outlined in the EIS prepared by EMM Consulting dated 16 November 2018.
- The subject roads are to be maintained to this standard, at the developers cost, until the completion of construction and issue of an Occupation Certificate.

Services

- Any provision of normal municipal services by Council to the developer will be at Councils discretion.
- A Waste Management Plan with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken.
- Comingled recycling or any other waste products will not be accepted at the Uralla landfill without formal agreement.
- A Water and Waste Water Management Plan with detail commensurate with the scale of the solar farm and workers village is to be submitted to Council and approved before any works are undertaken.

Assets

- Location of any project related assets on Council controlled land will require approval of Council by resolution.

Rehabilitation

- All infrastructure and equipment, including underground cabling, is to be removed from the site during decommissioning.
- Rehabilitation of the workers accommodation site must be done prior to the issue of the occupation certificate.

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

**X04.03/19 CARRIED**

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

**PROCEDURAL MOTION (Crs I Strutt / L Sampson)**  
**To resume Standing Orders**

**X05.03/19 CARRIED**

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

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

That;

Council resolve to make a technical submission on infrastructure to the Department of Planning and Environment in relation to the proposed New England Solar Farm with the following recommended conditions of consent:

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Roads

- A Traffic Management Plan prepared by an accredited certifier with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken. The Traffic Management Plan is to detail specific routes for heavy vehicles and dust suppression maintenance standards.
- The Traffic Management Plan is to be developed for each road prior to it being utilised by the developer.
- Any roads to be used for B Doubles are to be assessed using the RMS B double route assessment guidelines and, if upgrading is required, this work is to be undertaken by the developer.
- Roads to be used for Oversized/Overweight movements are to be assessed as per National Heavy Vehicle Regulator assessment.
- That gravel roads in front of residences be sealed for a length of 200m for dust suppression purposes.
- All roads need to be upgraded as per the standards set out in Table 4.2, Appendix K (of the EIS), as per future daily traffic assessment for project peak construction traffic by the developer prior to commencement of site works for each stage.
- Project-related heavy vehicles are not to traverse any roads not specifically identified in the approved Traffic Management Plan.
- Any damage to Council's road infrastructure is to be immediately rectified by the developer or operator, at their cost, to the satisfaction of Councils General Manager or nominee.
- Local roads proposed to be used for project-related traffic are to be constructed, at the cost of the developer, to meet the current Austroads design standard at the time of construction, based on peak predicted traffic volumes outlined in the EIS prepared by EMM Consulting dated 16 November 2018.
- The subject roads are to be maintained to this standard, at the developers cost, until the completion of construction and issue of an Occupation Certificate.

Services

- Any provision of normal municipal services by Council to the developer will be at Councils discretion.
- A Waste Management Plan with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken.
- Comingled recycling or any other waste products will not be accepted at the Uralla landfill without formal agreement.
- A Water and Waste Water Management Plan with detail commensurate with the scale of the solar farm and workers village is to be submitted to Council and approved before any works are undertaken.
- Adequate wash bays are provided and used.

Assets

- Location of any project related assets on Council controlled land will require approval of Council by resolution.

Rehabilitation

- All infrastructure and equipment, including underground cabling above 500mm depth, is to be removed from the site during decommissioning.
- Rehabilitation of the workers accommodation site must be done prior to the issue of the occupation certificate.

Environmental

- An environmental monitoring plan be developed and implemented to include:
  - On and off site pollution by heavy metals
  - Monitoring the impact of the panels on migratory birds

**X06.03/19 CARRIED**

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Minutes of the Uralla Shire Council at an Extraordinary Meeting  
held at 12:45pm on 12 March 2019

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**CLOSURE OF MEETING**

*The meeting was closed at: 2:45pm*

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



## EXTRAORDINARY MEETING OF COUNCIL

Held at 6:00pm  
18 March 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 & Regulation  
Mr S Paul, Chief Financial Officer  
Minute Clerk

# MINUTES

Minutes of the Uralla Shire Council at an Extraordinary Meeting  
held at 6:00pm on 18 March 2019

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UNCONFIRMED

Minutes of the Uralla Shire Council at an Extraordinary Meeting  
held at 6:00pm on 18 March 2019

Resolution  
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*The Meeting Commenced at: 6:01pm*

**ATTENDANCE**

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

**1. OPENING OF EXTRAORDINARY MEETING AND PRAYER**

**2. ACKNOWLEDGEMENT OF COUNTRY**

**3. APOLOGIES**

*The Chair advised there were no apologies received.*

**4. DISCLOSURES & DECLARATION OF INTERESTS**

There were no disclosures or declarations made.

*Councillors held a minute of silence in respect of the 15 March 2019 incident in Christchurch, New Zealand.*

**5. REPORTS TO COUNCIL**

Department: Infrastructure and Development  
Submitted by: Manager Waste, Water and Sewer Services  
Reference/Subject: Report 1 - Council's response to questions regarding the Bundarra Sewer Access Charge

**OFFICER'S RECOMMENDATION:**

That Council; *(selects option 1 or 2 or 3 below)*

- 1 Continue to apply an annual Sewer Access Charge for each assessment within the Bundarra Sewer Scheme project area;

*Or*

- 2 Levy the Sewer Access Charge until the project completion date given in the Funding Deed (being Financial Year 2019/2020), absorb costs for the gap year(s) between Financial Year 2019/2020 and the Financial Year the project is fully commissioned, and reapply the charge in the Financial Year immediately following the Financial Year the scheme is fully commissioned;

*Or*

- 3 Lift the charge for the coming Financial Year (2019/2020) and reapply it from the financial year after the additional required funding is secured.

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

**To move to Committee of the Whole**

**X07.03/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the Bundarra Sewer Scheme.*

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

**X08.03/19 CARRIED**

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

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

That Council;

Lift the charge for the coming Financial Year (2019/2020) and reapply it from the financial year after the additional required funding is secured.

**X09.03/19 CARRIED**

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

**CLOSURE OF MEETING**

*The meeting was closed at: 6:51pm*

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



## MINUTES

# Budget Review & Finance Committee Meeting

12 March 2019, 12:30pm, Council Chambers

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Minutes of the Budget Review & Finance Committee Meeting  
held at 12 March 2019, 12:30pm, Council Chambers

**ATTENDANCE**

Present were Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, T Toomey, General Manager (Mr A Hopkins), Chief Financial Officer (Mr S Paul), Director of Infrastructure and Development (Mr T Seymour).

**1. OPENING & WELCOME**

*The Chair declared the meeting opened at 12:32pm.*

**2. ACKNOWLEDGEMENT OF COUNTRY**

*The Chair acknowledged Country and Elders past and present.*

**3. APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE**

*The Chair advised there were no apologies received.*

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

**4. DISCLOSURES & DECLARATION OF INTERESTS**

*There were no disclosures or declarations made.*

**5. ANNOUNCEMENTS**

*The Chair advised there were no announcements.*

**6. TABLING OF REPORTS & PETITIONS**

*The Chair advised there were no reports or petitions tabled.*

**7. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS**

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

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

That the Budget Review & Finance Committee be adjourned to consider the matters listed in the Extraordinary Meeting.

**4/19 CARRIED**

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

That the Budget Review & Finance Committee be reconvened.

**5/19 CARRIED**

*The meeting reconvened at 2:55pm.*

Minutes of the Budget Review & Finance Committee Meeting  
held at 12 March 2019, 12:30pm, Council Chambers

**8. REPORTS TO COMMITTEE**

Department: General Manager's Office  
Submitted by: GM and CFO  
Reference/Subject: Report #1 – Differences in Full Time Equivalent (FTE) Employee Numbers  
2013 - 2018

**OFFICER'S RECOMMENDATION:**

That the Committee receive and note the Report.

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

That the Committee receive and note the Report.

**6/19 CARRIED**

**9. MOTIONS ON NOTICE**

*There were no 'Notices of Motion' addressed to the 12 March 2019 Meeting.*

**10. CONFIDENTIAL BUSINESS**

*There were no Confidential Business items.*

**11. MEETING CLOSE**

*The meeting closed at 2:59pm.*

**8. ANNOUNCEMENTS**

**9. TABLING OF REPORTS & PETITIONS**

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

There is one item recommended for the Confidential Section.

**11. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS**

**12. PRESENTATIONS**

**Mr Antonius Vanden Hoogen** – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River

**13. DEPUTATIONS**

There are no Deputations registered for the Meeting.

**14. WRITTEN REPORTS FROM DELEGATES**



## WRITTEN DELEGATE REPORT

<b>Submitted by:</b>	<b>Cr Robert Bell</b>
<b>Subject:</b>	<b>Written Delegate Report #1 – Mid North Weight of Loads</b>

### Linkage to Integrated Planning and Reporting Framework

**Goal: 2.3** A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycle ways that are adequate, interconnected and maintained.

**Strategy: 2.3.1** Provide an effective road network that balances asset conditions with available resources and asset utilisation.

### Report:

#### Recommendation:

1. That Council note the report.
2. That Council support the next meeting to be held in Uralla on Monday November 4, 2019.

Please find attached minutes from the meeting held on November 5, 2018.

The minutes from the meeting held on March 4, 2019 are not yet available.

#### Please note the following:

1. Current annual income 2018/19

Councils	\$229,000
RMS	\$202,800
Fines	\$26,000 estimate
2. Total for 2019/20 based on 2% increase for Uralla Shire Council: \$17,538.30
3. Uralla has requested group investigate teleconferencing our meetings.
4. Review of contributions based on FAG's data for sealed roads to remove current inequities.
5. National Heavy Vehicle Regulation is likely to take over all RMS inspectors (excess of 200) and eventually take over local inspectors.
6. Mid North Weight of Loads has offered to carry out trial of Weight in Motion Scales (WIMS) prior to the meeting in Uralla.

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# MINUTES OF THE MID NORTH WEIGHT OF LOADS GROUP

## MEETING HELD AT DUNGOG SHIRE COUNCIL DOWLING STREET, DUNGOG

**MONDAY 5 NOVEMBER 2018**

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The meeting commenced at 10.30am.

### **PRESENT**

MidCoast Council – Richard Wheatley – Group Supervising Eng.  
MidCoast Council – Tracey Stewart – Group Secretary  
MidCoast Council – Scott Nicholson – Manager Transport Assets  
MidCoast Council – Clr Katheryn Smith - Chairperson  
Uralla Shire Council – Clr Robert Bell  
Dungog Shire Council – Steve Hitchens  
Port Macquarie Hastings Council – John Hanlon  
Upper Hunter Shire Council – Jeff Bush  
Coffs Harbour City Council – Tom Handel  
MNWOL Group Inspectors – Bruce Tester & Walter Markham

### **APOLOGIES**

Tamworth Regional Council – Lachlan Mackiewicz  
Liverpool Plains Council – Warren Faulkner  
Nambucca Shire Council – Paul Gallagher  
Nambucca Shire Council – Clr Brian Finlayson  
Uralla Shire Council – Terry Seymour  
Dungog Shire Council – Clr Genn Wall  
Muswellbrook Shire Council –  
Walcha Council – Dylan Reeves  
Armidale Regional Council - Rob Shaw  
Armidale Regional Council – Mark Burgess  
Bellingen Shire Council – John Starr  
Kempsey Shire Council – Tony Green  
Liverpool Plains Council – Clr Ken Cudmore

Changes to Member representatives:

Bellingen – Phil Buchan no longer with Bellingen

Tamworth – Lincoln Cooper has been replaced by Lachlan Mackiewicz

Kempsey – Robert Scott & Trevor Dickson are no longer with Kempsey Shire Council. Clr Tony Green has had a role change and may not be involved in the future. Waiting on new staff.

### **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the meeting held at Tamworth Regional Council, on Monday 5 March 2018 were adopted.

Moved: Robert Bell

Seconded: Tom Handel

## **BUSINESS ARISING:**

### **1. Financial Report to 16 October 2018**

The financial report to 16 October 2018 was noted. Discrepancies in budget figures. Correct Financial Report to be supplied with Minutes of this meeting.

Moved: Robert Bell

Seconded: Tom Handel

### **2. Report by Supervising Engineer**

- a) NHVR- We have notification that NHVR will take over all heavy vehicle inspectors. RMS have over 200 inspectors so will take some time. We expect that things will remain as is for the time being. The MOU between RMS & Mid North Weight of Loads Group supportive to re-sign but not wanting to sign until things are sorted with NHVR. All training will still be undertaken by RMS, as has been the case for many years. Robert Bell noted that MOU has been under review for the past 4 years and still no decision. Will our WOL Inspectors come under NHVR? Yes they will come across and NHVR would expect no changes.
- b) OPERATIONS – All operations are going well. We have had a few inspectors on leave i.e. Annual and Long Service Leave over the last few months. A previously arranged we had a stand-in person who did fill in for a stint but has now been changed to a new supervisory role within Council Northern Operations and is unable to continue with us. We will look into the possibility of another stand-in person.
- c) WIMS – We continue to ask member Council's for more proposed locations to operate the Weight in Motion Scales (WIMS). Councils are asked to assess their areas and make suggestions, two if possible, for proposed locations in their area. This site could also be used by Police, Rangers and other operations as well i.e. BDouble parking etc.
- d) COURT CASE – Inspectors breached a truck that was caught in a gross load limited area and subsequently issued the driver with an infringement. The defendant chose to obtain a barrister to defend him and he pleaded not guilty. They pushed forward with the case and asked the court for \$11,000 in costs. Richard attended the court hearing and was able to negotiate with the barrister to get the figure down to \$7,000. This case could have ended very differently if not for a breakdown in communication between SDRO & the Police Prosecutor.

We have now been in contact with Stacks The Law Firm and have been able to negotiate terms for their legal representation for future court matters. Stacks Solicitor Mr Tony Maher, has been involved with the weight of loads industry for some time and was the solicitor for North West Weight of Loads Group for approx. 8 years. His substantial knowledge in this field will assist us greatly in court hearings in the future.

- e) REVIEW OF COUNCIL CONTRIBUTIONS – In obtaining information on the number of kilometres of sealed roads in each area it was noted that many of the council websites have discrepancies with their sealed roads figures. I recommend that we stay with the current figures.

Moved: Robert Bell - moved that the figures should be checked using Federal Assistance Grant (FAGS).

Seconded: John Hanlon – seconded that each council should obtain their figure from FAGS.

Report Noted: Robert Bell  
Seconded: Tom Handel

### **3. Statistics**

Katheryn mentioned that Trial Weighs should have separate records and the records should be distributed to member Councils.

Discussions around the possibility of travel time being split out to show what time is being spent in just travel.

Report Noted: Jeff Bush  
Seconded: John Hanlon

#### **4. Liaison Officer Report by Bruce Tester**

##### What's been happening since the last group meeting:

- Earlier in the year we tried to deal with the problem of maintaining contact while working in isolated locations. Mobile phones alleviate much of this but they're not always as dependable as we would hope. We trialled SPOT Gen 3 personal location devices but opted instead for "Navman" GPS locators fitted to the cars. In addition, we introduced a system where each vehicle, at the end of the day, texts the other vehicle, Richard & Tracey to indicate their safe arrival & to which they respond.
- We also tried to find another relief inspector. With the councils amalgamating we thought perhaps a bigger pool could cede a better result. We did have one starter but that didn't work out.
- Most of you will know of our use of electronic media to complete breach reports rather than completing a longhand breach form. We're the only WOL group doing this and I think that comes down to Tracey's skills in setting up the system. Because the system is "live", being internet based, a breach report is on Tracey's computer as soon as it is completed. Our system generated a lot of interest amongst the inspectors of the other groups at the recent WOL inspector's conference.
- In September, the North East Weight of Loads group hosted the annual inspectors conference in Ballina. It was attended by inspectors from all of the council weight of loads groups. Richard Wheatley also attended. These meetings have become a valuable medium for across the board training & updates from the Roads & Maritime Services and more recently, the National Heavy Vehicle Regulator ensuring that all of the inspectors from all of the groups are on the same page. They're also a way to showcase equipment or procedures that can streamline the groups' processes. Speakers included the IT Manager of Ballina council who gave a presentation on Cyber Security, specifically relating to mobile devices *i.e.* phones, iPads & laptops. The next was Megan Sunderland, the Senior Advisor for Local Government with Revenue NSW. Megan gave a summary of what Revenue NSW does for the groups as well as a comparison of statistics between the groups. We seem to be travelling on par with the other groups. SEWOL group statistically was the weakest. They've just undergone a restructure due to some issues they were having, and they now feel

they are back on track. The two final speakers were Dave Mayhew, a Senior RMS Trainer and Warwick Norton who is a Compliance Officer with the National Heavy Vehicle Regulator. A common theme with both of these speakers was the increasing prevalence of PBS vehicles. Performance Based Standards vehicles are vehicles built to carry specific loads the idea being that the purpose built truck will carry the loads more efficiently thereby cutting down the number of truck movements on our roads. Some examples of these that we're seeing now are twin-steer, tri-axle concrete agitators, quad-dog trailers and B-triples that we haven't seen at this point, but we believe will be operating in Tamworth shortly. Next year's inspectors conference is to be hosted by the Mid North Weight of Loads group.

- Warren Johnson & Tracey have both put a lot of work into the Weigh Site Proposals we've put to you. Dungog has already completed a weigh site between Martins Creek & Paterson. Prior to this there was very little opportunity to even stop a truck south of Martins Creek Quarry, let alone weigh it. Those trucks are obviously an important issue to the residents of those roads and now we can at least ensure their loads are legal. We're not asking councils to build designated weigh sites although that would be nice, but we've come up with some sites that we think may be suitable. It may be that the sites we've come up with aren't suitable to the respective councils or you may have somewhere else in mind. That's what we need to know. The idea of the Weigh in Motion scales *WIMs* is to weigh large volumes of trucks with minimal time cost or inconvenience to them and minimal disruption to traffic flow. You people know your areas better than we do. You may have a stock-pile site that could be cleaned up & utilised or a rest area that may be suitable or an issue that may justify constructing a designated weigh site. You've all seen the RMS inspection sites along side the highway. That's an ideal. No one's expecting that, although again that would be nice. Warren has included the criteria that determines if a site is suitable. Basically, we have to be able to fit a traffic control plan into the area while still retaining a viable weigh site.

Thank you

Get your areas assess by Inspectors and or Richard. If an area has limited length, it can still be used as a static site.

Member Councils to email the weight of loads officers with proposed WIMs site locations. Multiple would be better.

Moved: Robert Bell  
Seconded: John Hanlon

## **General Business**

1. Meetings – Robert Bell asked if there are any options for teleconferencing our meetings, as this may ease travel times etc. Use technology if we have it. This was agreed, that we could trial it for those councils that need to be able to dial in if they are unable to attend.
2. PowerPoint Presentation – Jeff Bush asked if the PowerPoint presentation would be reviewed, with new Councillors coming on this would be an ideal tool to introduce them into the importance of the weight of loads group. Maybe a video of the process for education purposes.
3. Signage – Steve Hitchens suggested signage to be placed at the boundaries of each member council area that would state “This Council is part of the Mid North Weight of Loads Group and we monitor heavy vehicles for overloading on our roads”.
4. Load Type Stats – John Hanlon asked if load type stats could be sent out for Coffs Harbour. Tracey to distribute.
5. Speakers / Presenters – Member Councils are asked to provide contact details for a speaker or presenter that they feel would be a good to attend our meetings.

## **NEXT MEETING**

Next meeting is scheduled for Monday 4<sup>th</sup> March 2019 and will be held at Port Macquarie Hastings Council.

Other Meeting dates:

Monday 4<sup>th</sup> November 2019 – Uralla Shire Council  
Monday 2<sup>nd</sup> March 2020 – Upper Hunter Shire Council

There being no further business, the meeting closed at 12.00noon.



## WRITTEN DELEGATE REPORT

<b>Submitted by:</b>	<b>Cr Isabel Strutt</b>
<b>Subject:</b>	<b>Written Delegate Report #2 – International Women’s Day Luncheon - Friday 15 March 2019</b>

The 2019 annual International Womens Day Luncheon is the 12<sup>th</sup> which has been held. This annual lunch continues to be a popular function which is well attended.

Thirty-three invitations were sent by email to Clubs and organisations within the Shire, as well as invitations issued personally. The invitations include the six schools within the Shire. Sixty-five people attended this year, including new residents, residents from McMaugh Gardens, and students and Deputy Principal from Uralla Central School, and the Principal and students from St. Joseph’s School.

The lunch was held at the Uralla Central School Hall which had been set up very attractively and catering was provided by the students of the school’s Hospitality Class under the leadership of teacher Ms Jodie Taylor. The students had developed the menu and were very professional in their food service and table waiting. The School Hall is a popular venue with guests at the lunches and the involvement of the school’s Hospitality Class is always appreciated. Holding this function at the school is a good linkage between the Council, the school and the community, and provides a good opportunity for practical experience for the hospitality students.

Mrs. Sharon Kirk, wife of the Anglican Vicar Rev. Brian Kirk, was this year’s guest speaker. The official theme for this year’s International Women’s Day was “Balance for Better”. Rather than concentrating on the political aspects of this theme, Mrs. Kirk spoke on domestic violence and the life-long detrimental effects which this imbalance of power has on its victims and therefore on society as a whole. When personal relationships are in good balance; families, communities, and all aspects of life and living are better.

We sincerely thank the Uralla Shire Council for its ongoing support; the Uralla Central School and Hospitality Class for the venue and catering; and the Ladybird Nursery for the table arrangements which became the lucky spot prizes, as well as the fern pot-plant for the raffle prize.

Councillors T. Toomey, N. Ledger, I. Strutt  
per Councillor Isabel Strutt

20/3/2019

### **Recommendation :**

That the Report be received and noted.

**15. MAYORAL MINUTE**

There is no Mayoral Minute for the 26 March 2019 meeting.

**16. REPORTS TO COUNCIL**



## REPORT TO COUNCIL

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

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	4.2 An effective and efficient organisation.
<b>Strategy:</b>	4.2.2 Operate in a financially responsible and sustainable manner.
<b>Activity:</b>	4.2.2.1 Maintain and control financial system and improve long-term sustainability
<b>Action:</b>	Maintain cash flow and maximise return on investment within risk parameters provided by the Office of Local Government

### SUMMARY:

Attached is a summary of bank accounts, term deposits, cash management account and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

### OFFICER'S RECOMMENDATION:

#### That:

**Council note the cash position as at 28 February, 2019 consisting of cash and overnight funds of \$2,628,920, term deposits of \$13,550,000 totalling \$16,178,920 of readily convertible funds.**

### BACKGROUND:

In accordance with Regulation 212 of the Local Government (General) Regulations 2005, the following report is prepared about monies not currently required for use by Council and invested in forms of investment approved by Order of the Minister.

### REPORT:

Current term deposits of \$13,550,000 spread over the next twelve months will receive a range of interest from 1.95% to 2.75% with an average rate of 2.62%. Diary of maturing dates and amounts is attached.

Council's General Fund bank balances (listed in the attachments) have been reconciled to the bank statement as at 28 February, 2019.

### KEY ISSUES:

The RBA left interest rates on hold for the 28th time at their February meeting (total 31 months unchanged). It now seems likely that official interest rates may fall before June 2019. This should mean that our current budgeted interest rate is reflective of future earnings. The current low interest rates will continue to result in reduced investment returns over the coming year.

**COUNCIL**

**1. Community Engagement/ Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

Local Government Act 1993

Local Government (General) Regulations 2005

Order of the Minister re Investments

**3. Financial (LTFP)**

Current interest rates affect Council's ability to meet projected investment returns therefore reducing forecast revenue in the long term.

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

Risk management involves ensuring compliance with the Minister's Orders regarding approved type of investments thus reducing risk of future losses on investments made.

**7. Performance Measures**

N/A

**8. Project Management**

N/A

Prepared by staff member:	Simon Paul
TRIM Reference Number:	U18/167
Approved/Reviewed by Manager:	Chief Financial Officer
Department:	Organisational Services - Finance
Attachments:	Council's Investments as 28 February, 2019 Diary of Investment Maturity Dates and Amounts

Uralla Shire Council  
Council Business Paper – 26 March 2019

<b>Uralla Shire Council</b>		
<b>Investments at 28 February, 2019</b>		
<b>Cash at Bank – Operating Accounts:</b>		
<b>Institution</b>	<b>Account</b>	<b>Bank Statement</b>
National Australia Bank	Main Account	\$1,162,786.00
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$25,120.31
<b>Total</b>		<b>\$1,219,202.64</b>
<b>Business Investment (Cash Management) Account</b>		
<b>Institution</b>	<b>Interest rate</b>	<b>Balance</b>
Professional Funds	0.15% above RBA cash rate	\$1,409,717.26
<b>Total</b>		<b>\$1,409,717.26</b>

<b>Term Deposits:</b>			
<b>Institution</b>	<b>Interest rate</b>	<b>Maturity</b>	<b>Balance</b>
Bank of Queensland	2.70%	8/04/2019	\$800,000.00
Bank of Queensland	2.70%	8/04/2019	\$500,000.00
National Australia Bank	2.57%	9/04/2019	\$500,000.00
Commonwealth Bank	2.69%	6/05/2019	\$600,000.00
Bank of Queensland	2.75%	4/06/2019	\$500,000.00
National Australia Bank	1.95%	1/04/2019	\$600,000.00
Bank of Queensland	2.75%	12/06/2019	\$800,000.00
Commonwealth Bank	2.74%	5/07/2019	\$500,000.00
Westpac Banking Corporation	2.74%	25/07/2019	\$1,000,000.00
Commonwealth Bank	2.65%	15/08/2019	\$250,000.00
Commonwealth Bank	2.25%	1/04/2019	\$1,200,000.00
National Australia Bank	2.70%	26/08/2019	\$1,000,000.00
Commonwealth Bank	2.71%	29/08/2019	\$800,000.00
ANZ	2.70%	10/10/2019	\$400,000.00
National Australia Bank	2.75%	15/10/2019	\$500,000.00
Westpac Banking Corporation	2.71%	18/10/2019	\$1,300,000.00
National Australia Bank	2.75%	21/11/2019	\$300,000.00
ANZ	2.45%	26/11/2019	\$800,000.00
National Australia Bank	2.75%	16/01/2020	\$700,000.00
ANZ	2.70%	30/01/2020	\$500,000.00
<b>Total</b>			<b>\$13,550,000.00</b>

Uralla Shire Council  
Council Business Paper – 26 March 2019

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<b>Loans:</b>		
<b>Loan no.</b>	<b>Purpose</b>	<b>Balance</b>
165	MGH Property	\$50,815.87
167	Rear Service Lane Land	\$0.00
168	Community Centre	\$37,051.30
176	Library Extensions	\$180,118.29
177	Grace Munro Centre	\$144,119.88
181	Creative Village Works	\$5,816.48
185	Public Toilets Alma Park	\$2,642.65
186	Public Toilets Pioneer Park	\$9,920.53
187	Undergrounding Power and Mainstreet Upgrade	\$145,331.27
188	Paving and Power Undergrounding	\$35,974.51
189	Bridge Construction	\$214,506.01
190	Bridge construction & industrial land development	\$1,654,175.74
<b>Total</b>		<b>\$2,480,472.53</b>



## REPORT TO COUNCIL

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	<i>Coordinator Community Development &amp; Engagement</i>
<b>Reference/Subject:</b>	<b>Report 2 – Monthly Report - Library</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

### SUMMARY:

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

### OFFICER'S RECOMMENDATION:

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

### BACKGROUND:

Not applicable.

### REPORT:

Activities held at the Library during February included:

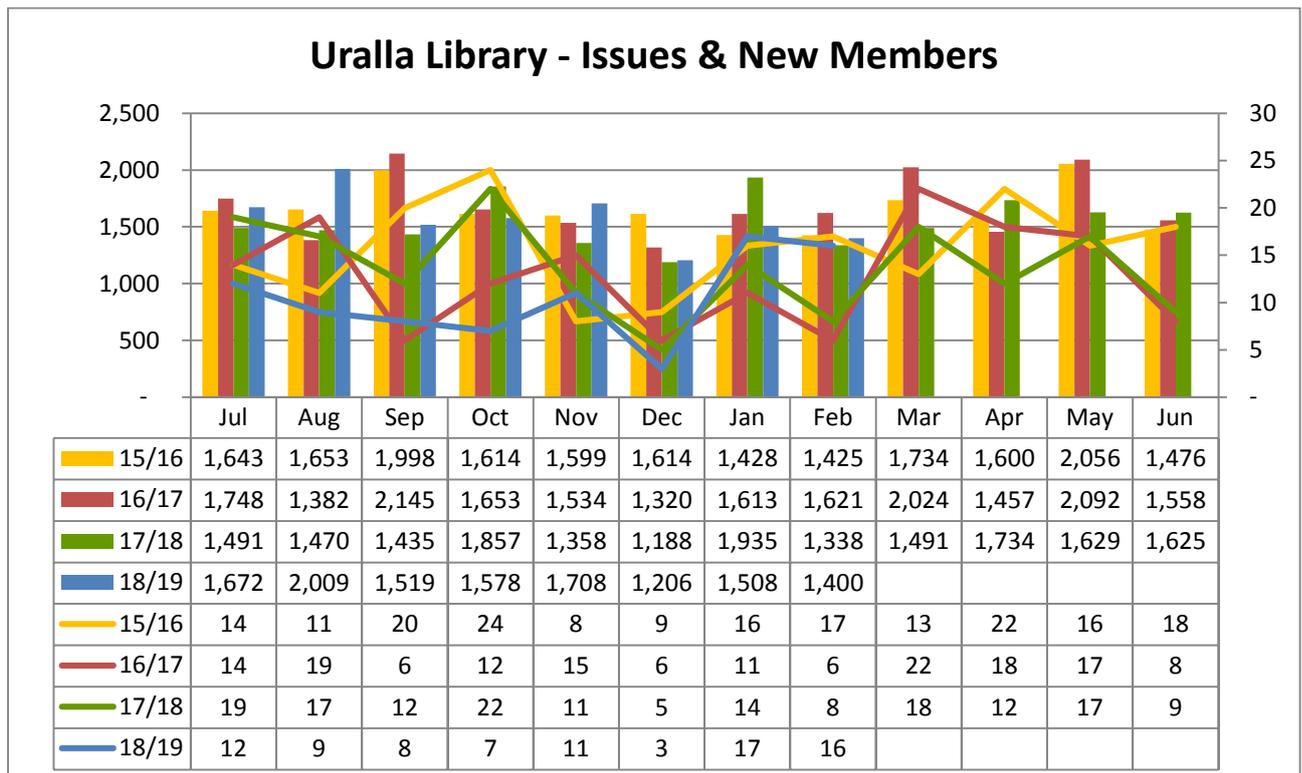
- Art of Ageing digital display was exhibited within the library foyer as part of NSW Seniors Festival celebrations. The Art of Ageing is an initiative under the NSW Ageing Strategy 2016-2020 to encourage positive ageing and to challenge ageism.
- 2 x Tech Savvy Seniors training sessions were delivered by Uralla Librarian to a total of 15 local residents.
- Library Lovers Day display proved popular and provided local residents an opportunity to go on a "Blind date – with a book"
- Librarian met with Uralla Neighbourhood Centre staff to confirm library Youth Week events:
  - Minute to Win it
  - Giant Jenga
  - Box Building Challenge
- A casual library assistant commenced training – this position will cover annual and sick leave.
- Library opening and closing procedures have been updated.
- A visit from the Global Peace Torch Relay was hosted within the library foyer.
- A NBN technician visited and configured cables to allow for public computer and WiFi access to the NBN.

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

- Tamworth CNRL staff commenced attaching RFID tags to all resources within the library collection, the installation of a new self-checker that will read the RFID tags will take place in April. Funding for this project was provided via the NSW Library Infrastructure Grant.
- Children’s Storytime, Lego Club and Chess & Checkers Club continue to be well attended and valued by the community, as do the adult programs such as Knattering Knitters, Book Discussion Group and Colouring Group.

**Figures to-date for 2018-19 Financial Year**

Month	Loans	New Members
July	1,672	12
August	2,009	9
September	1,519	8
October	1,578	7
November	1,708	11
December	1,206	3
January	1,508	17
February	1,400	16
<b>Total</b>	<b>12,600</b>	<b>83</b>



**KEY ISSUES:**

Nil

Prepared by staff member: Coordinator Community Development & Engagement  
 TRIM Reference Number: UINT/19/1776  
 Approved/Reviewed by Manager: Andrew Hopkins, General Manager  
 Department: General Manager’s Office  
 Attachments: Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	Tourism Promotions and Operations Officer
<b>Reference/Subject:</b>	<b>Report 3 – Monthly Report - Visitor Information Centre</b>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2.1	An attractive environment for business, tourism and industry
<b>Strategy:</b>	2.1.1	Promote Uralla Shire and the region as a place to live, visit and invest
<b>Activity:</b>	2.1.1.1	Promote Uralla Shire through the Visitor Information Centre
<b>Action:</b>	2.1.1.1.1	Operate the Visitor Information Centre to meet agreed service levels

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### SUMMARY:

This report provides an outline of activities at the Visitor Information Centre for the month of February 2019.

### OFFICER'S RECOMMENDATION:

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

### BACKGROUND:

Not applicable.

### REPORT:

During February, habitually a quiet month, we welcomed 573 visitors: a decrease of 36.82 per cent on the January figure of 907 but a slight increase of 3.06 per cent on the February 2018 figure of 556 visitors. The eight-year average for February is 689 visitors, making it the slowest month in our calendar.

In February, the majority of travellers who came through the Visitor Information Centre (VIC) came from New South Wales (63.7 per cent), then Queensland (21.12 per cent) and Victoria (6.28 per cent). We welcomed 16 international visitors, principally from UK & Canada (31 per cent each), followed by China and the Netherlands (15 per cent each).

Sales for February 2019 totalled just \$844 (ex GST) - a 63.43 per cent decrease on the January figure but a 21.1 per cent increase on the February 2018 figure. The last report referred to an anticipated correction in sales for the quiet months of February, March and June; now evidenced in February figures.

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

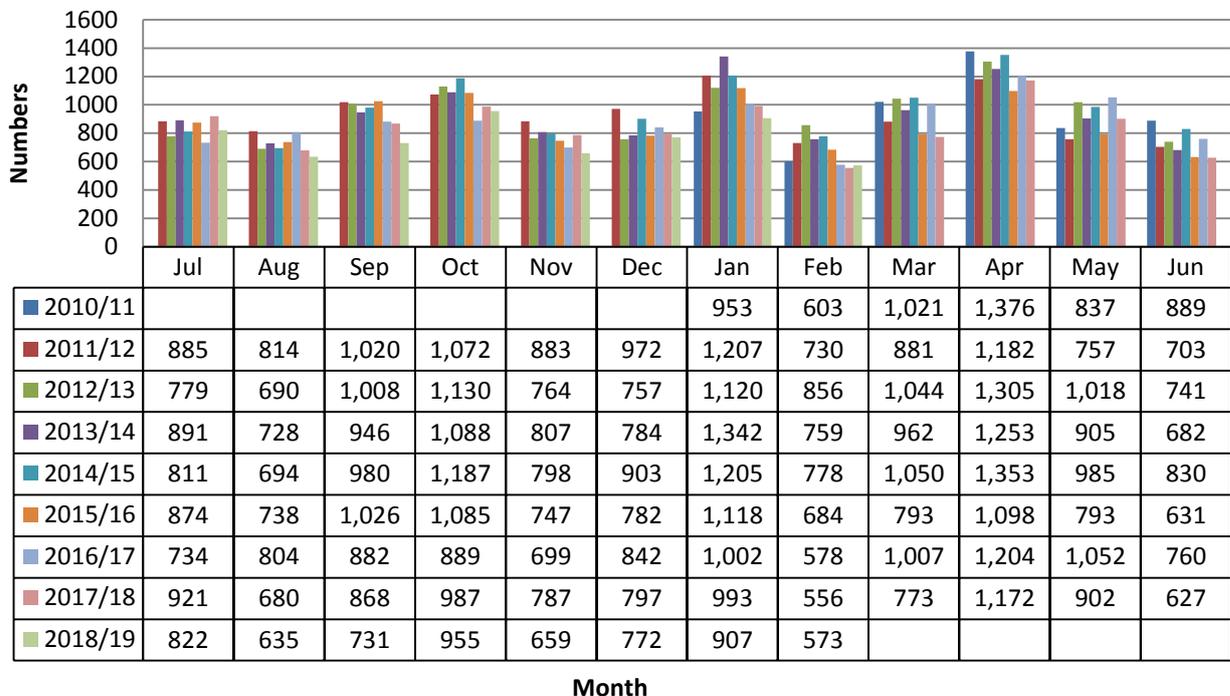
**Sales to-date for 2018-19**

Month	Total (ex GST)
July	\$2,182
August	\$1,477
September	\$1,738
October	\$2,619
November	\$1,621
December	\$2,324
January	\$2,417
February	\$884
<b>Total (\$)</b>	<b>\$15,262</b>

**Annual February Sales**

Year	Total (ex GST)
2014/15	\$1,338
2015/16	\$838
2016/17	\$531
2017/18	\$730
2018/19	\$884

**Uralla Visitor Information Centre Visitor Numbers**



**COUNCIL IMPLICATIONS:**

1. **Community Engagement/ Communication (per engagement strategy)**  
Nil.
2. **Policy and Regulation**  
Nil.
3. **Financial (LTFP)**  
Nil.
4. **Asset Management (AMS)**  
Nil.

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil

Prepared by staff member:	Clare Campbell, Tourism Promotion and Operations Officer
TRIM Reference Number:	UINT/19/1536
Approved/Reviewed by Manager:	Terry Seymour, Director Infrastructure and Development
Department:	Infrastructure and Development
Attachments:	Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	<i>General Manager</i>
<b>Reference/Subject:</b>	<b>Report 4 – Changes to Organisation Structure</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.3	Deliver the goals and strategies of the Community Strategic Plan.
<b>Strategy:</b>	4.3.1	Resource the organisation of Council adequately to provide the services and support functions required to deliver the goals and strategies detailed in this plan.
<b>Activity:</b>	4.3.1.1	Enhance the effectiveness of Council resourcing strategies and practices.
<b>Action:</b>	4.3.1.1.1	Review the organisation structure to enable delivery of agreed services levels and projects.

### SUMMARY:

This report identifies changes to the organisation structure of Council. It notes the removal of eight positions and the inclusion of seven positions. The structure has an initial FTE of 132.3 which reduces to 130.3 in March 2020. Of these, 47.1 FTE are based in Council's non-ratepayer funded business units of McMaugh Gardens, TCS and TCT.

The proposed structure has an estimated total employee cost in the 2019/2020 financial year of \$11,023,600 inclusive of industrial award increases but exclusive of step changes in grades of pay. The local government service elements of the organisation structure (those elements other than the business units) represents an estimated 64% of total employee costs for that year with the remaining 36% relating to the business units.

The structure is the result of extensive investigation into the capacity of council to undertake its necessary service delivery efficiently and effectively, however it is a sub-baseline structure. Additional capacity would be necessary to enable the organisation to fully deliver all committed services adequately, to fully comply with all standards/requirements, to adequately manage council's risk profile, to manage continuity of work flows during staff absences, or to manage unexpected increases in work, such has been the case in 2018 and 2019 with increased grant funding for a plethora of projects. Contractors and consultants will still be required to supplement or undertake tasks or services not able to be undertaken by staff.

### OFFICER'S RECOMMENDATION:

- a) *That the Report be received and noted.*
  
- b) *That the removed positions, as listed below, be noted.*
  - 1) *Plant Superintendent*
  - 2) *Apprentice Mechanic*

- 3) ***Coordinator Governance and Risk***
  - 4) ***Design Engineer***
  - 5) ***Director of Community and Governance***
  - 6) ***Projects Officer IT***
  - 7) ***Trainee Civil Construction – part funded by government and terminating in March 2020***
  - 8) ***Trainee Parks and Gardens – part funded by government and terminating in March 2020***
- c) ***That the new positions, as listed below, be noted.***
- 1) ***Fleet, Stores & Workshop Coordinator***
  - 2) ***Plant Mechanic***
  - 3) ***Manager of Assets***
  - 4) ***Executive Manager Corporate Services***
  - 5) ***Management Accountant***
  - 6) ***IT Service Desk Officer – term position. Work volume to be assessed at end of term to determine continuance of position.***
  - 7) ***Executive Business Manager Aged and Community Care (part time)***
- d) ***That the changes to reporting lines, as listed below, be noted.***
- 1) ***Environmental Management Coordinator – change from Director Infrastructure and Development to Manager Development and Planning***
  - 2) ***Cleaner – change from Manager Infrastructure and Works to Senior Executive Officer***
  - 3) ***Workshop and Stores – change from Manager Infrastructure and Works to Director Infrastructure and Development.***
  - 4) ***Part time Executive Business Manager Aged and Community Care to report to General Manager in the short term but to a Board in the medium term.***
- e) ***That the Organisation Structure dated 18.03.2019 and attached as Attachment A be received and noted.***

**BACKGROUND:**

At its March meeting, the Budget Review and Finance Committee received a report clarifying recent historical changes in: staff FTE; positions within engineering and administration (meaning the local government services component of the organisation) and within the McMaugh, TCS and TCT (meaning the business units of Council), and; employee cost within the council.

Over the 2018 and 2019 Financial Years extensive investigation and review of the performance of council has been undertaken by staff and others. These reviews have examined the systems, equipment, processes and human resources employed by council to undertake its service delivery functions. This work is ongoing and includes the implementation of the administration's grant funded improvement program, called the Virtuous Circle, which focuses on the information management systems infrastructure which council uses to manage information flows and to measure and report on its performance and the capacity of council staff to manage and process the information.

In parallel with the Virtuous Circle project have been a number of reviews undertaken both by staff and by others about the performance of the council in terms of its ability to meet the minimum expected requirements of a NSW council organisation. These reviews have built upon the bodies of work focusing upon improving the organisation which were overseen by previous administrations. The extent of improvement which has been identified as necessary by these collective reviews is substantial and Council has been making strong progress over recent years to implement necessary change.

A key element of these improvements and a requirement of the Local Government Act is to ensure that the council organisation is appropriately resourced to enable it to deliver the Council's commitments to its community.

This report addresses recommended changes to the council organisation structure.

**REPORT:**

**Stores and Workshop**

In 2017 Council commissioned a review of the performance of the stores and workshop functions.

The review identified a wide range of systems, practices, controls and process improvements as well as structural changes to the stores and workshop areas.

The review recommended the integration of the stores and workshop functions under one position, i.e. a Manager or Co-ordinator Fleet, Stores and Workshop.

Role responsibilities for the new position would include: higher level aspects of current stores and workshop roles; scheduling of servicing and repairs; management of external contractors and administration; review of stocked items/minimum levels in stores; management of the plant replacement program and plant procurement; management of fleet registration and insurance; management of the depot.

The review recommended that the workshop and stores function be separated from the 'infrastructure and works' operational area to ensure transparency in service provision and an improved focus on customer service across the whole of council. To this end the review recommended the proposed new position report directly to the Director Infrastructure and Development.

The proposed change in the stores and workshop areas will have a significant effect on the position of Manager Works and Infrastructure. Consultation with the employee and the relevant Union has commenced.

Accordingly, the organisational structure for council is proposed to be amended so that:

- The position of Plant Superintendent be removed.
- The position of Apprentice Mechanic be removed.
- The position of Fleet, Stores and Workshop Coordinator be created. This position will be the supervisory position for all other positions within the Stores and Workshop function area.
- The position of Fleet, Stores and Workshop Coordinator will report to the Director of Infrastructure and Development. The supervisory position within the Stores and Workshop area previously reported to the Manager of Works and Infrastructure.
- The position of Plant Mechanic be created – replacing the existing position of Apprentice Mechanic

**Balance of local government services component of organisation**

In 2018 Council commissioned an investigation into the balance of the organisation (i.e. excluding business units of McMaugh Gardens, TCS and TCT) to determine whether the organisation was appropriately resourced. The brief for this exercise required that the investigation be evidence based and that Uralla Council be benchmarked against similar sized councils.

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

With specific regard to Infrastructure and Development, the report finds:

- *There are significant gaps in capability and capacity in the Infrastructure Directorate which creates considerable risk for Council. These gaps also limit the strategic capacity of Uralla Shire Council.*
- *The most significant gaps include:*
  - *Insufficient technical capability to design and manage projects and contracts – this is critical to deliver projects effectively and efficiently.*
  - *Limited asset management capability – it is essential to plan, manage and maintain council and community assets appropriately.*
  - *The preparation or procurement of legislated strategies and plans eg NSW Mines Management Plan for quarries.*
  - *No GIS capability – this is essential to efficiently store and manage information as all corporate software becomes spatially based.*
- *The Council no longer employs a Building Surveyor internally. This position had some responsibilities for building maintenance. The Council has extensive building assets with no assigned responsibilities for asset ownership, asset management, renewal planning, maintenance programming, the commissioning of reactive maintenance or in some cases operational decisions. There is no coordinated process for procuring maintenance contractors.*

Uralla Shire Council was benchmarked against other councils (of similar size to Uralla) with regard to staffing in key roles within Engineering and Finance. The following table, extracted from the consultant’s report, is a summary of this benchmarking exercise:

<i>Roles</i>	<i>Blayney Shire</i>	<i>Narrandera Shire</i>	<i>Tenterfield Shire</i>	<i>Uralla Shire</i>
<i>Project/Design Engineer</i>	2	3.5	3	0.6
<i>Asset Management</i>	1.5	1	1.5	0
<i>GIS</i>	1.5	0.5	1	0
<i>Building Surveying</i>	N/S	N/S	2*	Contract
<i>CFO/Senior Accounting</i>	3	2	5	2

(\*) *Environmental Health/Building Surveyors*

The report recommended, among many other matters, as follows:

With regard to Infrastructure and Development:

- Create three new roles:
  - Asset Manager
  - Asset Officer
  - Water and Wastewater Operator

With regard to Finance:

- One new senior finance role is created in the Finance section to provide management accounting support and enable leave cover for the Revenue and Payroll Officer. This will also allow the CFO to focus on supporting other divisional managers with training and advice and the development of the finance module to improve systems and processes and free up future capacity.

Accordingly, the organisational structure for council is proposed to be amended so that:

- The Environmental Management Coordinator and subordinates will cease reporting to the Director of Infrastructure and Development and will now report to the Manager of Development and Planning.

- A new position of Manager of Assets will be created. This will initially be a term position for three years at which time the need for the position will be reviewed.
- A new position of Management Accountant will be created.
- The existing Payroll – Revenue Officer position which currently reports directly to the Chief Financial Officer will now report to the Management Accountant.
- The positions of Trainee Accountant and Finance Support Officer, which currently report to the Chief Financial Officer will now report to the Corporate Accountant.
- The business units of McMaugh Gardens, Tablelands Community Support and Tablelands Community Transport will be separated from the traditional local government service functions of the organisation structure. A new position of Executive Business Manager Aged and Community Care (or similar title) will be created to oversight the business elements of these business units. This is envisaged to be a part time position which, for the immediate term will report to the General Manager, however in the longer term will report to a Board of Management. A service level agreement (SLA) will be developed to articulate the services to be provided to the business units by the administration.

In light of the separation of the business units from the core organisation structure the previous position of Director of Community and Governance will be removed and it will be replaced by an Executive Manager Corporate Services position. This position will be responsible for the management of Council's governance framework, therefore the position of Coordinator Governance and Risk will be removed. This position will also be responsible for: IT, records, community development and the VIC.

Consideration should also be given to an additional position in the Water Supply and Sewerage area of operations. This will be funded by the Water and Sewer funds. Whilst not part of this organisation structure change it is a matter which has been identified as necessary.

Other positions which have been identified as necessary but have been withheld from this structural review as a consequence of budgetary constraints include a para-professional role in Infrastructure and Development and a building maintenance position – potentially transitioning to a trainee Building Surveyor position into the future.

#### **Business Units of McMaugh Gardens, TCS and TCT**

In 2018 and 2019 Council sought advice from industry experts about the operating environment and business improvement opportunities for its business units: McMaugh Gardens, Tablelands Community Support and Tablelands Community Transport. The recommendations of those reports, insofar as they relate to organisational structure are as follows:

- Separate the business units from the balance of the organisation structure.
- Review the financial relationship for the supply of services to the business units from Council's administration.
- Merge the Tablelands Community Support and Tablelands Community Transport business units.

It should be noted that whilst these business units are incorporated into the FTE and 'total employee cost' disclosures within our financial statements they are fully funded by non-rate payer revenue sources, unless they are unable to return a net positive return.

The strategic business plans for these business units are currently in draft form and will be presented to Council, most probably, in April or May.

Accordingly the following changes are proposed but subject to further review;

- Merge Tablelands Community Support and Tablelands Community Transport – as the Community Care business unit (or similar title).
- Formalise a service level agreement between McMaugh Gardens and Community Care for the provision of HR, IT, Finance, Governance (where relevant), Records and managerial oversight by the council's administration.
- Create a manager role to lead the development and management of these business units.

### **Snap shot of positional changes**

Removed positions – all currently vacant, except 7 and 8

- 1) Plant Superintendent
- 2) Apprentice Mechanic
- 3) Coordinator Governance and Risk
- 4) Design Engineer
- 5) Director of Community and Governance
- 6) Projects Officer IT
- 7) Trainee Civil Construction – part funded by government and terminating in March 2020
- 8) Trainee Parks and Gardens – part funded by government and terminating in March 2020

Added positions

- 1) Fleet, Stores & Workshop Coordinator
- 2) Plant Mechanic
- 3) Manager of Assets
- 4) Executive Manager Corporate Services
- 5) Management Accountant
- 6) IT Service Desk Officer – term position. Work volume to be assessed at end of term to determine continuance of position.
- 7) Executive Business Manager Aged and Community Care (part time)

Changes in reporting lines

- 1) Environmental Management Coordinator – change from Director Infrastructure and Development to manager Development and Planning
- 2) Cleaner – change from Manager Infrastructure and Works to Senior Executive Officer
- 3) Workshop and Stores – change from Manager Infrastructure and Works to Director Infrastructure and Development.
- 4) Part time Executive Business Manager Aged and Community Care to report to General Manager and/or Board.

### **Impact on Full Time Equivalent (FTE)**

As demonstrated in the report about FTE to the Budget Review and Finance Committee, the net increase in FTE between FY2014 and FY2018 appears to have occurred in council's aged and community care business units.

In 2018 the total 'actual' FTE was 129. Of these, 82 FTE were in administration and engineering (ie the entire council organisation except the business units of Mc Maughs, TCS and TCT) and 47 were in the business units. The budgeted FTE for the FY2018/19 was 136.7, however, the additional staff allocated to that budget were not on-boarded, and therefore, the budgeted total FTE was reduced to approximately 132.

The proposed organisation structure seeks to address key deficiencies in Council's capability and capacity. The absence of professional capacity within the key areas of 'Infrastructure and Development' and 'Finance' expose Council to risks caused by key staff being spread too thinly across too many critical portfolio areas. In the budget deliberation workshops for the 2018/19, councillors were advised that the cause of this capacity deficiency included matters such as the following (for the Infrastructure and Development Division):

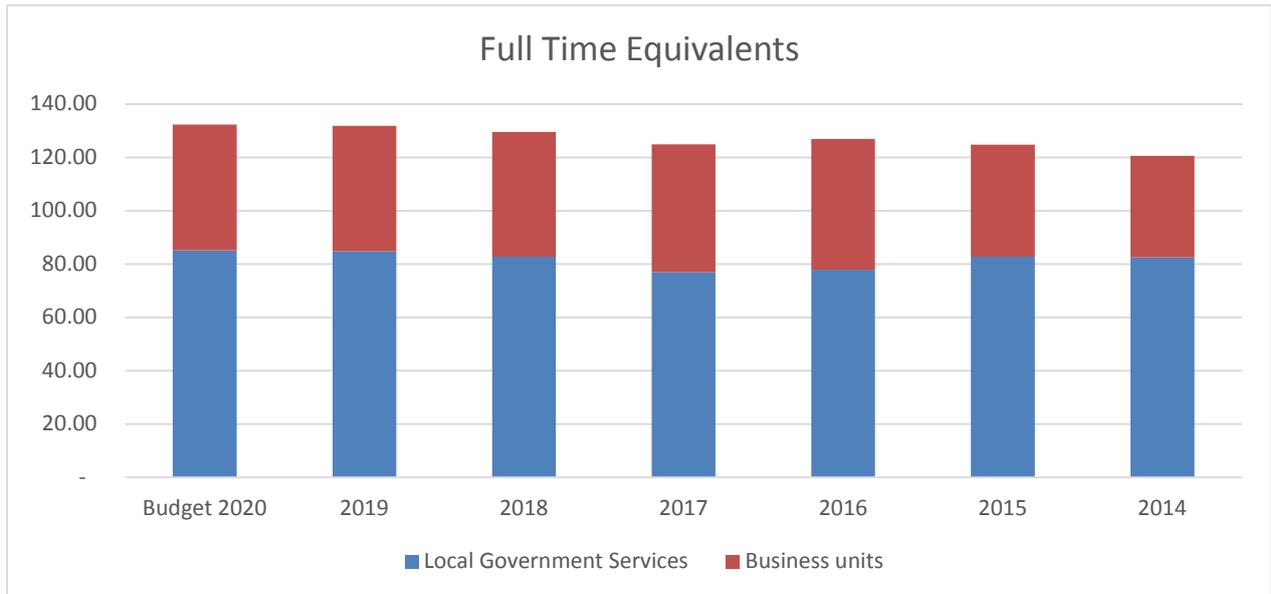
- *Project management of the Stronger Country Communities projects – over the next 3 years.*
- *Project management of other infrastructure projects (eg Drought Communities fund).*
- *Establishment and management of maintenance and renewal programs – including applications for grants and grant management, including acquittal.*
- *Development and management of the RMS and Federal Grant programs for Blackspot, Safer Roads, shared path program, including applications for funding and strategic planning necessary to support future applications.*
- *Development and management of drainage, kerb and gutter and other urban improvement programs.*
- *Service level assessments for roads, open space and general maintenance services.*
- *Maintenance and management of the transportation and buildings AMPs to ensure they are current and that they have correct linkages to the long term financial plan (LTFP).*
- *Preparation of grant applications for identified elements of the AMPs.*
- *Organise and manage contractors/consultants to implement elements of the AMPs which have budget allocation and which aren't being undertaken by staff.*
- *Provide for the efficient and effective functioning of the depot and depot operations, including improved procurement activities for all of council activities.*
- *Development of Plans of Management for Council owned lands.*

Currently the Infrastructure and Development Division is administering the plethora of high transaction matters associated with managing the many projects associated with the Stronger Country Community Fund, the Drought Assistance Fund and other additional external funding, on top of the business as usual requirements of the staff within that division, with reduced staffing levels from previous years. This additional work has required considerable additional effort by key staff in their private time and generally at no cost to Council. This additional workload is unsustainable and causes other work to either be put aside or to be addressed in a less than satisfactory manner.

Put simply, even without the additional workload created by the many grant funding projects council staff have been successful at obtaining and administering, the attention to the matters identified above (in dot point format), together with the business as usual tasks which had historically been undertaken by the Infrastructure and Development Division, there is more work than can be performed by current professional staff resources and this places significant risks upon the Council in the form of key matters being missed, overlooked or poorly managed and the undesirable consequences which stem from staff burnout.

The addition of one new resource to Infrastructure and Development and one new resource to Finance will enable Council to operate with less risk and with increased capacity.

The proposed 2019/20 structure has an FTE of 132.3. Two of these positions are traineeships and will cease in March 2020. Both these positions are subsidised by government programs. With the reduction of these two positions the FTE will reduce to 130.3FTE, of which 83.2FTE will be in engineering and administration and the balance will be in the aged and community care business units, including a part time manager of business for the business units – see graph below.



### Impact on Employee Costs

The 2018/19 FY budget allocated \$11,252,500 for employee costs. This included approximately \$374,283 for additional staff members to perform tasks and responsibilities identified as necessary to enable Council to perform in a competent and compliant manner, at a base level (meaning there would still be little scope for the organisation to undertake many strategic or unexpected tasks). No additional positions were created with this additional budgetary allocation, however locum engineers have been engaged to undertake tasks principally associated with the Stronger Country Communities Grant funds – the costs associated with these locum staff have principally been met by grant funding.

The proposed new structure is estimated to have a total employee cost of \$11,023,600. This is a grossed up estimate which includes the anticipated industrial award increase of 2.5% but does not include grade or step changes.

### Key Matters:

- The proposed new organisation structure has an initial FTE of 132.3, reducing to 130.3 in March 2020. 47.1 FTE are located in Council’s non-ratepayer funded Business Units of McMaugh Gardens and TCS/TCT.
- The estimated employee cost of the organisation structure for the 2019/2020 financial year, including industrial award increases, is \$11,023,600, compared to the 2018/2019 estimated employee cost of \$11,252,500 (including \$374,283 for additional resources – not on-boarded).
- The structure is the result of extensive investigation into the capacity of council to undertake its necessary service delivery efficiently and effectively, however it is a sub ‘base line’ structure. Further capacity would be necessary to enable the organisation to fully deliver all services adequately, to fully comply with all standards and legislative requirements, to manage staff absences, to operate at a strategic level or to satisfactorily manage all risks. Reductions in services or service levels would need to be considered in parallel with this structure and contractors and consultants will still be required to supplement or undertake tasks or services not able to be undertaken by staff.
- The structure removes eight positions and adds seven.
- The structure alters reporting lines for the depot, the environment team and the managers of McMaugh Gardens and TCS/TCT.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

**2. Policy and Regulation**

New structure enables Council to more competently meet its regulatory and compliance obligations.

**3. Financial (LTFP)**

The new structure is estimated at \$11,023,600 for the 2019/2020 financial year.

**4. Asset Management (AMS)**

New Manager of Assets position is necessary for the proactive management of assets and for project management tasks.

**5. Workforce (WMS)**

This structure would deliver a better but still sub-baseline organisation for the local government services component of the staff group. Additional capacity would be necessary to enable the organisation to fully deliver all committed services adequately, to fully comply with all standards and contractors and consultants will still be required to supplement or undertake tasks or services not able to be undertaken by staff.

**6. Legal and Risk Management**

This structure will improve council's risk management capacity however it is insufficient to fully manage council's risk profile.

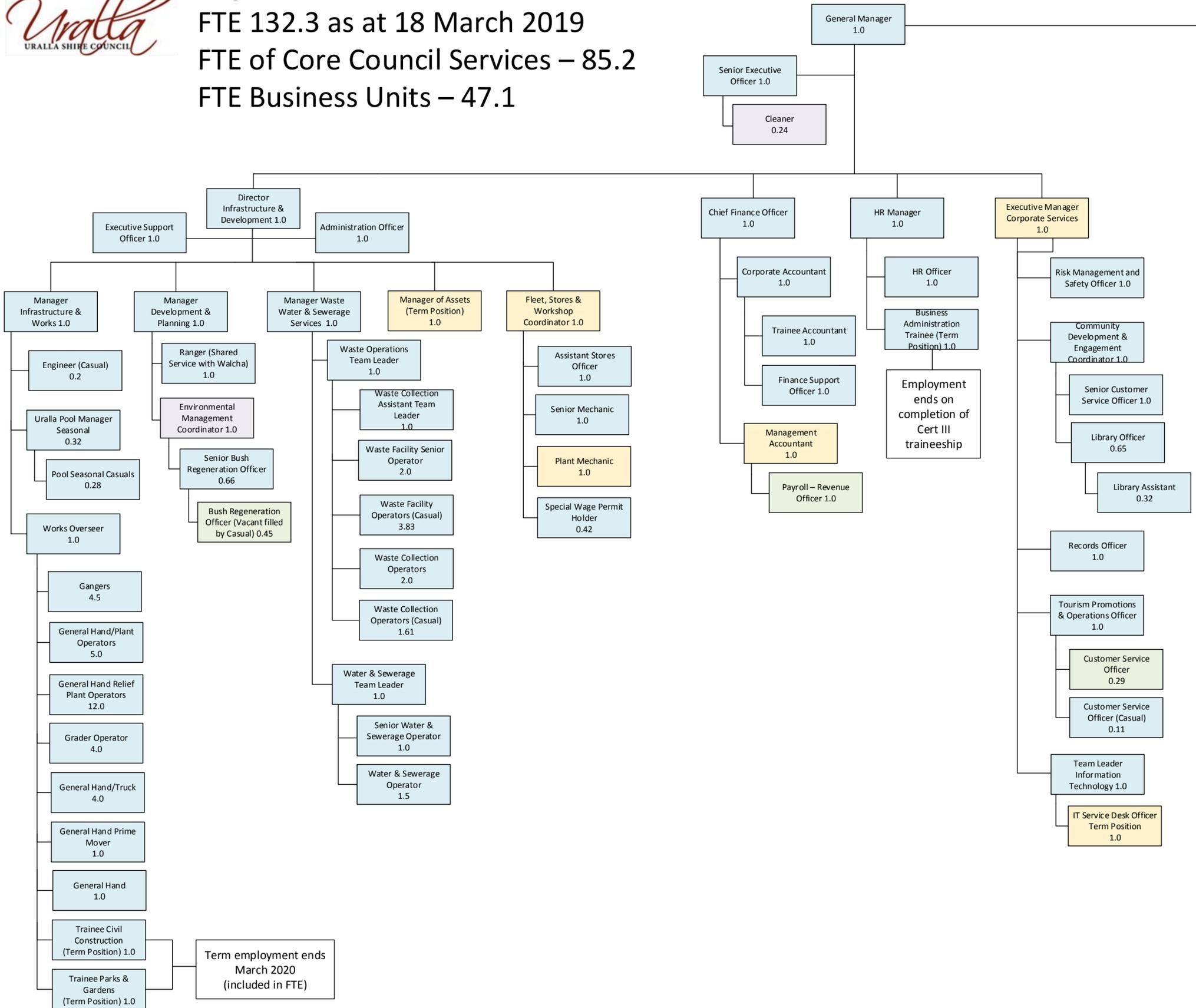
**7. Performance Measures**

**8. Project Management**

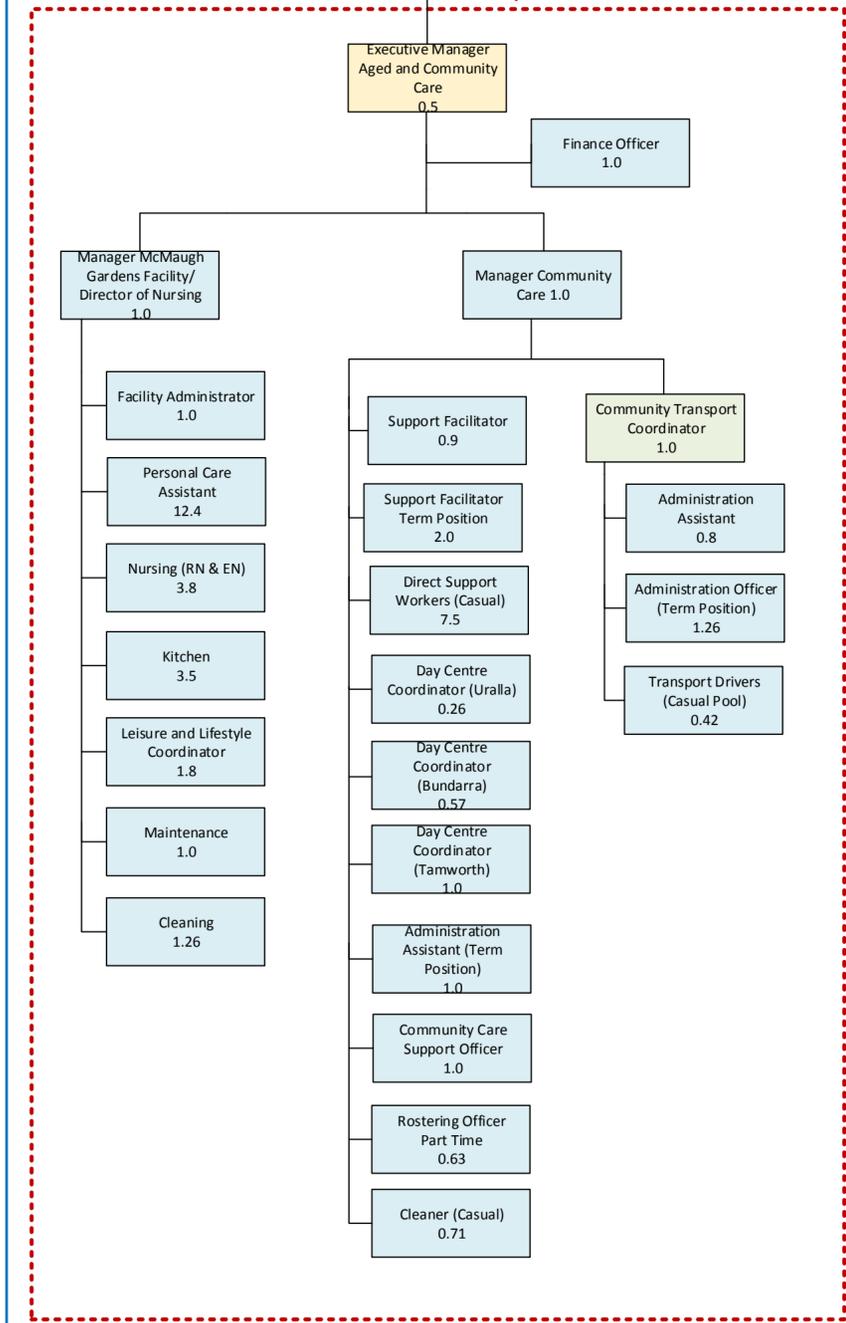
Prepared by staff member:	Andrew Hopkins, General Manager
TRIM Reference Number:	UINT/19/1774
Approved/Reviewed by Manager:	As above
Department:	General Manager's Office
Attachments:	Attachment A: Organisation Structure 18.03.2019



**Organisation Structure 18.03.19**  
**FTE 132.3 as at 18 March 2019**  
**FTE of Core Council Services – 85.2**  
**FTE Business Units – 47.1**



Service Level Agreement between Community Care (McMaugh's, TCS and TCT) and Council for use of IT, Records, Finance, HR.



**Key:**

- Current Position (Filled)
- Current Position (Vacant)
- Change in reporting line
- New Position

See Additional Notes over the page.

Additional Notes:

*Changes to position titles:*

- *Director Infrastructure & Development previously Director Infrastructure & Regulation*
- *Manager Planning & Development previously Manager Planning & Regulation*

*Removed positions:*

- *Plant Superintendent*
- *Apprentice Mechanic*
- *Coordinator Governance and Risk*
- *Design Engineer*
- *Director of Community and Governance*
- *Projects Officer IT*
- *Trainee Civil Construction – part funded by government and terminating in March 2020*
- *Trainee Parks and Gardens – part funded by government and terminating in March 2020*

*New positions:*

- *Fleet, Stores & Workshop Coordinator*
- *Plant Mechanic*
- *Manager of Assets*
- *Executive Manager Corporate Services*
- *Management Accountant*
- *IT Service Desk Officer – term position. Work volume to be assessed at end of term to determine continuance of position.*
- *Executive Manager Aged and Community Care (part time)*

*Changes to reporting lines:*

- *Environmental Management Coordinator – change from Director Infrastructure and Development to manager Development and Planning*
- *Cleaner – change from Manager Infrastructure and Works to Senior Executive Officer*
- *Workshop and Stores – change from Manager Infrastructure and Works to Director Infrastructure and Development*
- *Part time Executive Manager Aged and Community Care to report to General Manager in the short term but to a Board in the medium term.*



## REPORT TO COUNCIL

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	<i>Coordinator Community Development and Engagement</i>
<b>Reference/Subject:</b>	<b>Report 5 – 2019 Bush Bursary/Country Women’s Association Scholarship Program</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	1.2	A safe, active and healthy Shire
<b>Strategy:</b>	1.2.2	Work with key partners and the community to lobby for adequate health services in our region
<b>Activity:</b>	1.2.2.1	Improve access to regional health services
<b>Action:</b>	1.2.2.1.3	Liaise with medical practitioners to prepare for participation in the 2019 Bush Bursary/CWA Scholarship program

### SUMMARY:

The NSW Rural Doctors Network has invited Council to participate in the Bush Bursary/CWA Scholarship program in 2019.

### OFFICER’S RECOMMENDATION:

#### *That:*

- a) *Council participate where one of the Uralla based medical practices commits to hosting a medical student / not participate in the Bush Bursary, CWA Scholarship Program 2019.*
- b) *Council allocate \$3,000 for the sponsorship of one medical student into the 2019/20 Operational Plan and Budget. {delete if not participating}.*

### BACKGROUND:

At the May 2017 Ordinary Meeting, Council considered a report titled “Report 5 - 2017 Bush Bursary/Country Women’s Association Scholarship Program” and resolved **[14.05/17]**:

- a) *Council will not participate in the Bush Bursary/CWA Scholarship Program 2017.*
- b) *Council liaise with local medical practices to prepare to participate in the program in 2018.*

At the April 2018 Ordinary Meeting, Council considered a report titled “Report 2 – 2018 Bush Bursary/Country Women’s Association Scholarship Program” and resolved **[17.04/18]**:

- a) *Conditional upon the student residing in Uralla Shire for the term of their placement, Council participate in the Bush Bursary, CWA Scholarship Program 2018.*
- b) *Council allocate \$4,600 into the 2018/19 Operational Plan and Budget.*

### REPORT:

The Bush Bursaries and CWA Scholarships are offered annually to selected medical students in NSW and the ACT and are financially supported by the rural councils of NSW, the Country Women’s Association and the NSW Rural Doctors Network (RDN). This year scholarships will also be open to nursing students for the first time, recognising the important role played by nurses in rural communities. This scholarship will be the only opportunity of its type available to nursing students in NSW.

Over the past two decades, more than 350 students have participated in the Bush Bursary program. With an increasing number of students studying medicine and nursing, there is more opportunity to expose this new generation of future doctors and nurses to rural medical practice and lifestyle.

Should Council determine to participate, it will involve:

- Payment of \$3,000 (plus GST) for one or two sponsored students
- Nomination of contact person from within council or associated organisation
- Liaise with Rural Doctors Network (RDN) and sponsored Bush Bursary student regarding placement arrangements
- Liaise with RDN, Bush Bursary recipients and local media (where appropriate) to promote the placements in your community
- Assist RDN in sourcing accommodation in the community for the students whilst they are on placement

A letter from the NSW Rural Doctors Network, with a response form to be completed by 3 May 2019 is contained at Attachment A.

This report recommends that Council determine if it will or will not participate in the Scholarship Program in 2019.

**KEY ISSUES:**

- Should Council resolve to participate:
  - A response form is to be lodged by 3 May 2019;
  - An allocation of staff resources will be made to act as Placement Coordinator; and
  - \$3,000 (plus GST) will be included in the 2019/20 financial year budget to fund the program.
  - USC is not expected to meet the costs of the student's accommodation.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

**2. Policy and Regulation**

Nil

**3. Financial (LTFP)**

Should Council determine to participate in the program, \$3,000 (plus GST) will be included in the 2019/20 financial year budget to fund participation in the program.

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Staff resources required to act as Placement Coordinator.

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

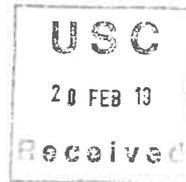
Acting Community Development and Tourism Coordinator, as Placement Coordinator.

Prepared by staff member:	Coordinator Community Development and Engagement
TRIM Reference Number:	UINT/19/1768
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Office
Attachments:	Attachment A - Letter from NSW Rural Doctors Network



14 February 2019

Uralla Shire Council  
Mr Tom O'Connor  
PO Box 106  
URALLA NSW 2358



Dear Mr O'Connor

**Re: The 2019 Bush Bursary/Country Women's Association (NSW) Scholarship Program**

Thank you for your support of the Bush Bursary/CWA (NSW) Scholarship Program. Your willingness to open your community to a student interested in pursuing a rural medical or health career is greatly valued.

I am writing to invite Uralla Shire Council to participate in the Bush Bursary/CWA (NSW) Scholarship program in 2019.

**What are the Bush Bursary and CWA (NSW) Scholarships?**

The Bush Bursary and CWA Scholarships provide selected medical students in the NSW and ACT with funding to assist with costs associated with their studies. In return, students spend two weeks on a rural placement in country NSW during their university holidays. Lachlan Shire Council initiated this scholarship in 1996 and the CWA of NSW first funded a student in 1997. Over the past two decades, the program has grown to be a well-respected initiative among those studying to pursue a rural health career.

**How do the scholarships work?**

The scholarships are offered annually to selected medical students in NSW and the ACT and are financially supported by the rural councils of NSW, the Country Women's Association and NSW Rural Doctors Network (RDN). This year scholarships will also be open to nursing students for the first time, recognising the important role played by nurses in rural communities. This scholarship will be the only opportunity of its type available to nursing students in NSW. The Council investment is **\$3,000 plus GST**, for one or two students.

**Why should Uralla Shire Council be involved?**

Over the past two decades, more than 350 students have participated in the Bush Bursary program. Our ability to place students is limited by the number of councils involved and the number of placements sponsored. In 2018, RDN received 125 applications for the program, our **highest number ever** – yet we only had 14 places on offer. With more placements available, there is more opportunity for RDN to expose the next generations of doctors and nurses to rural medical practice and lifestyle.

Please read the attached short information pack for more information about how Uralla Shire Council can help promote rural NSW living to a future health professional by investing in a Bush Bursary Scholarship.

I am more than happy to discuss this opportunity with you further if you need more information.

Yours sincerely,



Chris Russell  
NSW Rural Doctors Network  
Future Workforce Manager  
[students@nswrdn.com.au](mailto:students@nswrdn.com.au)  
02 8337 8100

# Bush Bursary information pack 2019

## Why is the Bush Bursary Scholarship important?

RDN is driven by a fundamental belief that access to quality healthcare is the right of every Australian, no matter where they live. To create a skilled and sustainable health and medical workforce in rural and regional towns, we work with the next generation of practitioners to encourage them to choose a career in country NSW. Our research shows that positive immersion experiences in rural health settings are known contributors to students choosing rural medical and health careers.

RDN and local councils work together to provide a positive Bush Bursary experience and showcase the incredible rural lifestyles available to students.

## NSW Rural Doctors Network's role

- Advertising and promotion of the Bush Bursary Scholarships to eligible students studying at universities in NSW/ACT
- Recruitment and selection of Bush Bursary recipients
- Administration of funds from sponsoring councils to Bush Bursary recipients
- Matching recipients to sponsoring councils
- Organisation of placement for the sponsored Bush Bursary student, including liaising with local medical practitioners and community groups, accommodation and social aspects of the two-week placement.
- Ongoing support and information for recipients and councils throughout the year
- Distribution of research and evaluation about the Bush Bursary to stakeholders and interested parties

## Uralla Shire Council role

- Investment of **\$3,000 (+GST)** for one or two sponsored students
- Nomination of contact person from within council or associated organisation
- Liaise with RDN and sponsored Bush Bursary student regarding placement arrangements
- Liaise with RDN, Bush Bursary recipients and local media (where appropriate) to promote the placements in your community
- Assist RDN in sourcing accommodation in the community for the students whilst they are on placement

In 2012 RDN completed a longitudinal study of scholarship recipients from 1996–2006 to track their career choice and practice locations. The study found:

- one-quarter of previous scholarship recipients were working in a rural or regional area when surveyed
- 41% of scholarship holders spent their first and second postgraduate years (PGY) in a non-metropolitan hospital
- 35% of PGY3 scholarship holders were in a non-metropolitan hospital.

These figures equate to 140 combined years spent in the rural and regional medical workforce and are significant as they indicate a high proportion of scholarship holders began their careers in a non-metropolitan area, spending two or three years as junior rural doctors.

# Bush Bursary information pack 2019

## Bush Bursary case study: Barham, NSW

Nicola Marshall is enrolled in a Doctor of Medicine and Surgery at the Australian National University and spent two weeks in Barham on the banks of the Murray River in southwest NSW during January 2019.

### *In her words:*

“The **placement was incredibly educational**, mostly in terms of communication and learning a lot about how certain topics are addressed with patients through manner and techniques. I also learned a lot about the workplace and how the different services interact with each other and work together in a rural area.

“From a coursework perspective there were a lot of things that linked in with what I have studied so far, and **I had the opportunity to practice some practical skills**. I also got to see and learn about things we haven't covered yet at university, so it was good to get some level of familiarity with that.

“**The community was so welcoming**. Kerry organised a lot of people to get in touch while I was there, so I had numerous dinner invitations from different local families, tours of local farms and nearby towns, even a trip to see a Shakespeare performance on the banks of a nearby lake! My hosts also took me canoeing a couple of times, swimming in the river, and introduced me to a lot of people.

“I think if anything **the appeal of rural medicine has just strengthened** – I've definitely seen a lot of the challenges that it brings, but it also seems so rewarding and the kind of relationships I saw between doctors/nurses and patients is what I want from my career.”

*Nicola Marshall, Bush Bursary Scholarship recipient, January 2019*

### *In the community's words:*

“Just a note to let you know how much we appreciated having two such wonderful students in Barham. Both Nicola and Tim have been a delight and feedback from everyone involved in their social or clinical activities has been incredibly positive.

“From my point of view, both students were keen to get involved in anything on offer. They were polite, very pleasant, eager to learn and used their initiative. I think the clinical placements worked well ... and gave them an excellent insight into life as a rural health professional.”

*Kerry Stirling, Registered Nurse - Border Group; Secretary – Local Health Medical Trust, Barham*

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## How to participate

Please complete the enclosed sponsorship form and **return it by Friday 3 May 2019** via email or post. Contact details are included on the form.

**Thank you for considering this opportunity to showcase country NSW to a future rural health professional. Your support is greatly appreciated.**



NSW RURAL DOCTORS NETWORK  
CELEBRATING 30 YEARS

## 2019 Bush Bursary Sponsorship Response Form

Your council is invited to participate in the Bush Bursary Scholarship program during 2019. Please complete the following details if you wish to participate or alternatively, if you wish to obtain further information please contact the Sydney office of the NSW Rural Doctors Network 02 8337 8100 or via e-mail: [students@nswrdn.com.au](mailto:students@nswrdn.com.au)

<b>Name of Council</b>		
<b>Contact person name</b>		
<b>Contact person position</b>		
<b>How many students do you wish to sponsor?</b>		
Two students	Four students	I would like to discuss further
<b>Mailing address</b>		
<b>Email address</b>		
<b>Contact telephone</b>		
<b>Would you like to be invoiced before or after 1 July 2019?</b>	Before 01/07/2019	After 01/07/2019

Thank you. We will follow up with a phone call after receiving your confirmation.

Please return this form by **Friday 3 May 2019** to:

Chris Russell  
Future Workforce Manager  
PO Box 1111  
Mascot NSW 1460  
Email: [students@nswrdn.com.au](mailto:students@nswrdn.com.au)



## REPORT OF COMMITTEE

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	<i>Coordinator Community Development and Engagement</i>
<b>Reference/Subject:</b>	<b>Report 6 – Community Grants Program 2018/19 – Round 2</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	1.3	A diverse and creative culture
<b>Strategy:</b>	1.3.3	Lobby government, companies and other individuals to secure funding for cultural and creative expression fields
<b>Activity:</b>	1.3.3.1	Enhance opportunities for community cultural and creative expression
<b>Action:</b>	1.3.3.1.2	Provide an annual community grants program

### SUMMARY:

This report provides the outcomes of the Community Grants Assessment Panel Committee Meeting, held on *12 Mar 2019* to assess round two applications received for the 2018/19 Uralla Shire Community Grants Program, and to provide recommendations for determination by Council.

### OFFICER'S RECOMMENDATION:

That Council adopt the following Committee Recommendation, to:

- 1) approve the Community Grants, round *two* of *2018/19* funding allocations to the following applicants and in accordance with the General Grant Conditions and any special conditions identified in Table 3 of the Report:
  - Northern Tablelands Wildlife Carers Inc - \$500
  - Uralla Shire Business Chamber Inc - \$2,000
  - Mrs Pam Meehan - \$210
  - Mr Trevor Watkins - \$210
  - Mrs Robyn Wheeler - \$210

### BACKGROUND:

Council conducted round two of 2018/19 Community Grants Program in February 2019.

### REPORT:

Council received a total of *five* applications, *two* group applications and *three* individual applications for round two of the program.

The Assessment Panel members assessing the applications included:

- Cr Robert Bell                      Councillor
- Cr Tara Toomey                      Councillor

No pecuniary interests were declared at the meeting.

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All applications, with amounts requested and funding purpose, are listed in Table 1, below.

Table 1 – Received Applications – Round Two

Applicant/Category	Amount requested	Purpose
<b>Individual</b>		
Mrs Pam Meehan	\$255	Contribution towards registration and accommodation to attend the 2019 Aboriginal Elders Olympics in Port Macquarie 9 to 11 April 2019
Mr Trevor Watkins	\$300	Contribution towards registration and accommodation to attend the 2019 Aboriginal Elders Olympics in Port Macquarie 9 to 11 April 2019
Mrs Robyn Wheeler	\$300	Contribution towards registration and accommodation to attend the 2019 Aboriginal Elders Olympics in Port Macquarie 9 to 11 April 2019
<b>Group/Organisation</b>		
Northern Tablelands Wildlife Carers Inc	\$500	One off support of a musical event at McCrossin's Mill to raise funds, promote their work and inform about living with wildlife.
Uralla Shire Business Chamber Inc	\$3,000	Support for the 2019 Uralla Shire Business Awards
<b>Total Requested</b>	<b>\$4,355</b>	

All submissions were assessed by the Assessment Panel against the criteria as listed in the Community Grants Program Guidelines.

The Assessment Panel's assessments are contained in Table 2, below.

Table 2 – Panel Assessments

Applicant/Category	Assessments
<b>Individual</b>	
Mrs Pam Meehan	The purpose of the application is considered to meet the criteria of the funding guidelines. Recommended subject to conditions contained in Table 3.
Mr Trevor Watkins	The purpose of the application is considered to meet the criteria of the funding guidelines. Recommended subject to conditions contained in Table 3.
Mrs Robyn Wheeler	The purpose of the application is considered to meet the criteria of the funding guidelines. Recommended subject to conditions contained in Table 3.
<b>Group/Organisation</b>	
Northern Tablelands Wildlife Carers Inc	The purpose of the application is considered to meet the criteria, with matching and in kind funding with multiple benefits to the community. Recommended subject to conditions contained in Table 3.

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Uralla Shire Business Chamber Inc	The purpose of the application is considered to meet the criteria, with matching and in kind funding with multiple benefits to the business community. Recommended subject to conditions contained in Table 3.
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The Assessment Panel recommendations are set out below:

1) Successful Applicants

Outcomes of the assessments, with recommended approved amounts and special conditions (if any) in addition to those contained within the standard General Grant Conditions, are listed in Table 3 below.

Table 3 – Successful Applicants and Special Conditions

Applicant/Category	Amount	Special Conditions
<b>Individual</b>		
Mrs Pam Meehan	\$210	That the Community Grant monies are only to pay for registration (\$50) and accommodation (\$160)
Mr Trevor Watkins	\$210	That the Community Grant monies are only to pay for registration (\$50) and accommodation (\$160)
Mrs Robyn Wheeler	\$210	That the Community Grant monies are only to pay for registration (\$50) and accommodation (\$160)
<b>Group/Organisation</b>		
Northern Tablelands Wildlife Carers Inc	\$500	That the Community Grant monies are not spent on trophies, prizes or awards as noted in the Guidelines.
Uralla Shire Business Chamber Inc	\$2,000	1. That the Community Grant monies are not spent on trophies, prizes or awards as noted in the Guidelines. 2. That Uralla Shire Council is acknowledged as a significant sponsor of the 2019 Uralla Shire Business Awards, sponsorship of a key award category and provision of four complimentary tickets to Council (Mayor and GM).
<b>Total approved</b>	<b>\$3,130</b>	

Once the funding allocation is approved and a resolution is passed by Council approving the grants, letters of grant will be forwarded to the successful applicants along with conditions and offer acceptance documentation to be signed and returned to Council.

2) Unsuccessful Applicants. There were no 'Unsuccessful Applicants' in Round 2 2018/19 Community Grants

**KEY ISSUES:**

- Council runs two community grants rounds per financial year, this report is for round two.
- Available funding for round two community grants this financial year is \$8,500.
- Council received *five* applications in round *two* – *three* individual and *two* group.
- The Assessment Panel have assessed the applications and provided recommendations to grant a total of *five* (5) – *three* (3) individuals and *two* (2) groups – for a total of \$3,130.

**CONCLUSION:**

This report contains recommendations from the Community Grants Assessment Plan to award community grants to the five successful applicants. There were no unsuccessful applicants.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

Round two applications were called via Public Notice for the Month of February in Council's Newsletter, website and via social media. Successful applicants will be published in Council's Newsletter and via Council Media Releases.

**2. Policy and Regulation**

The Community Grants Program Policy can be viewed on Council's website, refer:  
[www.uralla.nsw.gov.au/files/assets/public/community/community-information/community-grants/2019-guidelines\\_uralla-shire-council\\_community-grants-program.pdf](http://www.uralla.nsw.gov.au/files/assets/public/community/community-information/community-grants/2019-guidelines_uralla-shire-council_community-grants-program.pdf)

**3. Financial (LTFP)**

Should Council endorse the Assessment Panel's recommendations, a balance of \$5,370 will remain available at the end of round two for Community Grants in the 2019/20 financial year. There are no Long Term Financial Plan Implications.

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Successful completion of projects as reported via grant acquittal submitted within 60 days of completion of project.

**8. Project Management**

Coordinator Community Development and Engagement

Prepared by staff member:	Coordinator Community Development and Engagement
TRIM Reference Number:	UINT/19/1769
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Office
Attachments:	Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	Coordinator Community Development and Engagement
<b>Reference/Subject:</b>	<b>Report 7 – Fill Vacancy in the Community Grants Panel 2018-19</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.1 A strong, accountable and representative Council
<b>Strategy:</b>	4.1.3 Provide open, accountable and transparent decision making for the community
<b>Activity:</b>	4.1.3.1 Implement and maintain a transparent and accountable decision making framework
<b>Action:</b>	4.1.3.1.8 Council ordinary and extraordinary meetings are conducted and open to the public

### SUMMARY:

The purpose of this report is for Council to appoint a new delegate to the vacancy in the Community Grants Panel. Due to Councillor Ward's resignation in October 2018, there is now a vacancy on the Community Grants Panel.

### OFFICER'S RECOMMENDATION:

**That Council resolve to fill the vacancy on the Community Grants Panel for the 2018-19 year.**

### BACKGROUND:

Following the quadrennial Local Government Elections, Council is required to determine its delegates on committees, including those operated by Council and those operated by external stakeholders, and those external bodies on which Council is represented by an elected representative.

At the Ordinary Council meeting on 25 September 2018, Council resolved, in part *"to appoint Councillor delegates to each of the committees and external bodies for the 2018-19 year"* [19.09/18] on the Committees Register. Delegates can be elected for the term of Council or for a shorter period of time as determined by Council. Council has previously determined representation annually.

### REPORT:

#### KEY ISSUES:

- Appoint a Councillor delegate to the Community Grants Program.

### COUNCIL IMPLICATIONS:

#### 1. Community Engagement/ Communication (per engagement strategy)

Community Grants Program Guidelines state "The Community Grants Program Assessment Committee will assess applications to determine whether they meet the basic eligibility requirements. Applications from organisations, or for purposes, that do not meet the requirements will not be considered further."

**2. Policy and Regulation**

Nil

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

Prepared by staff member:	Coordinator Community Development and Engagement
TRIM Reference Number:	UINT/19/1773
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Office
Attachments:	Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	<i>General Manager and CFO</i>
<b>Reference/Subject:</b>	<b>Report 8 – Responses to QBRS Questions from February 2019 Ordinary Meeting</b>

**OFFICER'S RECOMMENDATION:**  
**That the Report be noted.**

**REPORT:**

The QBRS for the second quarter was presented to the February 2019 Ordinary Meeting. The resolution pertaining to this review (**26.02/19**) states:

- 1. That the second quarter budget review summary for the 2018/19 financial year be received and noted;*
- 2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted;*
- 3. That information be provided to Council on the impact on the resealing program by the transfer of funding to the gravel re-sheeting program on the Transport Asset Management Plan; and*
- 4. A list of consultants and expenditure be provided to Council.*

This report attends to items 3 and 4 of the resolution.

**Item 3 – Resealing Program**

The impact of transferring \$135,000 from the rural local sealed roads resealing program to the unsealed rural road re-sheeting program will be to require additional funds to be allocated to the resealing program in future years to ensure that all of the rural local sealed roads are resealed at least once every 20 years in accordance with the Asset Management Plan.

**Item 4 – List of Consultants and Expenditure**

The list of consultants and associated expenditure is contained in Table No. 1 of this report. It is noted that all expenditure was within the 2018/19 Budget (save for \$6,085 approved as part of the second quarter QBRS) and that 44% of expenditure was funded by grants and therefore from sources other than Council. This percentage was erroneously reported as being 55% at the February meeting.

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**Table No. 1**

<b>Total Cost</b>	<b>Contribution to total cost from Grant Funds</b>	<b>Consultant</b>	<b>Purpose of Expenditure</b>	<b>Were funds from within the 2018/19 budget?</b>
\$26,178		Buildwise	Councils Building Surveyor	Yes
\$276,714	\$185,398	GHD Engineers	Design and other services for Bundarra Sewer Scheme	Yes + grant
\$18,759		Pacesetters	TRIM remediation – Council’s records system	Yes
\$23,000	\$23,000	Morrison Low	Preparation for grant funding business case for sealing of Bingara Road – successful (\$2M grant)	Grant
\$50,982		Morrison Low	Organisation Review – comparative analysis of various shires. Future organisation modelling.	Yes
\$850		Linda Petterssen	Investigation by independent investigator about a complaint.	Yes
\$39,867		Morrison Low	Long Term Financial Plan, Comparative analysis of various shire councils, financial modelling – various scenarios.	Yes
\$19,247		Morrison Low	Horizontal service review to identify ongoing efficiencies and savings.	Yes
\$6,400		Heritage	Council’s heritage consultant	Yes
\$22,266		Sixhills Architects and Stewart Brown Consultants	Strategic assessment and draft business plan for McMaugh Gardens	Yes
\$13,312		Codyhart consulting	Landfill monitoring at the Uralla landfill	Yes
\$88,259	\$88,259	Local Gov’t Engineering Services	Bingara Road upgrade	Grant
\$3,120		Local Gov’t Engineering Services	Attention to various drainage projects	Yes
\$61,139		Local Gov’t Engineering Services	Engineering design for Council’s light industrial subdivision	Yes
\$9,996		Paradigm Digital	Workplace, health and safety review of water supply and sewer operations	Yes
\$4,425	\$4,425	Croft Surveying	Survey work for Stronger Country Communities fund	Yes + grant
\$27,481		Morrison Low	Various Asset Management Plans	Yes – includes \$6,085 approved through QBRS
<b>\$691,995</b>	<b>\$301,082</b>			

Prepared by staff member: Andrew Hopkins and Simon Paul  
 TRIM Reference Number: UINT/19/1778  
 Approved/Reviewed by Manager: As above  
 Department: General Manager’s Office  
 Attachments: Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Community and Governance</b>
<b>Submitted by:</b>	<i>Acting Coordinator Governance and Risk</i>
<b>Reference/Subject:</b>	<b>Report 9 – Draft Internal Reporting Policy 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	4.1	A strong, accountable and representative Council
<b>Strategy:</b>	4.1.5	Undertake the civic duties of Council with the highest degree of professionalism and ethics
<b>Activity:</b>	4.1.5.1	Implement and manage Council's integrity system
<b>Action:</b>	4.1.5.1.2	Manage public interest disclosures in accordance with legislation, policy and procedures

### SUMMARY:

This report provides a "Draft Internal Reporting Policy 2019" at Attachment A as prepared in accordance with the NSW Ombudsman's 2018 Model Policy and associated guidelines to meet the requirements of the *Public Interest Disclosures Act 1994*.

### OFFICER'S RECOMMENDATION:

#### That Council:

- 1. Exhibit the Draft Internal Reporting Policy 2019 at Attachment A for 28 days; and**
- 2. Adopt the Draft Internal Reporting Policy 2019 at Attachment A subject to no submissions being received in the exhibition period.**

### BACKGROUND:

Council's report on Fraud and Corruption identified a requirement for review and update of council's Internal Reporting Policy. Council's current policy previously adopted in 2017 is identified for review in 2019.

### REPORT:

Under section 6D of the *Public Interest Disclosures Act 1994* (PID Act), public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures.

*The NSW Ombudsman advises that Council's Internal Reporting Policy should:*

- be strongly endorsed by the Mayor and general manager*
- show the council's commitment to high standards of ethical and accountable conduct and confirm that it will not tolerate any form of wrongdoing*
- conform with the Code of Conduct and/or other relevant ethical codes*
- address the relevant provisions of the PID Act*
- state that staff who come forward and report wrongdoing are helping to promote integrity, accountability and good management within the council*
- outline the council's broader responsibilities under the PID Act, such as reporting on public interest disclosures*
- state that it is supported by procedures based on the Ombudsman's guidelines*

- refer to any other relevant policies or procedures, such as the council’s code of conduct and grievance policy, and provide information about how staff can access that information
- be publicly available on your council’s website
- be implemented by the council through staff awareness training.

The attached “Draft Internal Reporting Policy 2019” (Attachment A) has been prepared in accordance with the NSW Ombudsman’s model policy and guidelines and meets the requirements of the PID Act.

Key changes from the current policy as adopted in 2017 include full compliance with the model policy and guidelines as issued by the NSW ombudsman’s office, reflects staff changes for public officer and addition of disclosures officers to facilitate reporting.

#### Related Policy

The Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW provide that code of conduct complaints that are made as PIDs are to be managed in accordance with the requirements of the PID Act, the council’s internal reporting policy and the NSW Ombudsman’s guidelines.

At its meeting of February 2019 Council resolved to exhibit the Draft Code of Conduct 2019 and Procedures for Administration of the Code of Conduct 2019, as prepared in accordance with the Model Code.

#### **KEY ISSUES:**

- Public Interest Disclosure (PID) Act compliance
- Identified review of policy
- *Draft Internal Reporting Policy 2019 at Attachment A prepared in accordance with the NSW Ombudsman’s Model Internal Reporting Policy*

#### **COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

- Staff awareness training on Public Interest Disclosures was conducted by the NSW Ombudsmans office on 14 March 2019
- The Draft Policy is proposed for public exhibition for 28 days

**2. Policy and Regulation**

The “Draft Internal Reporting Policy 2019” is prepared in accordance with NSW Ombudsman Model Policy and if adopted will replace council’s “Internal Reporting Policy 2017” (UI/18/488)

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

PID Act compliance

**7. Performance Measures**

Nil.

**8. Project Management**

Nil

Prepared by staff member:	Elisabeth Brown, Acting Coordinator Governance and Risk
TRIM Reference Number:	UINT/19/1770
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Officer
Attachments:	A. Draft Internal Reporting Policy 2019

# **URALLA SHIRE COUNCIL**

## **DRAFT**

### **INTERNAL REPORTING POLICY 2019**

#### ***Public Interest Disclosures Act 1994***

Under section 6D of the *Public Interest Disclosures Act 1994* (PID Act), public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures.

This policy is prepared in accordance with the model internal reporting policy and guidelines as issued by the NSW Ombudsman's office.

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## 1. Purpose and context of the policy

The purpose of this policy is to establish an internal reporting system for staff and councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Uralla Shire Council, what can be reported and how reports of wrongdoing will be dealt with by Uralla Shire Council.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994* (PID Act).

This policy is just one in the suite of Uralla Shire Council's complaint handling policies. The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the relevant policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with Council's staff grievance policy.

## 2. Organisational commitment

Uralla Shire Council is committed to dealing effectively with reports of wrongdoing and fostering a supportive culture, including:

- create a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encourage individuals to come forward if they are aware of wrongdoing within the council
- keep the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate
- protect the person from any adverse action resulting from them making a report
- deal with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keep the individual who makes a report informed of their progress and the outcome
- encourage the reporting of wrongdoing within the council, but respect any decision to disclose wrongdoing outside the council that is made in accordance with the provisions of the PID Act
- ensure managers and supervisors at all levels in the council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- review the policy periodically to ensure it is relevant and effective
- provide adequate resources, to:
  - encourage reports of wrongdoing
  - protect and support those who make them
  - provide training about how to make reports and the benefits of internal reports to the council and the public interest generally
  - properly assess and investigate or otherwise deal with allegations
  - properly manage any workplace issues that the allegations identify or that result from a report
  - appropriately address any identified problems.

*This policy as adopted by Council is signed by both the Mayor and the general manager.*

*Under the PID Act, the general manager as the head of the public authority is responsible for ensuring that:*

- *the council has an internal reporting policy*
- *the staff of the council and councillors are aware of the contents of the policy and the protection under the PID Act for people who make public interest disclosures*
- *the council complies with the policy and the council's obligations under the PID Act*
- *the policy delegates at least one staff member as being responsible for receiving public interest disclosures. Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be a disclosures coordinator. The Ombudsman recommends councils nominate more than one person as being responsible for receiving public interest disclosures.*

### **3. Who does this policy apply to?**

This policy will apply to:

- both council staff and councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for Uralla Shire Council
- employees of contractors providing services to Uralla Shire Council
- other people who perform council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another council or public authority who report wrongdoing relating to Uralla Shire Council.

### **4. Roles and responsibilities**

#### **a. The role of council staff and councillors**

Staff and councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All council staff and councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all council staff and councillors involved in the internal reporting process must adhere to the Uralla Shire Council's code of conduct. A breach of the code could result in disciplinary action.

## **b. The role of the Uralla Shire Council**

The Uralla Shire Council has a responsibility to establish and maintain a working environment that encourages staff and councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

The Uralla Shire Council will assess all reports of wrongdoing it receives from staff and councillors and deal with them appropriately. Once wrongdoing has been reported, the Uralla Shire Council takes 'ownership' of the matter. This means it is up to us to decide whether a report should be investigated, and if so, how it should be investigated and by whom. The Uralla Shire Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

The Uralla Shire Council must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure the Uralla Shire Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

## **c. Roles of key positions**

### **General Manager**

The general manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring the Uralla Shire Council complies with the PID Act. The general manager can receive reports from staff and councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

### **Disclosures Coordinator**

The disclosures coordinator at Uralla Shire Council is the designated Public Officer and has a central role in the Uralla Shire Council's internal reporting system. The disclosures coordinator can receive and assess reports, and is the primary point of contact in the Uralla Shire Council for the reporter. The disclosures coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the general manager)
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- coordinate the Uralla Shire Council's response to a report

- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure the Uralla Shire Council complies with the PID Act
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

### **Disclosures officers**

Disclosures officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors to make reports.

Disclosures officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the disclosures coordinator or general manager for full assessment.

### **Mayor**

The Mayor can receive reports from staff and councillors about the general manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- refer reports to an investigating authority, where appropriate
- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

### **Supervisors and line managers**

Supervisors and line managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and line managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the disclosures coordinator or general manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the general manager, notify the Mayor.

## 5. What should be reported?

You should report any suspected wrongdoing within the Uralla Shire Council, or any activities or incidents you see within the Uralla Shire Council that you believe are wrong.

Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman’s *Guideline B2: What should be reported?*.

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, the Uralla Shire Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

### Relevant Policies

Policy: Related Party Disclosures

Policy: Code of Conduct

Policy: Complaints Management

Policy: Provision of Information to and Interaction between Councillors and Staff

Policy: Equal Employment Opportunity

### a. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

## **b. Maladministration**

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

## **c. Serious and substantial waste of public money**

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract
- having bad or no processes in place for a system involving large amounts of public funds.

## **d. Breach of the GIPA Act**

A breach of the *Government Information (Public Access) Act 2009* (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

## **e. Local government pecuniary interest contravention**

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at council and council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a councillor participating in consideration of a DA for a property they or their family have an interest in.

## **6. Assessment of reports**

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The disclosures coordinator is responsible for assessing reports, in consultation with the general manager where appropriate. All reports will be assessed on the information available to the disclosures coordinator at the time. It is up to the disclosures coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the disclosures coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

## 7. When will a report be treated as a public interest disclosure?

The Uralla Shire Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- the report has to be made to either the general manager or, for reports about the general manager the Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17)
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

## 8. Who can receive a report within the Uralla Shire Council?

Staff are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within the Uralla Shire Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a councillor, you should make it to the general manager. If your report relates to the general manager, you should make it to the Mayor.

- General Manager  
Andrew Hopkins  
Uralla Shire Council | Po Box 106 Uralla NSW 2358  
p 02 6778 6303 | f 02 6778 6349  
ahopkins@uralla.nsw.gov.au | www.uralla.nsw.gov.au
- Mayor (for reports about the general manager only)  
Councillor Michael Pearce  
Telephone: 02 6775 2520  
Mobile: 0488 752 520  
Email: mayor@uralla.nsw.gov.au
- Disclosures Coordinator

The disclosures coordinator at Uralla Shire Council is the designated Public Officer.

Note that Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be the disclosures coordinator.

- Disclosures Officers

Disclosures Officers at Uralla Shire Council are the Human Resources Manager and the Chief Financial Officer

## 9. Who can receive a report outside of the Uralla Shire Council?

Staff and councillors are encouraged to report wrongdoing within the Uralla Shire Council, but internal reporting is not your only option. You can also make a public interest disclosure to:

- An investigating authority.
- A Member of Parliament or a journalist, but only in the limited circumstances outlined below.

### a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the general manager or the Mayor.

The relevant investigating authorities for the Uralla Shire Council are:

- *the Independent Commission Against Corruption (ICAC) — for reports about corrupt conduct*
- *the Ombudsman — for reports about maladministration*
- *the Information Commissioner — for disclosures about a breach of the GIPA Act*
- *the Office of Local Government — for disclosures about local councils.*

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with the Uralla Shire Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff or councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

### b. Members of Parliament or journalists

To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the general manager
- a person nominated in this policy, including the Mayor for reports about the general manager
- an investigating authority.

Also, the Uralla Shire Council or the investigating authority that received your initial report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).

### **c. Other external reporting**

If you report wrongdoing to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Uralla Shire Council, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

## **10. How to make a report**

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. Uralla Shire Council's Internal Reporting Form [\[link\]](#) is also available for staff or councillors to use to make a report.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

## **11. Can a report be anonymous?**

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Uralla Shire Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If we do not know who made the report, it is very difficult for us to prevent any reprisal should others identify you.

## **12. Feedback to staff who report wrongdoing**

Staff and councillors who report wrongdoing will be told what is happening in response to their report.

### **a. Acknowledgement**

When you make a report, the Uralla Shire Council will contact you to confirm that your report has been received and to advise:

- the timeframe within which you will receive further updates
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, the Uralla Shire Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report
- the likely timeframes for any investigation or other action
- information about the internal and external resources or services available that you can access for support.

We will provide this information to you within ten working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

## **b. Progress updates**

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by the Uralla Shire Council not to proceed with the matter
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

## **c. Feedback**

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

## **13. Maintaining confidentiality**

The Uralla Shire Council realises reporters may want their identity and the fact they have made a report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate we will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. We will discuss with you whether it is possible to keep your identity confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the disclosures coordinator and the general manager, or in the case of a report about the general manager, the disclosures coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

## **14. Managing the risk of reprisal and workplace conflict**

When a staff member or councillor reports wrongdoing, the Uralla Shire Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, the Uralla Shire Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace

- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

## **15. Protection against reprisals**

The Uralla Shire Council will not tolerate any reprisal against staff or councillors who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the council's code of conduct which may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Uralla Shire Council has reasonable grounds to take such action.

### **a. Responding to allegations of reprisal**

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the disclosures coordinator or the general manager immediately. In the case of an allegation of reprisal by the general manager, you can alternatively report this to the Mayor.

All supervisors must notify the disclosures coordinator or the general manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the general manager, the Mayor can alternatively be notified.

If the Uralla Shire Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, the Uralla Shire Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure
- refer any breach of Part 8 of the council's code of conduct (reprisal action) by a councillor or the general manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

#### **b. Protection against legal action**

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

### **16. Support for those reporting wrongdoing**

The Uralla Shire Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the disclosures coordinator.

### **17. Sanctions for making false or misleading statements**

It is important all staff and councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. The Uralla Shire Council will not support staff or councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of conduct resulting in disciplinary action. In the case of councillors, disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

## **18. The rights of persons the subject of a report**

The Uralla Shire Council is committed to ensuring staff or councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Uralla Shire Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

## **19. Review**

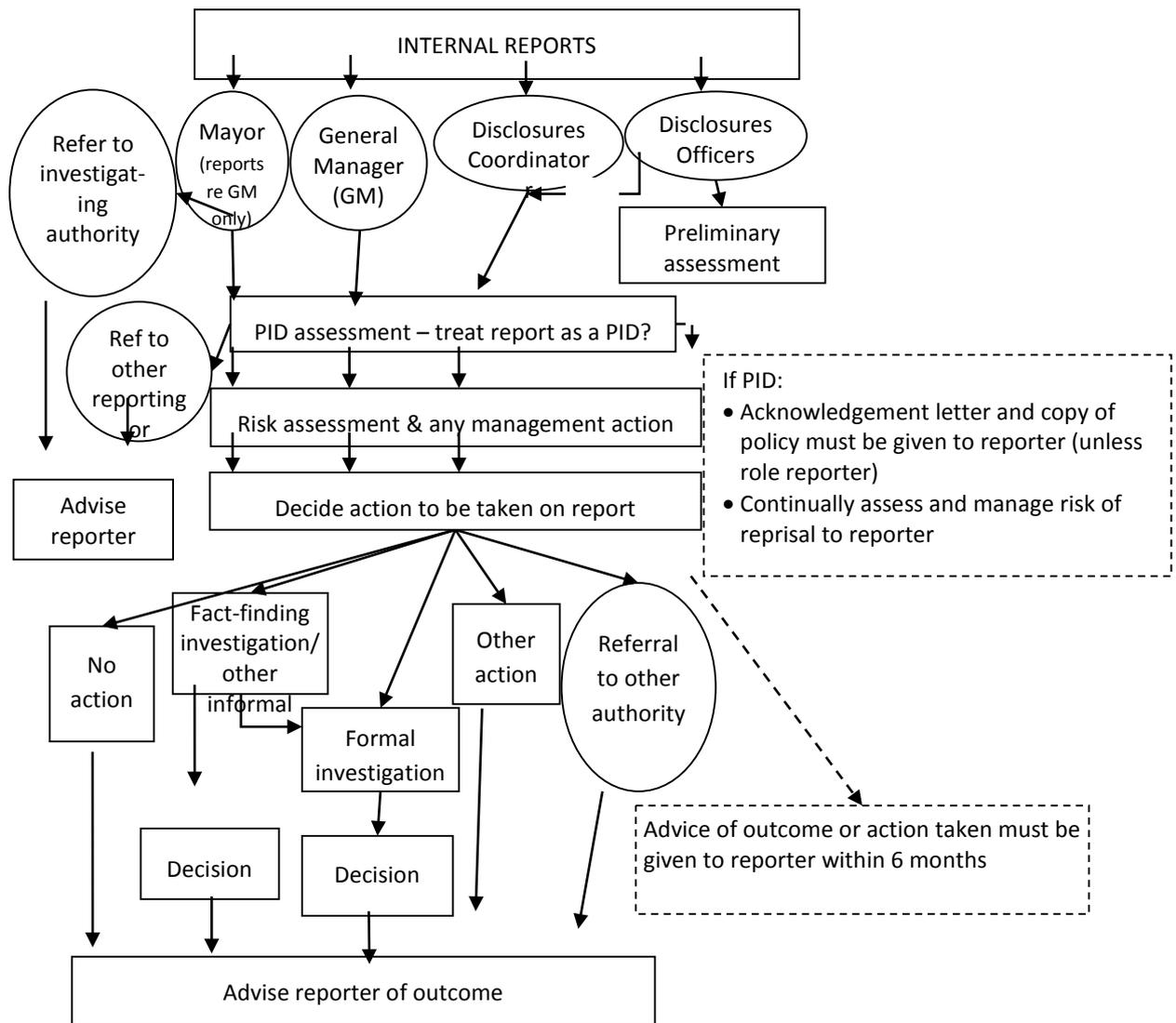
This policy will be reviewed by the Uralla Shire Council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

## **20. More information**

More information around public interest disclosures is available on our website [www.uralla.nsw.gov.au](http://www.uralla.nsw.gov.au) .

Staff can also seek advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

## 21. Flow chart of internal reporting process



## 22. Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

[www.dlg](http://www.dlg)

### **For disclosures about corrupt conduct:**

Independent Commission Against Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)

Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)

Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

### **For disclosures about maladministration:**

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Tel. typewriter (TTY): 02 9264 8050

Facsimile: 02 9283 2911

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

Address: Level 24, 580 George Street, Sydney NSW 2000

### **For disclosures about breaches of the GIPA Act:**

Information Commissioner

Toll free: 1800 472 679

Facsimile: 02 8114 3756

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Web: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

### **For disclosures about local councils:**

Office of Local Government

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: [olg@dlg.nsw.gov.au](mailto:olg@dlg.nsw.gov.au)

Web: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)

Address: 5 O'Keefe Avenue, Nowra, NSW 2541



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	<i>Manager Waste, Water and Sewer Services</i>
<b>Reference/Subject:</b>	<b>Report 10 – Revisions to the 2018 Drought Management Plan</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3.4	Secure sustainable and environmentally sound water-cycle infrastructure and services
<b>Strategy:</b>	3.4.1	Maintain and renew water network infrastructure to ensure the provision of secure, quality and reliable drinking water supplies
<b>Activity:</b>	3.4.1.1	Provide water supply
<b>Action:</b>	3.4.1.1.2	Review the secure Yield Study and Demand Management Plan Finalise the Demand Management Plan update the Drought Management Plan (2015)

### SUMMARY:

A revised Drought Management Plan was adopted by Council in July 2018. Since then further clarification and simplification of the specific water restriction measures outlined in Table 5 (p 14) of that plan have been found to be necessary. In addition, recent experience maintaining residual chlorine levels in the Bundarra water supply has highlighted a potential conflict between the conservation intent of water restrictions and the operational constraint the restrictions may pose in regard to maintaining compliance with the Australian Drinking Water Guideline 2011 and the Public Health Act 2010. As a result the water restriction measures in Table 5 of the plan have been modified and a caveat has been introduced regarding the decision to implement water restrictions.

### OFFICER'S RECOMMENDATION:

**That Council adopt the revised water restriction measures and caveats as detailed in table 5 of the Drought Management Plan Updated March 2019.**

### BACKGROUND:

Drought Management Planning is identified as a required element of the NSW Best Practice Management for Water Supply and Sewerage Framework.

The Plan outlines the various demand and supply drought response actions that should be employed at various stages during a drought. It focuses primarily on response actions to be undertaken during a drought.

There are five drought response levels outlined in Table 5 on page 14 of the 2018 Drought Management Plan. Levels are based on the falling capacity of Taylors Pond (Bundarra) or Kentucky Creek Dam (Uralla).

**REPORT:**

Council Officers have implemented water restrictions in Bundarra and Uralla on four occasions since the Drought Management Plan was adopted in July 2018. Communication with staff and the public in regard to applicable water restriction measures during this time has highlighted the need to clarify the meaning of the specific water restriction measures outlined in the plan at Table 5, page 14.

On 18 January 2019, a Boil Water Alert was issued for the Bundarra drinking water supply. The alert was cancelled on 22 February 2019. Flushing the reticulation network in order to displace poorly chlorinated water was key to re-establishing, and then maintaining, the required residual chlorine level of 0.5 mg/L. A residual chlorine level of 0.5 mg/L will remain the target residual chlorine level as water temperatures persist close to 25° degrees.

The volume of Taylors Pond had fallen below the Level 1 trigger level. However flushing has still been necessary to maintain the required residual chlorine values. A reduction in consumer usage through the application of restrictions would only increase the amount of water to be flushed to the environment.

As water temperatures continue to fall in response to falling ambient temperatures the target residual chlorine level will become 0.2 mg/L.

A caveat should be included in the Drought Management Plan that identifies that the decision to implement water restrictions is subject to an assessment of additional factors, including but not limited to, remaining storage, weather and climate forecasts and the impact those restrictions will have in relation to Council's ability to meet the requirements of the ADWG 2011 and Public Health Act 2010.

**KEY ISSUES:**

- Clarification and simplification of the water restriction measures outlined in Table 5 of the 2018 Drought Management Plan is needed.
- A caveat should be included in the Drought Management Plan that stipulates that the decision to implement water restrictions is subject to an assessment of factors, including but not limited to, remaining storage, weather and climate forecasts and the impact those restrictions will have in relation to Council's ability to meet the requirements of the ADWG 2011 and Public Health Act 2010.

**CONCLUSION:**

**That Council adopt the revised water restriction measures and caveats as detailed in table 5 of the Drought Management Plan Update March 2019**

**COUNCIL IMPLICATIONS:**

- 1. Community Engagement/ Communication (per engagement strategy)**  
Updates and revisions to the Drought Management Plans do not require a 28 days public exhibition period
- 2. Policy and Regulation**  
Nil
- 3. Financial (LTFP)**  
The LTFP does not currently allow for a drought budget
- 4. Asset Management (AMS)**  
Nil

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**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

Prepared by staff member: Stephanie McCaffrey, Manager Waste, Water and Sewer Services  
TRIM Reference Number: UINT/19/1683  
Approved/Reviewed by Manager: Terry Seymour, Director Infrastructure and Development  
Department: Infrastructure and Development  
Attachments: Attachment - Drought Management Plan 2018, updated March 2019



# Uralla Shire Council

## Drought Management Plan

Revision 2 March 2019



## Report Details

**Report Title** Uralla Shire Council: Drought Management Plan

**Status** of Revised Plan

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## Document History and Status

Revision	Report Status	Prepared by	Reviewed by	Approved by	Issue Date
1	Final Draft	Stephanie McCaffrey	Terry Seymour	Terry Seymour	June 2018
2	Update	Stephanie McCaffrey	Terry Seymour	Terry Seymour	March 2019

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# 1 DROUGHT MANAGEMENT PLAN

The Drought Management Plan outlines the various demand and supply side drought response actions that should be employed at various stages during an extended drought period. The Plan outlines Council's restriction policy and documents backup supply sources and emergency supply options. Implementing a Drought Management Plan ensures that a structured and transparent approach is taken for ongoing management of drought impacts on the Uralla and Bundarra town water supplies operated by Uralla Shire Council (USC)

The fundamental objectives of preparing and adopting a Drought Management Plan are to minimise the risk of the community running out of water, and ensure there is always sufficient water available to satisfy the basic community needs in Bundarra and Uralla.

The Uralla Shire Council Drought Management Plan was originally adopted by Council in 2015. It has been updated to coincide with the development of the Demand Management Plan. The update includes Bureau of Meteorology data, the revision of trigger levels and revision of the actions associated with the Drought Action Plan. The extent, application and practicality of Permanent Water Conservation Measures (PWCMS) as compulsory long-term water restrictions has been reviewed.

The objectives of this Drought Management Plan are complemented by the Demand Management Plan and its program. Both plans are applicable to Uralla and Bundarra customers connected to the reticulated town water supply systems operated by Uralla Shire Council.

Drought Management planning is an essential component of the NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines - 2007*. The guidelines were prepared in response to urban water reform commitments made by the NSW Government as part of the National Water Initiative (NWI).

Another essential component of the *Best Practice Management Guidelines* is the preparation of an Integrated Water Cycle Management (IWCM) Strategy. Council has prepared an IWCM Strategy, which outlines a plan for the integrated management of the water supply, sewerage and storm water services within a whole of catchment strategic framework.

Drought management will be a key component of the IWCM Strategy and therefore, this Drought Management Plan is consistent with the principles of the IWCM Strategy.

This Plan contains the following sections:

Section 2: Contains a description of the Bundarra and Uralla water supply systems; with a brief review of previous drought experience.

Section 3: Provides an outline of the operating environment for this plan; including consideration of climatic conditions and water resources.

Section 4: A brief summary of the key activities and strategies that should be in place prior to a drought period.

Section 5: Outlines the actions to be taken during each drought response level.

Section 6: Outlines the post-drought actions that should be taken in preparedness for future drought periods.

## 2 WATER SUPPLY SYSTEMS

This plan is applicable to the urban water supply systems of Bundarra and Uralla. Details of these water supply systems are included in Table 1.

While there is a need to have some level of uniformity across the region for some drought response actions (e. g. the rules associated with water restrictions), there is also a need to have tailored drought management strategies that are related to the individual water supply system and the greater environment that it operates within (e.g., the triggers for activating water restrictions).

Water Supply System	Population Served <sup>1</sup>	Average Demand (kL/day)	Raw Water Source	Current Problems	Past Drought Experience
Uralla	2421	800	Kentucky Creek Dam 500ML capacity	Small catchment in upper reaches of Gwydir River.  Storage susceptible to algae growth in summer.  Impact of siltation on storage volume is unknown.	The 2015 Secure Yield Assessment indicates that storage would not meet demand during a dry year by 2044.  Water restrictions have only been applied infrequently in the past.  Last restrictions were applied in 2016.
Bundarra	394	123	Gwydir River 90-120 ML sourced directly from Taylors Pond	System is not robust and is vulnerable to periods of low flow in Gwydir River.  Upstream irrigators can place stress on town water supply.	Water restrictions (including those on irrigators) are triggered by water levels in Taylors Pond. Severe restrictions were applied in 1994 and 2016.  Past restrictions have been applied inconsistently.  Taylors Pond capacity was restored by excavating the river bed in 1994.  Carting of potable water from Gilgai was considered in 1994.

**Table 1: Summary of Uralla Shire Council Water Supply Systems**

<sup>1</sup> 2016 Census data

## 2.1 Water Supply characteristics: Uralla

Water supply for Uralla township is sourced from Kentucky Creek Dam with a total storage of 500 ML, of which 75 ML is assumed to be dead storage, leaving an effective storage of 425 ML. Current extraction of raw water for Uralla varies between 230 and 350 ML per annum. Uralla Shire Council is licensed to extract up to 621 ML per annum to meet urban demand from the Kentucky Creek catchment.

The Uralla Water Treatment Plant (WTP) is a conventional water treatment plant. Raw water is pumped from the storage dam on Kentucky Creek located approximately 5 km south west of Uralla through 85m of pipeline to the inlet of the water treatment works. There are three water reservoirs in Uralla with a combined storage capacity of 5 ML.

## 2.2 Water Supply characteristics: Bundarra

Bundarra is serviced by Taylors Pond on the Gwydir River which has a total storage capacity of around 83 ML of which 8 ML is dead storage, leaving an effective storage of 75 ML. Uralla Shire Council is licensed to extract up to 93 ML per annum from the Gwydir River for the urban supply at Bundarra. Records indicate that demand varies between 38 and 56 ML per annum with the average demand being 47 ML per annum.

There are currently 216 water assessments in Bundarra supplied from a conventional sedimentation and sand filtration water treatment plant similar in operation to the Uralla plant.

The plant has a design capacity of 0.8 ML per day plus a 20% hydraulic loading. Water is sourced from a pump well adjacent to Taylors Pond and following treatment, is pumped to two service reservoirs located on the northern and western extremities of the village. The two water reservoirs in Bundarra have a combined storage capacity of 1 ML.

## 2.3 Secure Yield Study 2015

In 2013, Council commissioned NSW Public Works/SMEC to carry out a secure yield study on the catchments for both water supplies. The study projected that the modelled unrestricted dry year demand for the two supplies will increase from a current 381 ML to 433 ML in 2044 for Uralla and from a current 62 ML to 71 ML in 2044 for Bundarra.

The outcomes of the secure yield modelling gave an estimated secure yield of between 196 and 228 ML per annum (up to 2015) for the Uralla supply and between 41 and 61 ML per annum for Bundarra, depending on the security of supply rule that Council adopts.

The study concluded that: *“The modelling indicates that the Uralla water supply system would need to be augmented to provide a secure yield which matches the dry year demand... and that the Bundarra system would need to be augmented to provide a secure yield meeting the average current demand in climate change conditions applying the 5/10/10 rule.”*

The 5/10/10 rule requires:

- Duration of restriction does not exceed 5% of the time.
- Frequency of restriction is not more than 10% of the time (1 in 10 years).
- Severity does not exceed 10% of annual demand, i.e. annual demand is not less than 90% of normal.

Consequently, Council will need to upgrade the Uralla water supply system and, should any growth in water supply demand in Bundarra, or predicted climate change conditions occur, additional storage will be required to maintain security of that supply.

### 3 OPERATING ENVIRONMENT

#### 3.1 Location and Climate

The New England Region experiences a dry sub-humid temperate climate. Summers are relatively short and mild and winters are long and cold. Mean monthly maximum temperatures vary from 25.7 degrees Celsius in February to 11.8 degrees Celsius in July. Mean monthly minimum temperatures vary from 12.7 degrees Celsius in February to minus 0.4 degrees in July.

Median rainfall is approximately 766 mm per annum in Uralla and 763 mm per annum in Bundarra with approximately 60% falling in summer and 40% in winter. Average annual evaporation is 1400mm/a. Figure 2 below graphs average monthly rainfall and temperatures.

Bureau of Meteorology charts showing historical annual rainfall for Uralla and Bundarra are included below in Figure 3 and Figure 4.

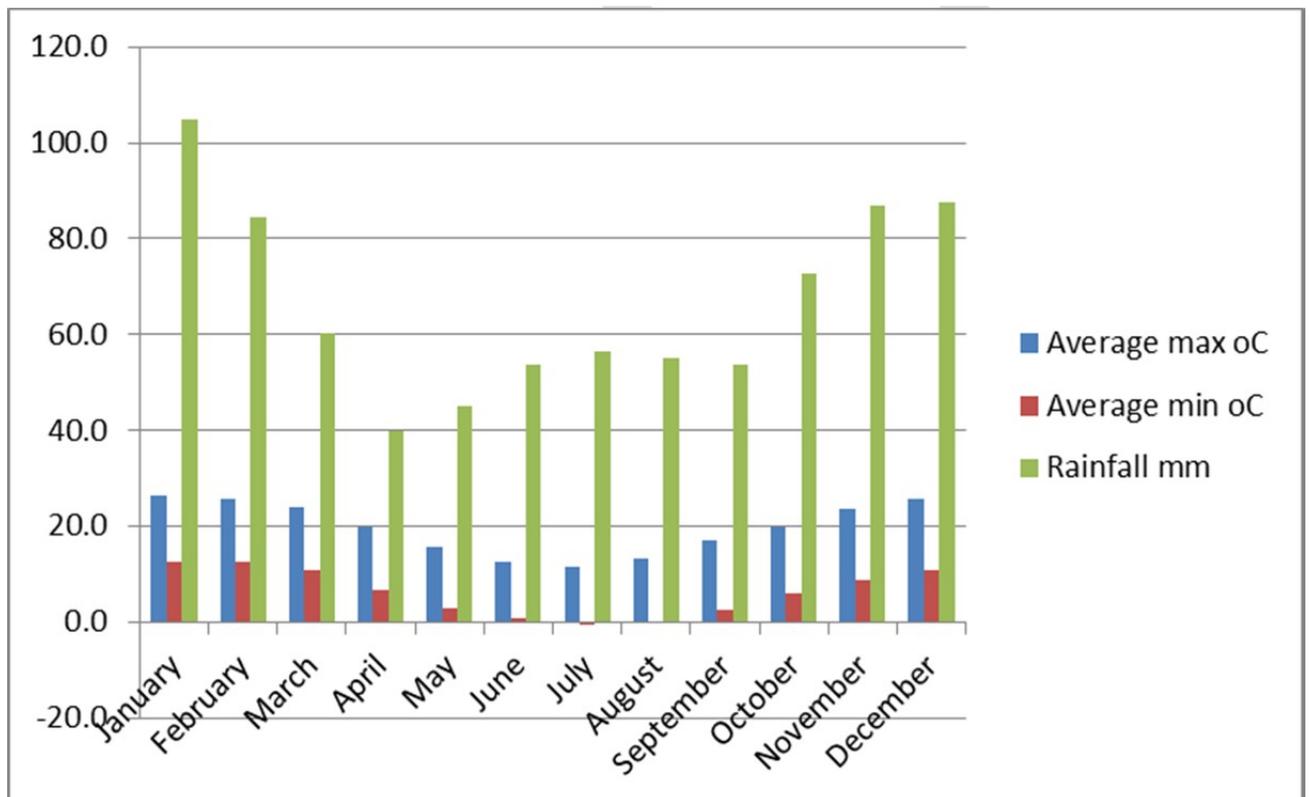
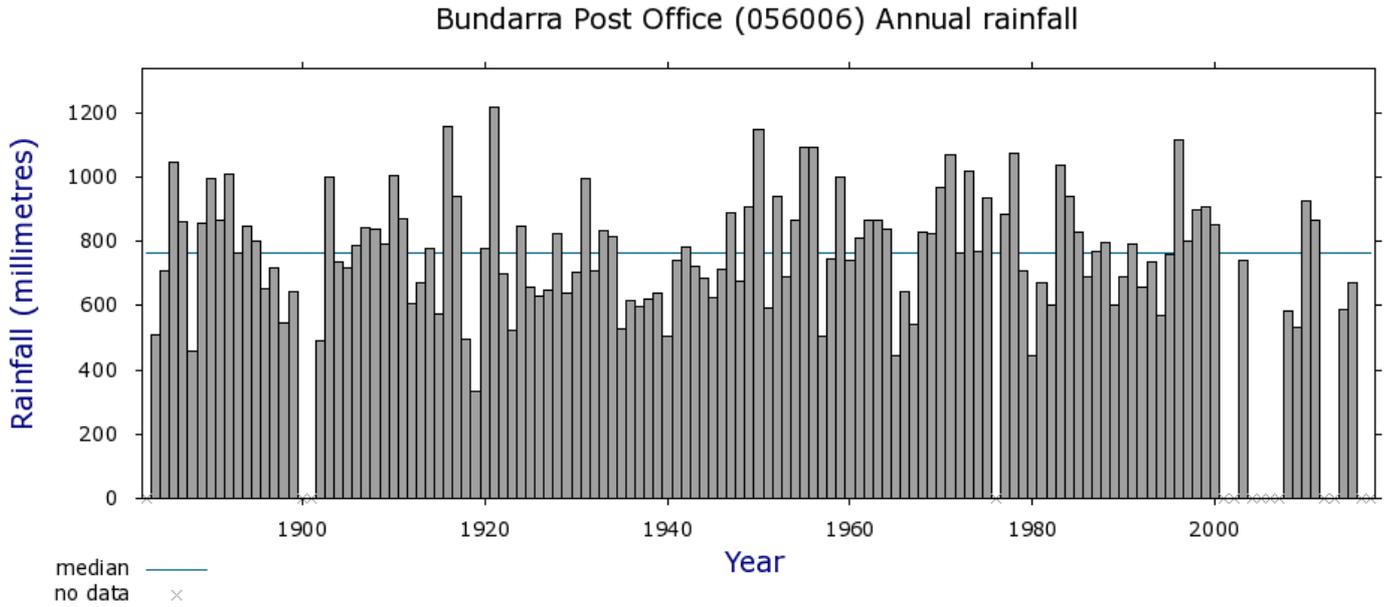
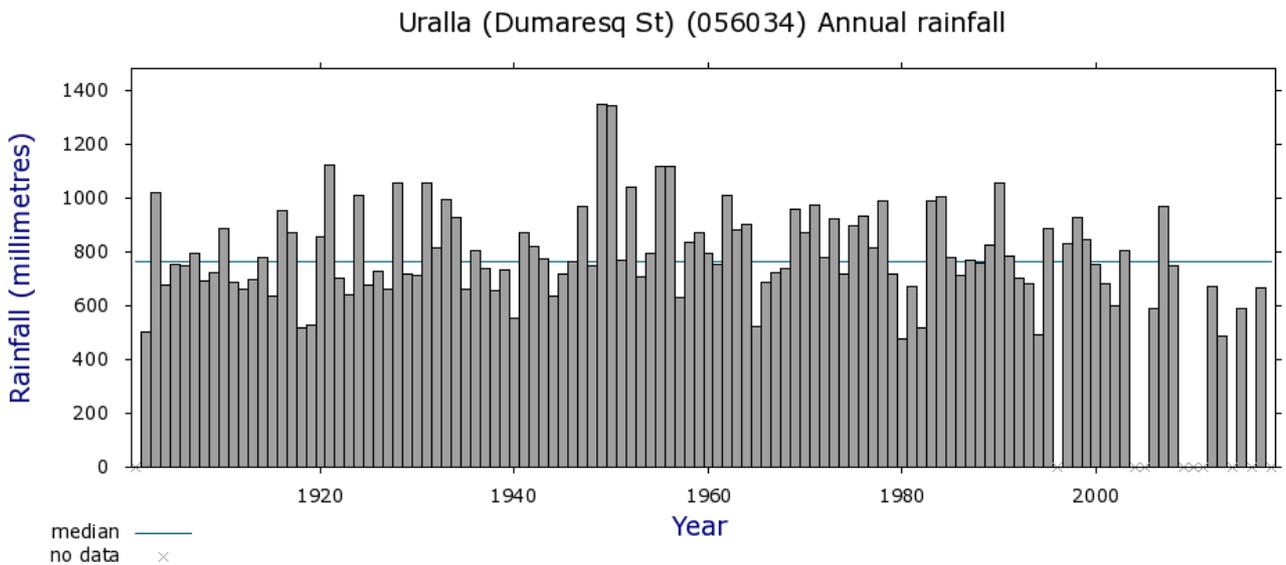


Figure 1: Average monthly rainfall and temperature



**Figure 2: BOM Annual Rainfall Data Bundarra Post Office, 1883 - 2017<sup>2</sup>**



**Figure 3: BOM Annual Rainfall Data Uralla Dumaresq Street, 1901 - 2018<sup>3</sup>**

<sup>2</sup> The Bundarra Post Office records ceased in 2017. Only data for August 2017 was recorded that year.

<sup>3</sup> Gaps occur in the table where there are missing valid daily observations within the month. This is frequently associated with the observer being unavailable (where observations are undertaken manually), a failure in the observing equipment, movement to automatic recording equipment, or when an event has produced suspect data.

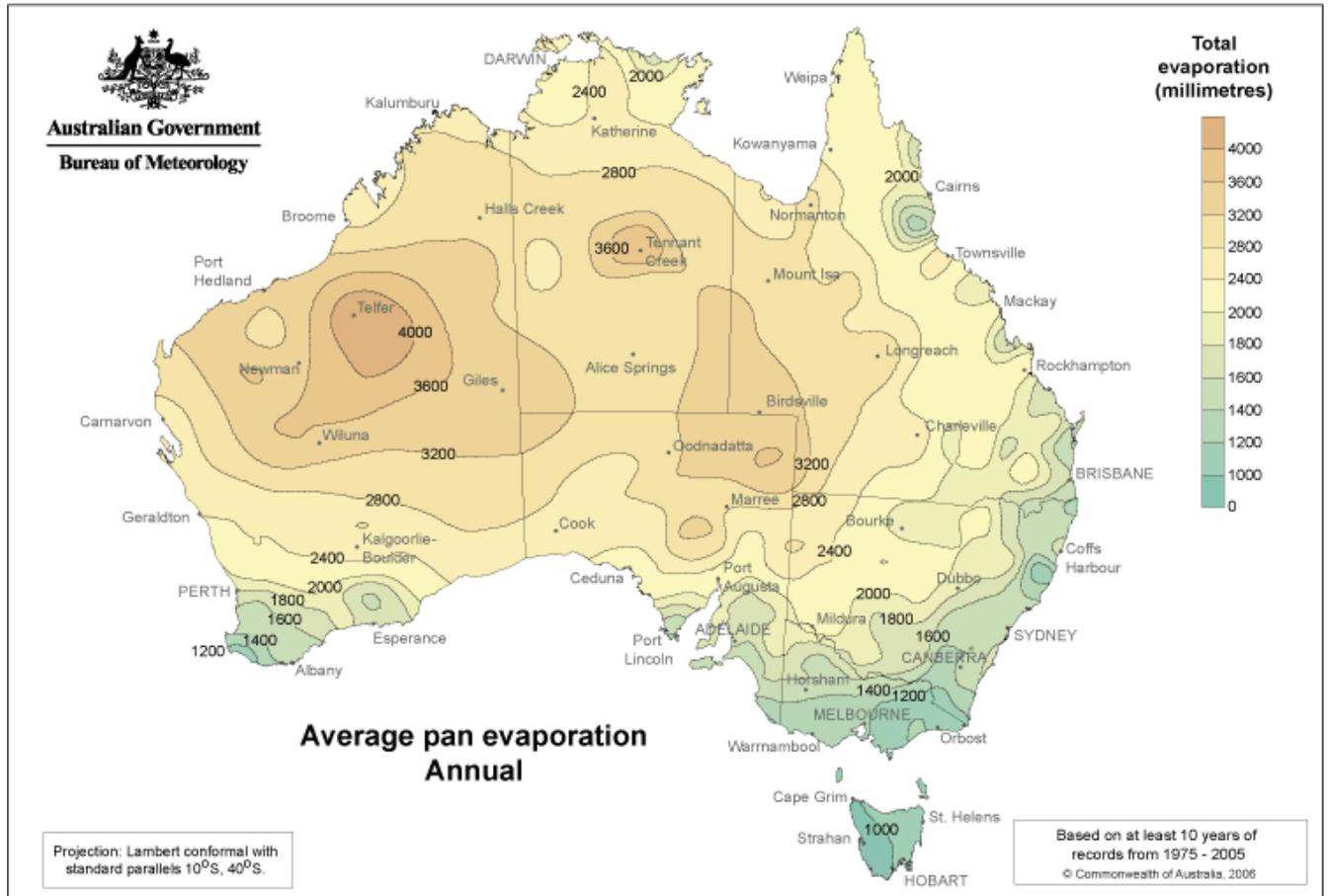


Figure 4: Average Annual pan evaporation, BOM 14 May 2018

### 3.2 Water Resources

Both Uralla and Bundarra water resources are drawn from the Gwydir Catchment. Uralla is served by Kentucky Creek, a tributary to the Gwydir River, while Bundarra is serviced by the Gwydir via Taylors Pond.

The Gwydir River originates in the New England Tablelands near Uralla and stretches 670 km to the Barwon River near Collarenebri. The catchment is separated from the Border Rivers catchment to the north by the Mastermans Range, and from the Namoi catchment to the south by the Nadewar Range. The river catchment is a total of 26,600 km<sup>2</sup>. The Gwydir catchment at Bundarra is 3,990km<sup>2</sup>.

Gwydir River resources are shared by multiple communities, councils and water utilities. However it is agriculture that dominates land use across the catchment, with livestock grazing dominant along Kentucky Creek and a mix of livestock grazing and cropping dominant around Bundarra.

Copeton Dam was completed in 1976 and is the only regulated water storage on the system. The Gwydir Wetlands lie below Moree in Northern NSW. The wetlands form part of the traditional country of the Gamilaroi people and are a major site for water bird breeding.

Uralla and Bundarra extract water from the unregulated portion of the Gwydir. That is, the river upstream of Copeton Dam. Unregulated rivers are dependent on rainfall and natural flows rather than water released from dams.

To balance the water needs of the Gwydir communities the Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources commenced on 2 August 2012. The plan provides for the sharing of water between the environment, town water supplies, basic landholder rights and commercial use of water. The volume of water available to meet all competing environmental and extractive needs varies on a yearly and daily basis, depending on the weather, river flow and aquifer conditions.

The Office of Water maintains a river gauging station at Bundarra. Flow data has been recorded here from 1937. The long term average annual flow at Bundarra is 336,300 ML, the mean daily flow is 926 ML (for the period 1937 – 2010).

The driest year on record was in 1994 when 3,400 ML was recorded at Bundarra. Extended drought periods occurred in 1937 – 1949 and 1999 – 2009 when the annual flow was below the long-term average.<sup>4</sup>

### 3.3 Climate Scenarios: NARCLiM

It is widely accepted that future climate changes could impact on water supply systems through changes to the frequency and duration of rainfall, as well as an increase in evaporation.

A specific analysis of the impact of changing hydrological conditions under these scenarios for the Gwydir River is not available.

In generally, across the region (i.e. for the New England North West) NARCLiM Climate Scenarios predict increasing autumn rainfall, while winter and summer rainfall will decrease in the near future (to 2030). Current levels in variability of rainfall are predicted to continue into the future, though the pattern of rainfall is likely to be dominated by more intense storms. Increases in all temperature variables are expected in the near and longer term (i.e. by 2070) with fewer cold nights and more hot days. NARCLiM models suggest that there will be an extra 7 hot days a year by 2030 and 24 a year by 2070 on average across the region.

### 3.4 Downstream Impacts

It is important that Council liaise with relevant government agencies and other large users (e.g. local irrigators) during drought periods to ensure that water resources are effectively managed at a whole of catchment level.

Drawdown of the Kentucky Creek Dam and Taylors Pond under drought conditions is not expected to have any additional negative impact on either Kentucky Creek or the Gwydir River *per se*. There are no environmental water allocations from either storage.

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<sup>4</sup>Source – NSW Office of Water, May 2011: Water resources and management overview – Gwydir River

## 4 PRE-DROUGHT PLANNING

While the Drought Management Plan focuses primarily on the response actions to be undertaken during a drought, the extent of the various impacts of drought (including economic, social and environmental impacts) will be largely driven by the effectiveness of a range of pre- drought planning and management activities, as discussed below.

### 4.1 Demand Management Plan

A Demand Management Plan has been prepared and released for Community Consultation in tandem with this Drought Management Plan. The Demand Management Plan includes the following key measures:

- Community Awareness Program.
- Best Practice Water Pricing.
- Permanent Water Conservation Measures.
- Non-Residential Large User Audits during Level 3 restrictions.
- Regulation and Planning Controls, including supporting current government initiatives like BASIX, WELS and Smart Approved WaterMark.
- Water Loss Management, including the metering of all properties.

### 4.2 Operating Rules

Efficient operation of water supply systems, particularly systems with either surface or groundwater storages, is an important pre-emptive strategy for managing droughts. Due to the difficulty in predicting future drought conditions, it is important that system storages are not drawn down excessively during non-drought periods as a result of inefficient operation of the system, as this would reduce the security of a supply system in the event of a drought and consequently worsen the impacts of drought.

Council should also liaise with the NSW Office of Water (Department of Primary Industries Water) during the water year to ensure that allocation of General Security water is managed in a way that sufficient storages are provided to meet future High Security town water supply requirements.

### 4.3 System Monitoring

Regular and accurate system monitoring of river flows, groundwater levels, dam levels, extractions and consumptions will be important inputs into future reviews of the Drought Management Plan.

## 4.4 Long Term Supply Strategies

All water supply systems should be designed to cope with at least a repeat of the worst drought on record. Larger systems (>1,000 people) should be designed to cope with more severe drought conditions than the worst on record, on the basis that it is reasonably expected that our communities could face a more severe drought than the worst on record.

While the Uralla water supply system currently has fairly high supply security, Bundarra has a relatively low level of supply security. Previous studies for both of these systems have identified a range of alternative long term supply strategies. However, to date long term supply strategies for these systems have not been adopted or implemented.

In accordance with IWCM principles, Council should prepare and adopt long term supply strategies for each system. Where required and/or available, part funding for the construction of works associated with the long term supply strategies should be sought from higher levels of government.

## 4.5 Resource and Funding Strategy

The costs associated with managing drought can have a significant impact on Council's finances, due to a variety of factors, including:

- Reduced revenue due to water consumption reductions associated with enforcing restrictions, particularly in the mid to late stages of the drought.
- Additional costs associated with Council activities, including running an ongoing community awareness campaign, increased frequency of supply and demand monitoring, liaison with government agencies and other stakeholders and policing of restrictions.
- Increased capital and operating expenditure associated with investigation, procurement, implementation and running of backup and emergency supply options.

When preparing budgets for the year ahead, Council will need to ensure that if drought conditions are expected and/or existent, sufficient funds are set aside for drought management activities. In addition, all costs associated with managing the drought should be tracked and be available to report to Council, government regulators, Department of Primary Industries Water and the community (if required). These costs can then be used as a justification for further investment in long term supply strategies and other drought management planning initiatives.

Drought emergency funding may be available through Department of Primary Industries Water to manage depleted supplies, investigate and implement emergency capital works or to cart water.

## 5 DROUGHT MANAGEMENT ACTION PLAN

Drought Management Action Plan (DMAP) set out the actions to be taken during each phase (i.e. drought response level) of the drought. There are five drought response levels; from Level 1 (Low) to Level 5 (Emergency), with each level having a set of suggested actions to be undertaken during that phase of the drought, including an associated set of water conservation measures / restrictions. Please refer to Table 2. The specific water conservation measures associated with each Level are listed in Table 5.

Specific DMAPs have been prepared for Uralla and Bundarra (see Tables 3 and 4) with additional specific actions to be undertaken in that system. These are generally related to the investigation and implementation of backup and emergency supply options. Secondary (or supplementary) supply sources for each of the drought response levels are listed.

### 5.1 Triggers & Water Consumption Targets

The DMAPs for each water supply system include primary triggers for initiating each drought response level, as well as total system water consumption targets for those levels. In general, triggers for small town water supply systems had previously been based on the operator's experience and were generally not directly related to a fixed flow or water level. Trigger Levels have been adopted and it is anticipated that over time more refined triggers will be developed and that they will be based more on the risk (based on historical flow records) of having a shortfall in supply.

Water consumption targets are average annual consumptions and should be adjusted for seasonal patterns (where appropriate). Note that once outdoor usage is banned (Levels 4 & 5), consumption targets become fixed daily targets due to the lack of influence from seasonal factors.

The decision to implement water restrictions is subject to an assessment of factors including, but not limited to, remaining storage, weather and climate forecasts and the impact the restrictions may have in relation to maintaining compliance with the Australian Drinking Water Guideline 2011 and Public Health Act (NSW) 2010.

In considering the easing of water restrictions Council will take into consideration water supply demand, projected demand, level and security of bulk water sources, catchment parameters, seasonal conditions, and seasonal outlook.

### 5.2 Compliance with Water Restrictions

Periods of water restrictions and use of appliances in accordance with water restrictions in place may be policed by Council officers.

Under the Local Government Act 1993 the maximum penalty that may be applied for a breach of imposed water restrictions is \$2,200 for corporations and \$220 for individuals.

### 5.3 Easing Restrictions

Easing water restrictions will generally not be implemented where it is likely that the revised restrictions will not be sustained for more than three weeks before tighter restrictions have to be re-imposed. Table 6 outlines the levels at which restrictions will be eased in each system.

Drought Response Level	Action	Corresponding Water Restrictions
1 Low	<ul style="list-style-type: none"> <li>• Activation of Drought Management Plan</li> <li>• Implement Level 1 Water Restrictions and associated communications plan</li> <li>• Establish a drought budget to track ongoing drought management costs</li> <li>• Review alternative / backup supply options and emergency response /supply options outlined in Drought Management Plan</li> <li>• Initiate regular (weekly) liaison with key government agencies (Department of Primary Industries Water)</li> <li>• Undertake weekly review of river flows, dam levels (where applicable), water extractions, WTP production, and monitoring of actual water consumption compared to target</li> </ul>	<p>This is the first temporary level of WCM and would involve a restriction on the use of watering during the heat of the day. The introduction of this level of restrictions would raise community awareness of drought conditions, however only minor reductions in water consumptions would be achieved.</p>
2 Moderate	<ul style="list-style-type: none"> <li>• Implement Level 2 Water Restrictions</li> <li>• Consider the need to issue warnings and fines for violation of restrictions</li> <li>• Continue regular (weekly) liaison with Department of Primary Industries Water</li> <li>• Undertake weekly review of river flows, dam levels (where applicable), water extractions, WTP production, and monitoring of actual water consumption compared to target</li> </ul>	<p>This level of WCM and would involve a restriction on watering to 2 hours per day in order to reduce water consumption to just below average consumption levels. Council begins to cease watering parks, gardens etc. Implementation of this level of restrictions would create some level of inconvenience for the community; however most lawns and gardens would not be significantly impacted.</p>
3 High	<ul style="list-style-type: none"> <li>• Implement Level 3 Water Restrictions</li> <li>• Begin to implement issue of warnings and fines for violation of restrictions</li> <li>• Step-up community awareness campaign &amp; meet with large non-residential users to discuss options for water reduction</li> <li>• Twice-weekly review of river flows, dam levels (where applicable), water extractions, WTP production, and monitoring of actual water consumption compared to target</li> <li>• Monthly liaison with key government agencies and local irrigators (where appropriate)</li> <li>• Begin planning for Emergency Response/supply options</li> <li>• Notify Department of Primary Industries Water of intention to investigate and/or implement backup or emergency supply options and seek drought assistance</li> </ul>	<p>This level of WCM would involve a ban on sprinklers and watering new turf. Buckets could still be used and hand held hoses with a trigger nozzle would be allowed for 15 minutes by the elderly. Council ceases all watering of parks, gardens, lawns with an exception for sports facilities when in use. Washing hard surfaces, vehicles and the supply of water for stock is not allowed. Swimming pools may not be filled or topped up. Implementation of this level of restrictions would create a major level of inconvenience for the community. Some losses of lawns and gardens and an impact on public amenity would be expected at this stage.</p>
4 Very High	<ul style="list-style-type: none"> <li>• Implement Level 4 Water Restrictions</li> <li>• Step-up the issuing of warnings and fines for violation of restrictions</li> <li>• Step-up community awareness campaign</li> <li>• Daily review of river flows, dam levels (where applicable), water extractions, WTP production, and monitoring of actual water consumption compared to target</li> <li>• Regular (weekly) liaison with key government agencies and local irrigators (where appropriate)</li> </ul>	<p>This severe level of WCM would involve a ban on all outdoor and non-essential usage in order to reduce water consumption to around winter consumption levels. Impacts would include the severe stress, and in many cases dying off, of lawns and gardens.</p>
5 Emergency	<ul style="list-style-type: none"> <li>• Implement Level 5 Water Restrictions</li> <li>• Continue to issue warnings and fines for violation of restrictions</li> <li>• All-out community water reduction appeal – minimum essential usage only (residential use 150L/person/day)</li> <li>• Regular (fortnightly) meetings with large water users to discuss ongoing water reduction options</li> <li>• Consider temporary closure of non-essential, high water dependent services</li> <li>• Daily review of river flows, dam levels (where applicable), water extractions, WTP production, and monitoring of actual water consumption compared to target</li> <li>• Regular (weekly) liaison with key government agencies and local irrigators (where appropriate)</li> <li>• Implementation of emergency response / supply options</li> </ul>	<p>This extreme level of WCM would involve an all-out campaign to reduce water consumption to absolute minimum levels (&lt;100 L/person/day). This level of restrictions would involve a major disruption to normal lifestyles, including reduced shower times, reduced number of washing machine loads and a ban on the use of residential evaporative coolers (except where exemptions apply). Non-residential customers would be requested to restrict the use of water for only essential services, with the possible temporary shutting down of non-essential, water dependent services.</p>

Table 2: Drought Management Action Plan (Bundarra and Uralla)

Drought Response Level	Primary Trigger <sup>5</sup>	Usage Target (kL/day) <sup>6</sup>	Additional Actions
1 Low	Kentucky Creek Dam level falls to 74%	1020 (95% average)	
2 Moderate	Kentucky Creek Dam level falls to 62%	960 (90% average)	Implement Parks and Gardens water management plan and target 30% reduction in water usage.
3 High	Kentucky Creek Dam level falls to 54%	910 (85% average)	Target 50% reduction in Parks and Gardens water usage.
4 Very High	Kentucky Creek Dam level falls to 42%	800 (75% average)	Target 25% non-residential usage reduction. Investigate availability of tankers to transport potable water from Armidale.
5 Emergency	Kentucky Creek Dam level falls to 35%	540 (50% average)	Target 50% non-residential usage reduction Implement transport of potable water from Armidale to supplement supply.

**Table 3: Uralla Drought Management Plan**

Drought Response Level	Primary Trigger	Usage Target (kL/day)	Additional Actions
1 Low	Taylor's Pond level falls to 74%	164 (95% average)	Irrigation by adjoining rural landholders ceases.
2 Moderate	Taylor's Pond level falls to 62%	156 (90% average)	Target 20% reduction in Parks and Gardens water usage.
3 High	Taylor's Pond level falls to 54%	147 (85% average)	Target 50% reduction in Parks and Gardens water usage. Prepare to draw on Warrabinda Pond.
4 Very High	Taylor's Pond level falls to 42%	130 (75% average)	Draw on Warrabinda Pond (if supply available). Investigate availability of tankers to transport potable water from Gilgai.
5 Emergency	Taylor's Pond level falls to 32%	87 (50% average)	Target 50% non-residential usage reduction Implement transport of potable water from Gilgai to supplement supply.

**Table 4: Bundarra Drought Management Plan**

<sup>5</sup> Secondary triggers may include failure to achieve consumption targets or major water quality incidents

<sup>6</sup> Usage targets are average annual consumptions and should be adjusted for seasonal variations

Category	Activity	Level 1: Low		Level 2: Moderate		Level 3: High		Level 4: Very High		Level 5: Emergency	
General watering lawns and gardens	Buckets/cans	ok		R	Not during heat of the day	R	Not during heat of the day	X		X	
General watering lawns and gardens	Hand held hoses with trigger nozzle	R	Not during heat of the day.	R	Max 2 hours and not during the heat of the day.	R	Max 1 hour only and not during the heat of the day.	X		X	
	Water efficient drip irrigation	R	Not during heat of the day	R	Max 2 hours and not during the heat of the day	R	Aged and disabled only: 15 mins on Sun and Wed	X		X	
	Sprinklers and fixed hoses	R	Not during heat of the day	R	Max 2 hours and not during the heat of the day	X		X		X	
	Watering of new turf	R	Not during heat of the day	R	Max 2 hours and not during the heat of the day	X		X		X	
Council watering of public parks, gardens, blisters, sports fields	Irrigation	R	Not during heat of the day	R	Council reduces lawn watering; continues garden bed watering for maximum of 2 hours and not during heat of the day. Reduced watering of sports fields.	R	Limited to sports fields	X		X	
Vehicle washing including machinery	Buckets	ok		ok		R	Clean windows only	R	Clean windows only	R	Clean windows only
	Hand held hoses with trigger nozzle	ok		ok	Use of water for washing vehicle permitted for less than 30 minutes.	X		X		X	
Washing down hard surfaces	Hand held hoses with trigger nozzle	X		X		X		X		X	
	High pressure cleaner, assume 9L/min	ok		ok		X		X		X	
Private swimming pools	Topping up	R	With Council permission for >5kL	R	With Council permission for >3kL	X		X		X	
	Filling	X		X		X		X		X	
Motel swimming pools	Topping up	R	With Council permission for >5kL	R	With Council permission for >5kL	X		X		X	
	Filling	X		X		X		X		X	
Council swimming pool	Topping up	ok		ok		R	With Council permission for >5kL	X		X	
	Lawns and surrounds	R	Not during the heat of the day.	R	Max 2 hours and not during the heat of the day	X		X		X	
Evaporative coolers	Use of water for cooling	ok		ok		ok		ok		ok	
Water cartage	Treated water for stock and domestic	ok		ok		R	Domestic, hospital, aged care, school use only; no stock watering	R	Domestic, hospital, aged care, school use only; no stock watering	R	Domestic, hospital, aged care, school use only; no stock watering
	All other uses	R	By application	R	By application	X		X		X	
Commercial, educational and industrial	Landscaping (incl. lawns and garden)	R	Not during heat of the day	R	Max 2 hours, not during heat of the day	R	Target 30% reduction in usage.	R	Target 40% reduction in usage.	R	Target 50% reduction in usage.
	Irrigation of sports fields (Schools)	R	Not during heat of the day	R	Max 2 hours, not during heat of the day	X		X		X	
ok = Allowed at all times		Restriction apply to the use of Uralla and Bundarra town water.									
X = Banned at all times		Greywater and rainwater can be used at any time provided that rainwater tanks are not topped up from town supplies.									
R = Restricted use only		Not during the heat of the day means not between 9.00am and 5.00 pm during daylight saving and 10.00 am and 3.00pm at other times.									
The decision to implement water restrictions is subject to an assessment of factors including, but not limited to, remaining storage, weather and climate forecasts and the impact the restrictions may have in relation to maintaining compliance with the Australian Drinking Water Guideline 2011 and Public Health Act (NSW) 2010.											

Table 5: Specific Water Restriction Measures

Drought Response Level	Kentucky Creek Dam	Taylor's Pond
Permanent Water Conservation Measures		
1 Low	64%	70%
2 Low	52%	60%
3 High	44%	50%
4 Very High	32%	40%
5 Extreme	25%	30%

**Table 6: Trigger points for easing restrictions Uralla and Bundarra**

## 5.4 Communication

A key aspect in ensuring the successful implementation of the Drought Management Plan is the communication strategy. A community awareness campaign is vital for ensuring the community is made aware of actions that directly impact them, such as water conservation measures / restrictions and any associated fines and exemptions, and the activation of backup or emergency supply sources and any associated changes in water quality.

The community also needs to be given advice on how to minimise the impact of various water conservation measures (including options for household recycling of water) and advice on saving water around the home in general. It is important that the community is kept up-to-date with the status of water supply sources (including river flows and dam storage volumes) and is given some idea of the consequences of not achieving target reductions in water consumption.

An understanding of how to comply with water restrictions, and the applicable fines, is also required.

Liaison with key government agencies is another important component of the communication strategy. Key agencies include Department of Primary Industries Water, Department of Environment & Climate Change & Water (DECCW), NSW Health, the Gwydir-Border Rivers Catchment Management Authority

(CMA) and State Water. It is particularly important that the relevant agencies be informed when significant impacts on the community, the environment or other stakeholders are expected as a result of actions arising from implementation of the plan.

For the Bundarra system, liaison with local irrigators is also important, to ensure they are aware of any impacts they may be having on the town water supplies and conversely, to make sure they are aware of the potential impacts that Council's actions, arising from the implementation of the plan, may have on them.

### 5.5 Backup / Emergency Supply Options

After each of the water supply system DMAPs, backup and emergency supply sources (referred to in the action plan) are listed in order of preference.

1. Transporting potable water from Armidale to Uralla by tanker. A temporary connection to the new Armidale Regional Airport main would allow the closest point for the transfer of water to a tanker. Approval from Armidale Regional Council will be required.
2. Transporting potable water from Gilgai to Bundarra by tanker: Tankers would need to fill using standpipe attached to the main in the village. Approval of Inverell Shire Council would be required.

### 5.6 Permanent Water Conservation Measures

As part of Councils overall Demand Management strategy in conserving water at all times (during drought and non-drought periods), permanent water conservation measures (PWCMS) will be adopted and promoted to residents to take up on a voluntary basis. The following measures comprise PWCMS:

1. Minimise watering during the heat of the day
2. Use a trigger nozzle on hand held hoses
3. Wash down hard/paved surfaces with a high-pressure hose only

### 5.7 Emergency Response Strategies

In the event of severe water shortage it is assumed that external residential water use would be stopped altogether by way of restrictions, and that indoor water use could also be reduced through persuasive advertising and community education campaigns.

Emergency response strategies should only be considered when all other options have been exhausted, and should be applied in conjunction with the application of level 5 water conservation measures.

#### Water Carting

It is anticipated that water carting to Bundarra could be achieved using a single truck, however Uralla may require several large trucks or semi-trailers. In order to reduce transportation times and costs, Bundarra could be supplied from Gilgai (if possible) and Uralla could be supplied from Armidale.

Technical and financial assistance towards the cost of water cartage is available from the NSW Minister for Water but is subject to quantities and cartage arrangements being agreed with Department of

Primary Industries Water. Further details regarding water carting are provided in the Department of Primary Industries Water document titled “Drought Relief for Country Towns”.

### Rationing

In association with Level 5 water conservation measures, voluntary rationing of indoor water use will be strongly encouraged through persuasive advertising and community education. Council has adopted a Level 5 residential water allowance (or target) of 100 L/person/day. Feedback on how much water each household is using compared to the allowance will be provided through the billing cycle. This puts the onus on each household to decide what internal restrictions or water savings devices they will employ in order to achieve the Level 5 residential water allowance.

Once Level 5 Restrictions are introduced Council may implement some, or all of the following measures;

- Introduce investigation of properties claiming the use of recycled or alternate sources of supply and, if the claims are valid, provide a Council approved sign at no cost to the property owner verifying the inspection and alternate use;
- Commence monitoring water consumption at residential properties on a quarterly basis and formally approach property owners where savings in treated water consumption are not shown or other unusual consumption is indicated requesting an explanation;
- Mail out to all residential properties connected in the effected area one or two shower timers to be used to encourage residents to reduce the period of time spent showering.
- Write to all businesses (including motels, schools and other institutions) in the effected area to support them with water audits.

## 6 POST-DROUGHT ACTIONS

### 6.1 Post-Drought Evaluation & Revision

Once the drought has broken and water supply systems return to normal operating conditions, a review needs to be undertaken of the effectiveness of the Drought Management Plan. The post- drought evaluation should include:

- A review of both supply side and demand side actions, including their effectiveness and timing, should be undertaken for each system and documented.
- An assessment should be made of the impact of drought management actions (including water conservation measures) on various stakeholders, including the community.
- An assessment of the impact of drought management actions on Council should also be undertaken.
- Community response to the imposition of various restrictions should be sought, including feedback on the effectiveness of the Community Awareness Campaign, how they managed the impacts of drought and any suggested changes / modifications to the water conservation measures.
- Feedback should also be sought from various government agencies and other stakeholders, including local irrigators.

Based on this review of the previous drought and any feedback received, the Drought Management Plan will need to be revised to include issues that were not previously considered and potentially modified to improve the future management of droughts.

### 6.2 Regular Review & Update of the Plan

In addition to evaluation and revision after each period of drought, regular reviews of the Drought Management Plan should be undertaken initially at least every 3 years. Plans should be updated with the latest information on water supply systems, including any augmentations that have occurred, changes to operating rules and up-to-date water consumption data and flow / level monitoring data for water sources. Plans should also be updated after any major changes / augmentations to water supply systems. Future revisions of the plans should consider climate change projections developed by the CSIRO.

### 6.3 Supporting actions

It is recommended that the following actions and initiatives be undertaken to improve the effectiveness of the Drought Management Plan and overall supply security.

- Discuss proposed emergency sources with adjoining Councils.
- Advertise this Drought Management Plan and invite public comment.

# Appendix 1

## Definitions

**Aged and Disabled Watering Exemption under Level 3 water restrictions** is an exemption granted to aged and disabled persons at an approved site for watering with a hand held hoses for 15 minutes only on Sundays and Wednesdays between the hours of 4.00pm and 8.00pm during daylight saving time and 4.00pm to 6.00pm during Eastern Standard Time. A Council approved sign supplied by Council is to be displayed at the site (visible from the street) while watering is in operation. The person authorised under the exemption or any other persons at the site are not permitted to use a bucket or watering can while the exemption is in place at the site.

**Alternate Water Source** means water from a bore, dam, stream, rainwater tank that is not connected to the Council reticulated water supply, or recycled water.

**Approved Alternate Water Source** means an approved alternate water source approved by Council.

**Domestic Purposes** means for internal household use.

**Drought:** “Drought is a prolonged, abnormally dry period when the amount of available water is insufficient to meet our normal use. Drought is not simply low rainfall... Meteorologists monitor the extent and severity of drought in terms of rainfall deficiencies.

It is generally difficult to compare one drought to another, since each drought differs in the seasonality, location, spatial extent and duration of the associated rainfall deficiencies. Additionally, each drought is accompanied by varying temperatures and soil moisture deficits.” Bureau of Meteorology, 2018

**Hand held hose** means a hose fitted with a trigger nozzle that is only held by hand.

**Fixed Sprinkler** means sprinklers, micros rays, or misters fitted to a hose or pipe.

**Drip irrigation system** means an irrigation system that complies with the following requirements;

- Drippers must have a manufacturer’s discharge rating of not greater than 8L/hour at a water pressure of 100kPa;
- The maximum rate of the complete irrigation system per property is 5 L/minute;
- The following devices must be those approved by Council and fitted at the appropriate locations in a drip irrigation system; Backflow prevention device; Automatic timer; and 100kPa pressure reduction valve.

**Use of Bucket or Can (when permitted under water restrictions).** A bucket or can is to be of no more than 20L capacity, is to be filled directly from a tap (or a length of hose of not exceeding one meter in length connected directly to a tap) during the allocated watering time. The bucket or can must only be decanted by way of tipping directly onto the garden, lawn, pool or motor vehicle, and must not be decanted into another vessel or storage vessel prior to use. A limit of only one bucket or can may be used during the allocated hours of watering at each property or tenement (unit, villa or strata unit).

**Water Restrictions** means regulations introduced by Council to enforce restrictions of water consumption to ensure that water supply can be maintained at levels consistent with good management practices, considering volume.

**Water Management Plan** means a plan approved by Council for the approved hours and method of on-site water use. The approved plan relates to a specific property and a sign provide by Council must be displayed at the site for the duration of the plan.

**Council Approved Sign** means a sign approved and supplied by Council.



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	Manager Development and Planning
<b>Reference/Subject:</b>	<b>Report 11 – Draft Uralla Local Approvals Policy</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	1.2	A safe, active and healthy shire
<b>Strategy:</b>	1.2.5	Provide effective regulatory, compliance and enforcement services for the community
<b>Activity:</b>	1.2.5.1	Provide effective regulatory, compliance and enforcement services

### SUMMARY:

Council's planning staff have prepared a draft Local Approvals Policy for public exhibition.

### OFFICER'S RECOMMENDATION:

That Council;

1. Publicly exhibit the draft Uralla Local Approvals Policy for a period of not less than 28 days, and
2. Accept submissions for up to 42 days after public exhibition has commenced.

### BACKGROUND:

A Local Approvals Policy outlines the criteria that must be complied with if an activity is to be undertaken without formal approval. The purpose of the Policy is to supplement provisions of the Local Government Act 1993, the Local Government (General) Regulation 2005, and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Council's planning staff prepared a draft Local Approvals Policy which was presented to a councillor strategic planning workshop on 12 February 2019. A revised policy incorporating councillor suggested amendments has now been prepared for public exhibition.

### REPORT:

#### Process for implementation of policy:

1. A draft local approvals policy is prepared;
2. A resolution of Council is required to place the draft policy on public exhibition;
3. The period of public exhibition must be not less than 28 days;
4. The public notice must also specify a period of not less than 42 days after the date on which the draft local policy is placed on public exhibition during which submissions may be made to Council;
5. If the policy is amended following receipt of submissions, it must be public exhibited again;

6. The Departmental Chief Executive of the Office of Local Government must consent to the adoption of the policy, and
7. A resolution of Council is required to adopt the policy.

**CONCLUSION:**

There is a demonstrated need for Council to provide an instrument that provides approval exemptions for low-impact activities.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

The policy must be publicly exhibited for 28 days prior to adoption by Council.

**2. Policy and Regulation**

*Environmental Planning and Assessment Act 1979;*

*Local Government Act 1993;*

*Local Government (General) Regulation 2005);*

*Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

*Nil*

**8. Project Management**

Nil

**9. Disclosure of Political Donations and Gifts**

Prepared by staff member:	Matt Clarkson, Manager Development and Planning
TRIM Reference Number:	UINT/19/1693
Approved/Reviewed by Manager:	Director Infrastructure and Development
Department:	Infrastructure and Development
Attachments:	Attachment 1 - Draft Uralla Local Approvals Policy



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**Policy:**

**LOCAL APPROVALS POLICY**

**2019**

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### INFORMATION ABOUT THIS DOCUMENT

<b>Date Adopted by Council</b>		<b>Resolution No.</b>	
<b>Document Owner</b>	<i>Terry Seymour, Director of Infrastructure and Development</i>		
<b>Document Development Officer</b>	<i>Matt Clarkson, Manager of Development and Planning</i>		
<b>Review Timeframe</b>	<i>4 years</i>		
<b>Last Review Date:</b>		<b>Next Scheduled Review Date</b>	

#### **Document History**

<b>Doc No.</b>	<b>Date Amended</b>	<b>Details/Comments eg Resolution No.</b>

#### **Further Document Information and Relationships**

<b>Related Legislation*</b>	<ul style="list-style-type: none"> <li>(a) <i>Local Government Act 1993</i> (particularly Chapter 7).</li> <li>(b) <i>Local Government (General) Regulation 2005</i>.</li> <li>(c) <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>.</li> <li>(d) <i>Environmental Planning and Assessment Act 1979</i>.</li> <li>(e) Department of Local Government Practice Note 14 issued March 1996 titled <i>Local Approvals Policies</i>.</li> <li>(f) Other legislation may also be applicable, depending on the type of activity involved, for example the <i>Protection of the Environment Operations Act 1997</i>, etc.</li> </ul>
<b>Related Policies</b>	
<b>Related Procedures/ Protocols, Statements, documents</b>	(a) <i>Uralla Local Environmental Plan 2012</i>

*Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.*

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## **1 OBJECTIVES**

The purpose of this Policy is to supplement provisions of the Act and the Local Government (General) Regulation 2005 by:

- Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council.
- Part 2: Specifying criteria, which the Council must consider when determining whether or not to grant approval to a particular activity.
- Part 3: Specifying other matters relating to such approvals that are not dealt with by the Act or Regulations.

The Policy aims:

- (a) To have an integrated framework dealing with approvals.
- (b) To ensure consistency and fairness in the manner in which Council deals with applications for approval.
- (c) To encourage and assist effective participation of local communities in decision-making.
- (d) To make Council's policies and requirements for approvals readily accessible to the public.
- (e) To assist Council to fully pursue its principles under Chapter 3 of the Act.
- (f) To apply common or consistent requirements and procedures to all types of approval.

## 2 SCOPE

Where does the Policy apply?

The Policy applies to all land within the Uralla Shire local government area.

To what approvals does the Policy relate?

The Policy applies to approvals for the following activities which are listed in the Table to Section 68 of the Act. These activities require approval from Council.

<p><b>Part A – Structures</b></p> <ol style="list-style-type: none"> <li>1. Install a manufactured home, moveable dwelling or associated structure on land.</li> <li>2. (Repealed)</li> <li>3. (Repealed)</li> </ol>
<p><b>Part B – Water supply, sewage, and stormwater drainage work</b></p> <ol style="list-style-type: none"> <li>1. Carry out water supply work.</li> <li>2. Draw water from a Council water supply or a standpipe or sell water so drawn.</li> <li>3. Install, alter, disconnect or remove a meter connected to a service pipe.</li> <li>4. Carry out sewage work.</li> <li>5. Carry out stormwater drainage work.</li> <li>6. Connect a private drain or sewer with a public drain or sewer under the control of a Council, or with a drain or sewer which connects with such a public drain or sewer.</li> </ol>
<p><b>Part C – Management of waste</b></p> <ol style="list-style-type: none"> <li>1. For fee or reward, transport waste over or under a public place.</li> <li>2. Place waste in a public place.</li> <li>3. Place a waste storage container in a public place.</li> <li>4. Dispose of waste into a sewer of the Council.</li> <li>5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.</li> <li>6. Operate a system of sewage management (within the meaning of section 68A).</li> </ol>
<p><b>Part D – Community land</b></p> <ol style="list-style-type: none"> <li>1. Engage in a trade or business.</li> <li>2. Direct or procure a theatrical, musical or other entertainment for public.</li> <li>3. Construct a temporary enclosure for the purpose of entertainment.</li> <li>4. For fee or reward, play a musical instrument or sing.</li> <li>5. Set up, operate or use a loudspeaker or sound amplifying device.</li> <li>6. Deliver a public address or hold a religious service or public meeting.</li> </ol>

**Part E – Public roads**

1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

**Part F – Other activities**

1. Operate a public car park.
2. Operate a caravan park or camping ground.
3. Operate a manufactured home estate.
4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
5. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912).
6. (Repealed)
7. Use a standing vehicle or any article for the purpose of selling any article in a public place.
8. (Repealed)
9. (Repealed)
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

### 3 DEFINITIONS

<b>amusement device</b>	an amusement device that is high risk plant within the meaning of clause 6 of Schedule 1 to the <a href="#">Work Health and Safety Act 2011</a> , and includes any other device that is declared by the regulations to be an amusement device for the purposes of this Act
<b>approval</b>	an approval that is in force under this Act
<b>building</b>	includes part of a building and any structure or part of a structure, but does not include a moveable dwelling or associated structure or part of a moveable dwelling or associated structure
<b>community land</b>	land that is classified as community land under Division 1 of Part 2 of Chapter 6
<b>council</b>	the council of an area, and includes an administrator
<b>drain</b>	a drain for the carrying off of waters other than sewage
<b>dwelling</b>	in Division 1 of Part 8 of Chapter 15, means a building or part of a building used as a place of dwelling
<b>erection</b>	in relation to building, includes any structural work and any alteration, addition or rebuilding
<b>fittings</b>	in relation to any premises connected to a water main or sewer, means all apparatus (other than pipes or fixtures) used or intended to be used in connection with the conveyance of water to, or of permitted discharges from, the premises
<b>fixtures</b>	in relation to water supply, sewage or drainage, means all apparatus (other than pipes or fittings) used or intended to be used for the collection or retention of water or permitted discharges for ultimate delivery into a sewer
<b>human waste</b>	human faeces and urine
<b>human waste storage facility</b>	a device for holding or disposing of human waste, including a cesspit, septic tank, septic closet, water closet, chemical closet, humus closet and combustion closet
<b>licensed premises</b>	any premises to which a licence under the <a href="#">Liquor Act 2007</a> relates
<b>manufactured home</b>	a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling: <ul style="list-style-type: none"> <li>(a) that comprises one or more major sections, and</li> <li>(b) that is not a registrable vehicle within the meaning of the Road Transport (Vehicle Registration) Act 1997,</li> </ul> and includes any associated structures that form part of the dwelling

<b><i>moveable dwelling</i></b>	<ul style="list-style-type: none"> <li>(a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or</li> <li>(b) a manufactured home, or</li> <li>(c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition</li> </ul>
<b><i>operational land</i></b>	land that is classified as operational land under Division 1 of Part 2 of Chapter 6
<b><i>premises</i></b>	<p>any of the following:</p> <ul style="list-style-type: none"> <li>(a) a building of any description or any part of it and the appurtenances to it,</li> <li>(b) land, whether built on or not,</li> <li>(c) a shed or other structure,</li> <li>(d) a tent,</li> <li>(e) a swimming pool,</li> <li>(f) a ship or vessel of any description (including a houseboat),</li> <li>(g) a van</li> </ul>
<b><i>public car park</i></b>	any premises used for the purpose of accommodating vehicles of members of the public on payment of a fee, but does not include a pay parking space under the <i>Road Transport (Safety and Traffic Management) Act 1999</i> prescribed by the regulations
<b><i>public meeting</i></b>	an assembly held for a public purpose to which admission may ordinarily be gained by members of the public (whether or not on payment of money, or other consideration, as the price or condition of admission), but does not include an assembly held for the purpose of religious worship only
<b><i>public place</i></b>	<ul style="list-style-type: none"> <li>(a) a public reserve, public bathing reserve, public baths or public swimming pool, or</li> <li>(b) a public road, public bridge, public wharf or public road-ferry, or</li> <li>(c) a Crown reserve comprising land reserved for future public requirements, or</li> <li>(d) public land or Crown land that is not: <ul style="list-style-type: none"> <li>(i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or</li> <li>(ii) a common, or</li> <li>(iii) land subject to the Trustees of Schools of Arts Enabling Act 1902, or</li> <li>(iv) land that has been sold or leased or lawfully contracted to be sold or leased, or</li> </ul> </li> <li>(e) land that is declared by the regulations to be a public place for the purposes of this definition</li> </ul>

<p><b>public reserve</b></p>	<ul style="list-style-type: none"> <li>(a) a public park, or</li> <li>(b) any land conveyed or transferred to the council under section 340A of the Local Government Act 1919, or</li> <li>(c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the Local Government Act 1919, or</li> <li>(d) any land dedicated or taken to be dedicated under section 49 or 50, or</li> <li>(e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the Crown Lands Consolidation Act 1913, or</li> <li>(f) any land vested in the council, and declared to be a public reserve, under section 76 of the Crown Lands Act 1989, or</li> <li>(g) a Crown reserve that is dedicated or reserved: <ul style="list-style-type: none"> <li>(i) for public recreation or for a public cemetery, or</li> <li>(ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the Crown Lands Act 1989, being a Crown reserve in respect of which a council has been appointed as manager of a reserve trust for the reserve or for which no reserve trust has been established, or</li> </ul> </li> <li>(h) land declared to be a public reserve and placed under the control of a council under section 52 of the State Roads Act 1986, or</li> <li>(i) land dedicated as a public reserve and placed under the control of a council under section 159 of the Roads Act 1993,</li> </ul> <p>and includes a public reserve of which a council has the control under section 344 of the Local Government Act 1919 or section 48, but does not include a common</p>
<p><b>public road</b></p>	<p>a road which the public are entitled to use</p>
<p><b>road</b></p>	<p>includes:</p> <ul style="list-style-type: none"> <li>(a) highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and</li> <li>(b) any part of a road and any part of any thing referred to in paragraph (a), and</li> <li>(c) anything forming part of a road or anything forming part of any thing referred to in paragraph (a).</li> </ul>
<p><b>sewage work</b></p>	<p>the construction, alteration, extension, disconnection, removal, ventilation, flushing, cleansing, maintenance, repair, renewal or clearing of any sewage service pipes or fittings or fixtures communicating or intended to communicate, directly or indirectly, with:</p> <ul style="list-style-type: none"> <li>(a) a septic tank, an effluent or a sullage disposal system, or</li> <li>(b) any sewer of a council,</li> </ul> <p>and includes work of sanitary plumbing and work of house drainage</p>

<p><b>Waste</b></p>	<p>(a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or</p> <p>(b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or</p> <p>(c) garbage, being all refuse other than trade waste and effluent,</p> <p>and includes any other substance defined as waste for the purposes of the Protection of the Environment Operations Act 1997, and a substance is not precluded from being waste merely because it is capable of being refined or recycled</p>
<p><b>water supply work</b></p>	<p>the construction, alteration, extension, disconnection, removal, flushing, cleansing, maintenance, repair, renewal or clearing of any pipes or fittings of any water service communicating or intended to communicate, directly or indirectly, with any water main of a council, but does not include changing a washer</p>

#### 4 STATEMENT

##### 4.1 PART 1 – EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL

##### 4.1.1 Exemptions provided for under the Regulations

The following activities may be exempt from the need to obtain prior approval of the Council. The relevant provisions of the Act or regulations may specify conditions applicable to exemptions and reference should be made to the relevant provisions before proceeding with the proposed activity.

Please note that Clause 81 of the Local Government (General) Regulation 2005 states that:

- (1) If a person is exempt (because of a local approvals policy) from the requirement to obtain approval for an activity, the exemption is subject to the condition that the activity comply with the standards referred to in clauses 31, 44, 51, 55, 68 and 73.
- (2) However, the activity must so comply only to the extent that the provisions (and the standards to which they refer) would apply to the activity if the activity had not been the subject of an exemption under the local approvals policy.
- (3) However, if the local approvals policy specifies, as the circumstances (or as part of the circumstances) for the exemption, that the activity is carried out in such part of an area, or such an area, as is specified in the policy, subclauses (1) and (2) do not apply to the activity.
- (4) Subclause (3) does not prevent a local approvals policy from specifying compliance with one or more of the standards referred to in subclause (1) as part of the circumstances for an exemption under section 158 (3) of the Act.

##### 4.1.1.1 Exemptions – Manufactured or moveable homes (A1 activity)

Activity	Regulation
Installation of moveable dwellings and associated structures <b>in caravan parks and camping grounds</b> , provided the site is not liable to flooding within the 1% Annual Exceedence Probability Level, and the installation occurs with the consent of the holder of the approval to operate the caravan park or camping ground concerned.	Clause 74 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of not more than 2 caravans, campervans or tents on <b>any land</b> , so long as they are not occupied for more than 2 days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months.	Clause 77(a) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of not more than one caravan or campervan on land <b>occupied by the owner of the caravan or campervan in connection with that owner’s dwelling-house</b> , so long as it is used for habitation only by the owner or by members of the owner’s household and is maintained in a safe and healthy condition.	Clause 77(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Activity	Regulation
Installation of a <b>caravan or campervan on pastoral or agricultural land</b> , so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.	Clause 77(c) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of a caravan, campervan or tent on Crown reserves or on <b>land that is reserved or dedicated under the Forestry Act 1916</b> .	Clause 78 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

**4.1.1.2 Exemptions – Drawing water from a Council water supply or standpipe (B2 activity)**

Activity	Regulation
A council employee acting in the course of his or her employment may draw water from a water supply system or standpipe without the prior approval of the council.	Clause 24 of the Local Government (General) Regulation 2005

**4.1.1.3 Exemptions – Transport waste (C1 activity)**

Activity	Regulation
The transporting of waste over or under a public place for fee or reward if: <ul style="list-style-type: none"> <li>The activity is licensed under the Protection of the Environment Operations Act 1997, or</li> <li>The waste is being transported through the area of the Council and is not being collected or deposited in that area.</li> </ul>	Clause 48(a) of the Local Government (General) Regulation 2005

**4.1.1.4 Exemptions – Place waste in a public place (C2 activity)**

Activity	Regulation
The placing of waste in a public place, if is done in accordance with arrangements instituted by the Council.	Clause 48(b) of the Local Government (General) Regulation 2005

**4.1.1.5 Exemptions – Discharge of domestic sewage into a sewer (C4 activity)**

Activity	Regulation
The discharge of sewage of a domestic nature into a sewer of the council, if it is done in accordance with arrangements instituted by the council.	Clause 48(c) of the Local Government (General) Regulation 2005

**4.1.1.6 Exemptions – Dispose of effluent into a sewer (C4 activity)**

Activity	Regulation
The disposal of septic tank effluent into a sewer of the council, if the premises are within a Common Effluent Drainage District declared by the council.	Clause 48(d) of the Local Government (General) Regulation 2005

**4.1.1.7 Exemptions – Install, construct or alter a waste treatment device (C5 activity)**

Activity	Regulation
<p>The installation, construction or alteration of a waste treatment device, if that installation, construction or alteration is done:</p> <ul style="list-style-type: none"> <li>• under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or</li> <li>• in a vessel used for navigation, or</li> <li>• in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport.</li> </ul>	Clause 48(e) of the Local Government (General) Regulation 2005

**4.1.1.8 Exemptions – Operate a system of sewage management (C6 activity)**

Activity	Regulation
<p>So much of the operation of a system of sewage management as is limited to an action carried out:</p> <ul style="list-style-type: none"> <li>• under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or</li> <li>• in a vessel used for navigation, or</li> <li>• in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport</li> </ul>	Clause 48(f) of the Local Government (General) Regulation 2005

Activity	Regulation
<p>Despite the other provisions of this Regulation, <b>a person who purchases (or otherwise acquires) land on which any sewage management facilities are installed or constructed may operate a system of sewage management without the approval required under section 68 of the Act for the period of 3 months after the date on which the land is transferred or otherwise conveyed to the person (whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land).</b></p> <p>Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined</p>	<p>Clause 47 of the Local Government (General) Regulation 2005</p>

**4.1.1.9 Exemptions – Use of a loudspeaker or sound amplifying device on community land (D5 activity)**

Activity	Regulation
<p>A loudspeaker or sound amplifying device may be set up, operated or used on community land without the prior approval of the council if it is done in accordance with a notice erected on the land by the council or if it is done in the circumstances specified, in relation to the setting up, operation or use (as the case may be), in Part 1 of the local approvals policy applying to the land.</p>	<p>Clause 49 of the Local Government (General) Regulation 2005</p>

**4.1.1.10 Exemptions – Domestic oil or solid fuel heating appliance (F4 activity)**

Activity	Regulation
<p>A domestic oil or solid fuel heating appliance (other than a portable appliance) may be installed without the prior approval of the council if details of the appliance are included in plans and specifications for the relevant building approved under Part 4A of the Environmental Planning and Assessment Act 1979.</p>	<p>Clause 70 of the Local Government (General) Regulation 2005</p>

**4.1.1.11 Exemptions – Operation of a public car park (F1 activity)**

Activity	Regulation
<p>A public car park may be operated without the prior approval of the council if approval for its erection or operation has already been given by the council in connection with another approval or development consent and the car park complies with any applicable conditions of that approval or development consent.</p>	<p>Clause 66 of the Local Government (General) Regulation 2005</p>

4.1.1.12 Exemptions – Amusement devices (F5 activity)

Activity	Regulation
<p>Amusement devices not required to be registered under the Occupational Health and Safety Regulation 2001 may be installed or operated without the prior approval of the council.</p>	<p>Clause 71 of the Local Government (General) Regulation 2005</p>
<p>A small amusement device may be installed or operated without the prior approval of the council if:</p> <ul style="list-style-type: none"> <li>• the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and</li> <li>• the device is registered under the Occupational Health and Safety Regulation 2001, and</li> <li>• the device is erected and operated in accordance with all conditions relating to its erection or operation set out in the current certificate of registration issued for the device under those Regulations, and</li> <li>• there exists for the device a current log book within the meaning of those Regulations, and</li> <li>• in the case of a device that is to be or is installed in a building, fire egress is not obstructed, and</li> <li>• there is in force a contract of insurance or indemnity for the device that complies with clause 74.</li> </ul> <p>In the regulation <b>small amusement device means</b> an amusement device that is designed primarily for the use of children 12 years of age or under (includes such amusement devices as mini-Ferris wheels, battery operated cars and miniature railways but, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute).</p>	<p>Clause 75 of the Local Government (General) Regulation 2005</p>

#### 4.1.2 Exemptions provided for under this LAP

By virtue of this Local Approvals Policy, a person, company or organisation is exempt from the need to obtain a particular approval of the Council in the circumstances specified below, in addition to any exemptions available under the regulations.

##### 4.1.2.1 Exemptions – Trade or business on community land (D1 Activity)

###### Non-profit community based organisation

**Exemption** from approval to **engage in a trade or business on community land (Activity D1)** is available to a **non-profit community based organisation** in the circumstances specified below:

- (a) The proposed activity does not conflict with any other previously booked on the same land.
- (b) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land;  
OR,
  - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (c) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (e) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (f) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (g) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

###### Owner operated business at a community event

**Exemption** from approval to **engage in a trade or business on community land (Activity D1)** is available to an **owner operated business or stall** in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Uralla Show, Thunderbolts Festival or a market day co-ordinated by a community group.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land;  
OR,
  - (ii) On freehold land owned by Council with the prior written consent of the Council.

- (d) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (e) If food is being sold, then the 'food business' must be registered with the NSW Food Authority.

**NOTE:** *Food businesses can register for free online through the web site [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au) OR for a fee through Council.*

- (f) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (g) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (h) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (i) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### **4.1.2.2 Exemptions – Entertainment for public on community land (D2 Activity)**

Exemption from approval to **direct or procure a theatrical, musical or other entertainment for the public on community land (Activity D2)** is available in the circumstances specified below:

- (a) The proposed activity is undertaken:
  - (i) by a non-profit community based organisation for less than three days; OR,
  - (ii) by a company or organisation to provide entertainment for the general community, such as a circus, play or opera performance, for less than three days.
- (b) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
  - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event, such as:
  - (i) Liquor licence through the Licensing Court, via the Licensing Court Registry (Local Court House).
  - (ii) Fireworks approvals from the Workcover Authority of NSW.
- (d) The proposed activity does not conflict with any other previously booked on the same land.
- (e) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (f) If food is to be sold, then the 'food business' must be registered with the NSW Food Authority.

**NOTE:** *Food businesses can register for free online through the web site [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au) OR for a fee through Council.*

*Anyone who sells food at a fundraising event for community or charitable causes is not required to notify the Food Authority, provided the food does not pose a possible health risk, or is eaten immediately after thorough cooking.*

- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (j) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### **4.1.2.3 Exemptions – For a fee or reward, play a musical instrument or sing on community land (D4 Activity)**

Exemption from approval to, **for a fee or reward, play a musical instrument or sing on community land (Activity D4)** is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a major community event.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
  - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (d) The activity must not be offensive or cause disturbance.
- (e) The activity must not obstruct the flow of vehicle traffic or pedestrian flows.
- (f) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.

- (j) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.4 Exemptions – Set up, operate or use a loudspeaker or sound amplifying device on community land (D5 Activity)

Exemption from approval to **set up, operate or use a loudspeaker or sound amplifying device on community land (Activity D5)** is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Uralla Show.
- (b) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
  - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) The activity must not be offensive or cause significant disturbance outside the venue.
- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (e) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (f) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (g) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.5 Exemptions – Set up, operate or use a loudspeaker or sound amplifying device on community land (D5 Activity)

Exemption from approval to **set up, operate or use a loudspeaker or sound amplifying device on community land (Activity D5)** is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a private function, such as a birthday party.
- (b) The activity occurs either:
  - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
  - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) The activity must not be offensive or cause significant disturbance outside the venue.

- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (e) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (f) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.6 Exemptions – Expose any article on public road (E2 Activity)

An E2 activity approval allows the holder to “*expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road*”. This includes advertising sandwich board, shop awnings and dining or café tables on, or overhanging, a public road corridor. Details of exemptions under this LAP for exposing articles on a public road are provided below.

##### Selling and displaying items on the footpath – Business

Exemption from approval to **expose items for sale on a public road** is available for a **business (Activity E2)** in the circumstances specified below

- (a) The activity is being undertaken by the business owner at the front of their business premises, and involves the sale of merchandise normally available inside the shop.
- (b) Food is not sold.
- (c) If the activity occurs on a footpath, then a minimum 2m width of footpath must remain available for pedestrian use at all times and adequate access to the kerb for pedestrians.
- (d) If the activity occurs on a footpath then all trading tables, displays and equipment must be located adjacent to buildings.
- (e) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (f) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (g) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (h) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (i) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

##### Sandwich boards and teardrop banners

Exemption **from** approval to **erect a sandwich board or teardrop banner** is available for a **business (Activity E2)** in the circumstances specified below:

- (a) The sandwich board is established by a business within the public road corridor (footpath area) immediately at the front of the business.
- (b) Boards should have a maximum height of 1.0 metre and maximum width of 1.0 metre.

**NOTE:** *Some leeway will be shown for sandwich boards that were in regular use prior to the commencement of this policy, in that they may exceed the size restrictions by up to 30%.*

- (c) Sandwich boards must be placed in locations where they do not create any unnecessary physical or visual obstruction. This includes ensuring that access for elderly and disabled people is maintained.
- (d) Sandwich boards must be removed from the street during non-trading hours.
- (e) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (f) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (g) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (h) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

### **Awnings**

Exemption from approval to have an **awning that overhangs a public road corridor** is available for a **business (Activity E2)** in the circumstances specified below:

- (a) The awning is maintained in a structurally sound condition, and painted in colours sympathetic to the surrounding streetscape, at all times.
- (b) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (c) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (d) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (e) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

**NOTE:** *New awnings require prior structural approval from Council via a Construction Certificate or Complying Development Certificate.*

### Street banners

Exemption **from** approval to have a **street banner overhanging public road corridor (Activity E2)** is available in the circumstances specified below:

- (a) Street banners shall only be fixed to structures installed by Council or Country Energy specifically for that purpose.
- (b) Street banners shall only be erected and installed by staff of Council or Country Energy.

**NOTE:** *Erection of street banners can be hazardous in the presence of overhead powerlines and traffic.*

- (c) Street banners shall be constructed of a durable material that will withstand all weather conditions, including a wind velocity of up to 33 metres per second.
- (d) Street banners must primarily advertise community events. Details of event sponsors may represent up to a maximum of 30% of the total banner area.
- (e) Street banners must be maintained in a tidy and attractive state at all times.
- (f) Banners should be erected for a maximum of two weeks prior to an event and two days after the event.
- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (j) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.7 Exemptions – Operate a caravan park or camping ground (F2 Activity)

Exemption from approval to **operate a caravan park or camping ground** is available for **Uralla Shire Council (Activity F2)** in the circumstances specified below:

- (a) Development Consent has been given under the provisions of the Environmental Planning and Assessment Act 1979.
- (b) Male and female toilets are maintained in a serviceable and safe condition.
- (c) The on site sewage management system is operated and maintained so that in normal operating conditions:

- (i) Nutrients, contaminants, pathogens, insects or vermin are not dispersed from the system.
- (ii) The system must not discharge into any watercourse or onto any land other than its related effluent application area.
- (iii) Persons cannot come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.

**NOTE:** *Normal operating conditions do not include circumstances such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action.*

- (d) The activity comprises the operation of a primitive camping ground only.
- (e) No person stays in a moveable dwelling in the camping ground for a total of more than 50 days in any 12 month period.
- (f) No caravan, annexe or campervan is installed closer than 6 metres to any other caravan, annexe or campervan or tent.
- (g) No tent is installed closer than 6 metres to any caravan, annexe or campervan or closer than 3 metres to any other tent.
- (h) The camping ground is at all times provided with a water supply, toilets and refuse disposal facilities.
- (i) The facilities in the camping ground are subject to ongoing inspection and maintenance by Uralla Shire Council in accordance with a program determined by the Council.
- (j) Unoccupied caravans, campervans and tents are not to remain in the camping ground for more than 24 hours.
- (k) If a fee is charged for camping, the operator of the camping ground keeps a register of occupiers that contains the following entries:
  - (i) the name and address of each person who alone camps in a moveable dwelling in the camping ground, or where more than one person camps in a moveable dwelling the name and address of at least one of those persons, and
  - (ii) the dates of arrival and departure of the person, and
  - (iii) the registration number (if any) of the moveable dwelling, in the case of a caravan or campervan.

#### **4.1.2.8 Exemptions – Solid fuel heating device (F4 Activity)**

Exemption from approval to **install a solid fuel heating appliance, other than a portable appliance (Activity F4)**, is available in the circumstances specified below:

- (a) The activity is undertaken in a residence which has been approved by Council via a Construction Certificate or Complying Development Certificate.
- (b) The device is installed in accordance with the manufacturer's instructions.
- (c) The device is operated in such a manner that it does not cause a public nuisance via smoke or odour.

**NOTE:** *The Protection of the Environment Operations Act 1997 and associated regulations provide that air pollution can be an offence.*

- (d) The device complies with AS/NZS 4013:1999, Domestic solid fuel burning appliances – Method for determination of flue gas emission.
- (e) All installation is in accordance with AS/NZS 2918:2001, Domestic solid fuel burning appliances – Installation.
- (f) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (g) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.9 Exemptions – Amusement devices (F5 Activity)

Exemption from approval to **install or operate amusement devices (within the meaning of the Construction Safety Act 1912) (Activity F5)** is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Uralla Show, Uralla Lantern Parade, or a market day co-ordinated by a non-profit community group.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason.
- (d) The device is registered under the Work Health and Safety Regulation 2011.
- (e) The device is erected and operated in accordance with all conditions relating to its erection or operation set out in the current certificate of registration issued for the device under those Regulations.
- (f) There exists for the device a current log book within the meaning of those Regulations.
- (g) In the case of a device that is to be or is installed in a building, fire safety egress is not obstructed.
- (h) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (i) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (j) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (k) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

#### 4.1.2.10 Exemptions – Selling in a public place (F7 Activity)

##### Community based organisation

**Exemption** from approval to **use a standing vehicle or any article for the purpose of selling any article in a public place (Activity F7)** is available to a **non -profit community based organisation** in the circumstances specified below:

**NOTE:** *Privately owned land is not a public place. See dictionary at start of document for more information.*

- (a) The organisation provides written notification to Uralla Shire Council at least one week prior to the event. Notifications must include details of the date, time and nature of a proposed activity. They can be made by fax (02 6778 6349), e-mail (council@uralla.nsw.gov.au) or letter (General Manager, Uralla Shire Council, P.O. Box 106, Uralla NSW 2358).

**NOTE:** *Council will maintain a register of these notifications.*

- (b) The proposed activity does not conflict with any other previously booked in the same town.

**NOTE:** *Generally Council will only consent to one stall or market per week in any town.*

- (c) If the activity occurs on a footpath, then a minimum 2m width of footpath must remain available for pedestrian use at all times and adequate access to the kerb for pedestrians.
- (d) If the activity occurs on a footpath then all trading tables, displays and equipment must be located adjacent to buildings.
- (e) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (f) Trading can only take place at the front of a business or home where the occupier of that business or home has given their consent for the activity.
- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (j) Uralla Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

## 4.2 PART 2 – CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS

### 4.2.1 General matters for consideration under regulations

The regulations to the Local Government Act 1993 prescribe a number of matters that must be considered by Council when dealing with an activity application, as detailed under the respective headings below.

### 4.2.2 Consideration criteria – water supply, sewage and stormwater drainage (B1, B4 and B5 Activities)

Clause 13 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

The council must not approve an application for an approval allowing water supply, sewage or stormwater drainage work to be carried out unless it is satisfied that the activity as proposed to be carried out will comply with any applicable standards set out or referred to in Part 2 of Schedule 1 and with any other applicable standards or requirements set out or referred to in this Regulation.

Clause 15 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

- (1) This clause applies to the following activities:
  - (a) carrying out water supply work,
  - (b) drawing water from the council water supply or a standpipe,
  - (c) installing, altering, disconnecting or removing a water meter connected to a service pipe,
  - (d) carrying out sewage work,
  - (e) carrying out stormwater drainage work.
- (2) In determining an application for the purposes of Section 68 of the Act for an approval to do any of the activities to which this clause applies, the council must have regard to the following considerations:
  - (a) the protection and promotion of public health,
  - (b) the protection of the environment,
  - (c) the safety of its employees,
  - (d) the safeguarding of its assets,
  - (e) any other matter that it considers to be relevant in the circumstances.

Part 2 of Schedule 1 of the Local Government (General) Regulation 2005 specifies mandatory standards for water supply, sewage and stormwater drainage work, including that such works must comply with the New South Wales Code of Practice—Plumbing and Drainage (also known as the Plumbing and Drainage Code of Practice).

#### 4.2.2.1 Consideration criteria – place building waste storage container on a road (C3 Activity)

Clause 27 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for approval to place on a road a building waste storage container, the council is to take into consideration any requirements or guidelines relating to the location, size and visibility of building waste storage containers that are notified to the council from time to time by the Roads and Traffic Authority

#### 4.2.2.2 Consideration criteria – sewage management facilities (C5 Activity)

Clause 29 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

- (1) In determining an application for approval to **install, construct or alter a sewage management facility**, the council must take into consideration the matters specified in this clause.
- (2) Environment and health protection matters

The council must consider whether the proposed sewage management facility (or the proposed sewage management facility as altered) and any related effluent application area will make appropriate provision for the following:

- (a) preventing the spread of disease by micro-organisms,
  - (b) the prevention of the spread of foul odours,
  - (c) preventing contamination of water,
  - (d) preventing degradation of soil and vegetation,
  - (e) the discouragement of insects and vermin,
  - (f) ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
  - (g) the re-use of resources (including nutrients, organic matter and water),
  - (h) the minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land.
- (3) Guidelines and directions

The council must consider any matter specified in guidelines or directions issued by the Director-General in relation to the matters referred to in subclause (2).

#### 4.2.2.3 Consideration criteria – applications relating to public roads (E1 & E2 Activities)

Clause 50 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for an approval under Part E of the Table to section 68 of the Act the council must take into account the provisions of the Roads Act 1993 and any relevant standards and policies of public authorities applying to the use of the road.

#### **4.2.2.4 Consideration criteria – operation of a public car park (F1 Activity)**

Clause 53 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for approval to operate a public car park the council is to take the following matters into consideration:

- (a) the Roads and Traffic Authority's views about the application,
- (b) the effect of the car park on the movement of vehicular traffic and pedestrian traffic,
- (c) whether the number of vehicles proposed to be accommodated is appropriate having regard to the size of the car park and the need to provide off-street parking facilities within the car park for the temporary accommodation of vehicles,
- (d) whether the means of ingress and egress and means of movement provided or to be provided within the car park are satisfactory,
- (e) whether there will be adequate provision for pedestrian safety and access for people with disabilities,
- (f) whether the internal design of parking facilities and system of traffic management are satisfactory,
- (g) whether, in the case of a car park that is a building, adequate ventilation is provided or to be provided,
- (h) the Occupational Health and Safety Act 2000, and the regulations made under that Act, as regards the safety of persons who will be employed at the proposed car park or of persons who will go there,
- (i) whether there will be adequate provision for the management of stormwater and the minimisation of stormwater pollution.

#### **4.2.2.5 Consideration criteria – operate a caravan park or camping ground (F2 Activity)**

The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 contains mandatory requirements for the operation of a caravan park and camping ground. As a result, Council will evaluate all relevant activity applications to ensure that:

- (a) Supporting plans and documents clearly demonstrate an intention to comply with the requirements of the regulation.
- (b) Where such an intention is not demonstrated, an assessment will be made of whether it is feasible for the applicant to comply and hence whether it is appropriate to issue a conditional approval or hold the application pending the supply of the necessary information.

#### **4.2.2.6 General matters for consideration under this LAP**

Under the terms of this Local Approvals Policy, the following matters must be considered in addition to any matters prescribed by the regulations for the respective activity applications.

#### 4.2.2.7 LAP criteria – Trade or business on community land or use standing vehicle for selling any article in a public place (D1, & F7 Activities)

This section applies to applications for approval to engage in a trade or business on community land (D1 activity) and to use a standing vehicle or any article for the purpose of selling any article in a public place (F7 activity).

For all applications relating to the trading or selling on community land, public roads or public places, Council will consider the following matters in connection with the respective applications:

- (1) If food is proposed to be sold by a business, that business has been registered with the NSW Food Authority.
- (2) The potential for interference with pedestrian or vehicle traffic.
- (3) The potential for conflict with any other activity previously approved in the same town.

**NOTE:** *Under the Competition and Consumer Act 2010 Council cannot refuse to issue an approval on the basis that an activity competes with existing businesses, as that would be anticompetitive. However Council can refuse to consent to an activity that does not comply with this L.A.P. or unreasonably interferes with an aspect of public amenity.*

- (4) Whether any items proposed to be sold may constitute a danger to the public.

#### 4.2.2.8 LAP criteria - expose any article on public road (E2 Activity)

An E2 activity approval allows the holder to “*expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road*”. This includes a sandwich board, shop awning, street banner and dining tables on, or overhanging, a public road corridor.

##### **Selling and displaying items on the footpath**

The following matters will be considered in connection with any application for selling and displaying items on the footpath (**Activity E2**):

- (a) Applications will only be considered from the owner of the land immediately adjoining the public road alignment relating to the footpath between their land and the public road.
- (b) Applications must be accompanied by written details of why it is necessary to sell and display items from the footpath.
- (c) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the trading activities and the context in which they will be undertaken.
- (d) Whether a minimum 3m width of footpath will remain available for pedestrian use at all times and adequate access to the kerb for pedestrians.
- (e) That all trading tables, displays and equipment can be located adjacent to buildings.

### **Sandwich boards and teardrop banners**

Sandwich boards and teardrop banners are temporary features that can be readily moved. The following matters will be considered in connection with any application for establishing sandwich boards and teardrop banners (**Activity E2**):

- (a) Applicants should substantiate in writing why it is necessary to establish a sandwich boards or teardrop banner at a location other than within the public road corridor immediately at the front of their business.

**NOTE:** *Unless there are compelling reasons to do otherwise, Council will not normally approve a sandwich board or teardrop banner in a location other than immediately in front of their business.*

- (b) That the sandwich board is a maximum of 1.0 metre high and 1.0 metre wide.
- (c) The potential for the sandwich board or teardrop banner to cause unnecessary physical or visual obstruction. This includes interference with access for elderly and disabled people.
- (d) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the trading activities and the context in which they will be undertaken.

### **Advertising signs**

Advertising signs are structures, posters, murals or the like that are typically fixed to poles or buildings. Such signs are regulated via State Environmental Planning Policy 64 – Advertising and Signage (SEPP64), not through this LAP or the Local Government Act 1993.

**NOTE:** *Under SEPP64 advertising signs can only be approved via a Development Application for a maximum of 15 years at a time.*

### **Awnings**

The following matters will be considered in connection with any application for an awning overhanging a public road corridor (**Activity E2**):

- (a) New applications will only be considered where all structures associated with the awning are located on private land. In other words no supporting poles or any other structures are to infringe upon a public road corridor.

**NOTE:** *Private development on public land is inappropriate.*

- (b) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the trading activities and the context in which they will be undertaken.

### **Street dining**

The following matters will be considered in connection with any application for street dining (**Activity E2**):

- (a) Applications will only be considered where it is proposed that dining will be undertaken on a hard wearing surface, preferably pavers or cement.
- (b) Whether a minimum 2m width of footpath will remain available for pedestrian use at all times, and adequate access to the kerb for pedestrians.
- (c) That all tables, chairs and equipment can be located adjacent to buildings.

- (d) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$20,000,000 that covers the trading activities and the context in which they will be undertaken.

**Street banners**

The following matters will be considered in connection with any application for street banners

**(Activity E2):**

- (a) No approvals will be issued for a street banners that advertise commercial products or businesses.

**NOTE:** *Exemption provisions apply under this LAP for street banners erected for non-profit community based organisation that advertise community events.*

**4.3 PART 3 - OTHER MATTERS RELATING TO APPROVALS**

**4.3.1 Refund of fees**

In certain circumstances where an application is not fully processed by Council, an applicant may be eligible for the refund of activity application fees. Refund requests must be made by the applicant in writing. Such requests will be determined in accordance with the table below.

<p><b>FULL REFUND</b></p> <ul style="list-style-type: none"> <li>• Applications withdrawn by the applicant immediately after lodgement, prior to any administrative processing taking place (other than receipting of fees).</li> </ul>
<p><b>40% REFUND</b></p> <ul style="list-style-type: none"> <li>• Applications withdrawn by the applicant where approval or refusal has not been issued.</li> </ul>

**4.3.2 Standard conditions**

The Local Government (General) Regulation 2005 prescribes standard conditions for activity approvals involving public entertainment, water supply, sewage and stormwater drainage. The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 prescribes standard conditions for approvals for caravan parks and camping grounds.

The standard conditions prescribed by the regulations are quite detailed and they have not been reproduced here. Copies of the regulations are available from the internet at <http://www.legislation.nsw.gov.au/>

**4.3.3 When does an approval or exemption lapse?**

**4.3.3.1 Approvals**

An approval under Section 68 of the Local Government Act 1993 or Section 4.16 of the Environmental Planning and Assessment Act 1979 lapses five years after the date from which the approval operates, unless:

- (1) The approval states otherwise; or,

- (2) The activity has been physically substantially commenced within the meaning of the applicable act.

An extension of an approval may be granted if:

- (1) A request is received by Council in writing prior to the date on which the approval would have lapsed; and,
- (2) Council determines that the approval should be extended.

#### **4.3.3.2 Exemptions**

Any exemption under this Local Approvals Policy, or the regulations, has no effect unless all the specified conditions of the exemption are met. Any breach of the conditions would mean that the exemption provisions no longer apply to the activity or activities involved.

Exemption provisions within the Local Approvals Policy cease to have effect once the policy lapses.

**5 LEGISLATIVE AND STRATEGIC CONTEXT**

**5.1 Local Government Act 1993 No 30**

Chapter 7 of the *Local Government Act 1993* No 30 (LGA) details the regulatory functions of council, which includes which activities require council approval.

**5.2 Environmental Planning and Assessment Act 1979**

No exemption specified in this policy negates the need for an approval otherwise required under Part 4 of the Environmental Planning and Assessment Act 1979.

**5.3 Uralla Local Environmental Plan 2012**

No exemption specified in this policy overrides any zoning restrictions in the Uralla Local Environmental Plan 2012 (LEP). To the extent of any inconsistency between this policy and the LEP, the LEP prevails.



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director Infrastructure & Development
<b>Reference/Subject:</b>	<b>Report 12 – Bundarra Road Reconstruction at Barloo Road</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

### SUMMARY:

The purpose of this report is to respond to the second part of February 2019 Council resolution **33.02/19** where in considering the Works Progress Report as at 31 January 2019, the Council resolved that;

- 1. The report be received and noted for the works completed or progressed during December 2018, January 2019 and works programmed for February 2019; and*
- 2. That Council receive the report on the Bundarra/Barloo Road Project expenditure.*

### OFFICER'S RECOMMENDATION:

**That Council note the report.**

### BACKGROUND:

The reconstruction of Bundarra Road at the Barloo Road intersection exceeded the project estimate.

### REPORT:

The project provided for reconstruction of MR124 "Barloo Rd" for chainage of 4.55-5.75km from the Armidale Shire boundary. The initial estimated cost of the works was listed at \$350,000. The final cost of the works as reported by Council's financial management system was \$623,179.

As part of the assessment process, a costing of the final design was undertaken by Council Works and Infrastructure staff after the completion of the works.

The cost estimate based on the final design (exclusive of contingencies) provided for a cost of \$502,413. Assuming contingencies of 20% would provide for a modified cost estimate of \$602,896.

Observations by Works and Infrastructure staff regarding matters that contributed to the final cost of the reconstruction included;

- Work commenced on 7 March 2018 without full design plans or set out/level sheets due to a delay in the finalisation of the design.
- Tree clearing took longer than expected due to limited staffing resources available at the time for cutting up and transporting the trees and associated traffic control.
- One set of single cell pipes were damaged and required full replacement instead of just extending.
- There was approximately 600 m<sup>3</sup> of unsuitable material that was replaced with gravel.
- When full design plans were available, about 23 April, several areas where cut and fill had been approximated required reworking to correct levels and this added 1 to 2 weeks.
- Working around the 3 electricity stay poles slowed progress and when the poles were relocated the sections had to be reworked to final levels.
- The higher volumes of traffic through the work site slowed the work up as a travel lane had to be kept clear at all times and this reduced the available working area.

**KEY ISSUES:**

Nil

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

Nil

**2. Policy and Regulation**

Nil

**3. Financial (LTFP)**

Over-runs and under-runs impact the LTFP

**4. Asset Management (AMS)**

In accordance with Asset Management Plan

**5. Workforce (WMS)**

Council staff and contractors

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

Works completed to appropriate standards

**8. Project Management**

Infrastructure & Works Staff

Prepared by staff member:	Director Infrastructure & Development
TRIM Reference:	UINT/19/1728
Approved/Reviewed by Manager:	Director Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director of Infrastructure & Development
<b>Reference/Subject:</b>	<b>Report 13 – Development Approvals and Refusals for February 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

### SUMMARY:

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

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

### OFFICER'S RECOMMENDATION:

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

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

**REPORT:**

**Development Applications**

**Approved:**

Development Application Number	Applicant	Property	Development
DA-72-2018	Mr M Ayre	36 East Street, Uralla	Carport
DA-3-2019	Mr P Byrne	6 Queen Street, Uralla	Remove & Replace Shed
DA-8-2019	Mr R Scott	31 Queen Street, Uralla	Fire Damage Restoration & Extensions
DA-51-2018	Local Government Engineering Service Pty Ltd	Lot 14 Rowan Avenue, Uralla	Light Industrial Staged 23 Lot Subdivision

**Monthly Estimated Value of Approvals: \$239,800.00**

**Cancelled:** Nil

**Withdrawn:** Nil

**Refused:**

Development Application Number	Applicant	Property	Development
DA-35-2017	Mr C & Mrs K Cooper	36 Uralla Street, Uralla	Dwelling

**Comparison to February 2018:**

February 2018:	\$437,050.00	February 2019:	\$239,800.00
Year to date:	\$437,450.00	Year to date:	\$532,300.00
(Calendar Year)		(Calendar Year)	

**Development Applications Outstanding**

Application Number	Applicant	Property	Development	Status
DA-21-2017	Mr V Hudson	19 Karava Place, Uralla	Dual Occupancy & Conversion of Shed to Dwelling	Awaiting Applicant
DA-37-2018	Mr G & Mrs S Selby	116 Marble Hill Road, Saumarez Ponds	Dual Occupancy – Conversion of Shed to Dwelling	Awaiting Applicant
DA-40-2018	Mr L & Mrs C Seccombe	22 Baker Road, Invergowrie	2 Lot Subdivision	Awaiting Applicant
DA-44-2018	Mr K Hartley – Starfish Enterprises Network Ltd	192 Dumaresq Road, Saumarez Ponds	Natural Burial Ground – Private Cemetery & Shed	Awaiting Applicant
DA-48-2018	Croft Surveying & Mapping	216 Invergowrie Road, Invergowrie	Subdivision of 3 Rural Lots into 10 Rural Lots	Under Assessment
DA-67-2018	Mr T & Mrs R Butcher	113 Ferris Lane, Saumarez Ponds	Conversion of Shed to Secondary Dwelling	Awaiting Applicant
DA-70-2018	Mr V Scollen	18 Uralla Street North, Uralla	Shed	Awaiting Applicant

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

**Development Applications Outstanding (continued)**

Application Number	Applicant	Property	Development	Status
DA-2-2018	Mrs L Yates	53 Park Street, Uralla	Subdivision of 1 Urban Lot into 3 Urban Lots	Awaiting RFS
DA-5-2019	Mr P & Mrs J Hine	16 John Street, Uralla	Dwelling Additions & Alterations - Kitchen, Bathroom & Laundry	Under Assessment
DA-6-2019	Mr N Dagg & Ms R Tubb	34 Macleay Way, Saumarez Ponds	Additions to Existing Guest Suite	Under Assessment
DA-7-2019	G J Gardner Homes Armidale	266 Traceys Road, Kentucky	Dwelling	Awaiting Applicant
DA-9-2019	Mr P Simmons	Lot 473 Barleyfields Road, Uralla	Dual Occupancy & Shed	Awaiting Applicant
DA-10-2019	Mr A Finlayson & Ms R Passey	79 Barleyfields Road, Uralla	Workshop, Carport & Verandahs	Under Assessment
DA-11-2019	Mr A & Mrs D Vanden Hoogen	24 McDonalds Lane, Rocky River	Wind Turbine & Tank Stand	Under Assessment
DA-12-2019	Mr A & Mrs D Simmon	188 Kareela Road, Invergowrie	Dwelling & Completion of Existing Studio	Under Assessment
DA-13-2019	Mr N & Mrs T Whitton	31 Hill Street, Uralla	Change of Use – Include Food & Drink Service	Under Assessment
DA-14-2019	Brown & Krippner Pty Ltd	22 East Street, Uralla	Subdivision of 2 Urban Lots into 3 Urban Lots	Under Notification
				<b>Total: 17</b>

**Construction Certificates**

**Approved:**

Application Number	Applicant	Property	Construction
CC-65-2018	Ms C Shantal	83 Barleyfields Road, Uralla	Conversion of Shed to Dwelling

**Refused:** Nil

**Issued by Private Certifier:**

Application Number	Applicant	Property	Construction
CC-59-2018	Mr J & Mrs W Kurko	48 Hill Street, Uralla	Dwelling Additions & Alterations – Bathroom, Laundry, En suite & Carport
CC-62-2018	Mr W Lawrence	8 Warwick Street, Uralla	Workshop & Carport
CC-68-2018	Mr G Fuller	72 Rowbottoms Road, Rocky River	Dwelling
CC-72-2018	Mr M Ayre	36 East Street, Uralla	Carport

**Total Monthly Estimated Value of Construction Certificate Approvals: \$295,000.00**

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

**Complying Development Certificate Applications**

**Approved:** Nil

**Refused:** Nil

**Withdrawn:** Nil

**Issued by Private Certifier:**

Application Number	Applicant	Property	Development
CDC-2-2019	Mr D & Mrs K Drew	35 Dumaresq Road, Saumarez Ponds	Dwelling & Shed

**Total Monthly Estimated Value of Complying Development Certificate Approvals: \$472,000.00**

**Comparison to February 2018:**

February 2018:	\$220,000.00	February 2019:	\$472,000.00
Year to date: (Calendar Year)	\$287,040.00	Year to date: (Calendar Year)	\$657,000.00

**Calendar Year Development Values**

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008	9,155,533	56,169	7,393,239	1,762,294
2009	9,290,046	72,578	5,749,162	3,540,884
2010	10,586,972	80,817	5,958,887	4,628,085
2011	6,584,483	51,846	3,449,607	3,134,876
2012	11,390,780	104,503	6,158,718	5,232,062
2013	9,259,318	76,523	4,678,720	4,580,598
2014	8,246,689	69,300	5,657,845	2,588,844
2015	9,137,065	85,393	6,980,198	2,156,867
2016	5,958,716	62,723	3,997,389	1,961,327
2017	8,131,959	82,979	5,953,666	2,178,293
2018	7,537,462	81,929	3,618,198	3,919,264
2019	1,189,300	99,108	532,300	657,000

2019 to date

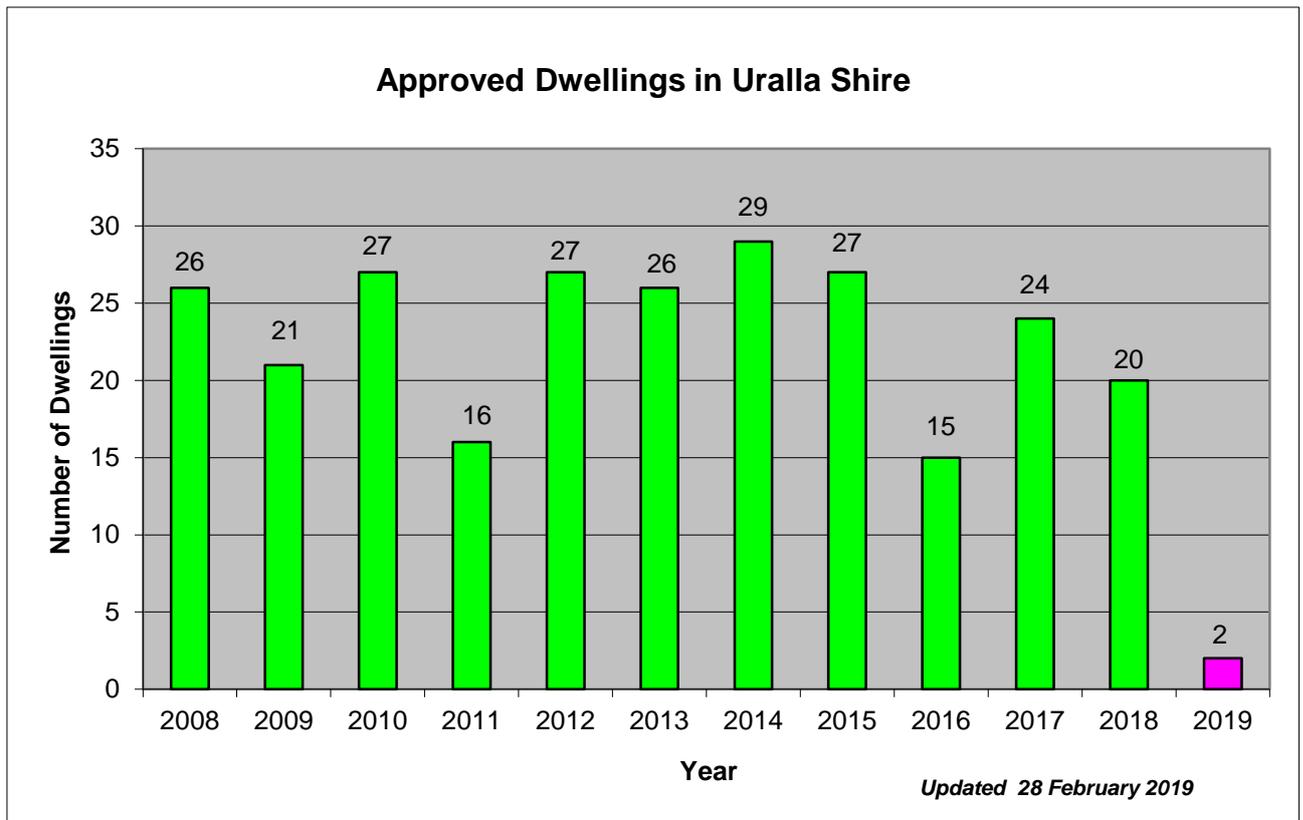
**Uralla Shire Council**  
**Council Business Paper – 26 March 2019**

**Financial Year Development Values**

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2008-2009	8,095,812	61,332	4,588,050	3,507,762
2009-2010	12,395,113	77,469	7,121,590	5,273,523
2010-2011	8,212,500	73,986	5,023,347	3,189,153
2011-2012	5,986,330	53,449	3,667,764	2,318,566
2012-2013	12,339,996	101,983	6,100,857	6,239,139
2013-2014	8,296,829	76,118	4,653,404	3,643,425
2014-2015	9,779,535	109,917	6,392,261	3,387,274
2015-2016	7,560,263	76,366	6,393,433	1,166,830
2016-2017	6,544,087	68,168	4,186,513	2,357,574
2017-2018	9,073,505	87,245	6,057,412	3,016,093
2018-2019	4,383,909	84,306	1,593,455	2,790,454

2018-2019 to date

**Approved Dwellings 2007-2019**



**KEY ISSUES:**

- *Development Applications approved by Council for February 2019 – 4*
- *Development Applications refused by Council for February 2019 – 1*
- *Development Applications cancelled by Council for February 2019 – 0*
- *Development Applications withdrawn by Applicant for February 2019 – 0*
- *Outstanding Development Applications as at 28 February 2019 – 17*
- *Construction Certificates approved by Council for February 2019 – 1*
- *Construction Certificates refused by Council for February 2019 – 0*
- *Construction Certificates issued by private certification for February 2019 – 4*
- *Complying Development Applications approved by Council for February 2019 – 0*
- *Complying Development Applications refused by Council for February 2019 – 0*
- *Complying Development Applications withdrawn by Applicant for February 2019 – 0*
- *Complying Development Applications issued by private certification – 1*
- *Total Development Value for 2019 as at 28 February 2019 – \$1,189,300*
- *Average Development Value for 2019 as at 28 February 2019 – \$99,108*
- *Development Application Value for 2019 as at 28 February 2019 – \$532,300*
- *Complying Development Application Value for 2019 as at 28 February 2019 – \$657,000*
- *Approved dwellings as at 28 February 2019 – 2*

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

The Development Approvals and Refusals for February will be placed in the next available newsletter and uploaded to the Uralla Shire Council website.

**2. Policy and Regulation**

*Environmental Planning & Assessment Act, 1979.*

*Environmental Planning & Assessment Regulations, 2000.*

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

Prepared by staff member:

Administration Officer

TRIM Reference Number:

UINT/19/1525 – U12/168

Approved/Reviewed by Manager:

Manager Development & Planning

Department:

Infrastructure & Development

Attachments:

Nil



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	Manager Planning and Development
<b>Reference/Subject:</b>	<b>Report 14 – DIVISION DECISION – Development Application 11/2019 – Wind turbine and tank stand – 24 McDonalds Lane, Rocky River</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

### NOTE TO COUNCILLORS:

In accordance with the provisions of S375A of the *Local Government Act 1993*, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

### SUMMARY:

<b>Proposal:</b>	Wind turbine and tank stand
<b>Property description:</b>	Lot 52 DP 755846, Assessment 9128
<b>Applicant:</b>	Antonius and Debra Vanden Hoogen
<b>Owner:</b>	Antonius and Debra Vanden Hoogen
<b>Zoning:</b>	RU2 Rural Landscape
<b>Date received:</b>	31 January 2019
<b>Public notification or exhibition:</b>	Yes
<b>Exhibition period:</b>	31 January 2019 – 15 February
<b>Submissions:</b>	3
<b>Other approvals:</b>	Nil

### OFFICER'S RECOMMENDATION:

***That Council 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.
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.

### **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 +2 decibels of ambient noise measured at ground level 15 metres from the turbine base.

*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*

**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](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
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.
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.

**BACKGROUND:**

Development application 34/2018 for an installed, unapproved wind turbine at 24 McDonalds Lane, Rocky River was received on 29 May 2018. At the 24 July 2018 Council meeting the application was refused due to the negative impacts on neighbours' amenity (Motion 18.07/18).

Development application 11/2019 for a wind turbine and tank stand at 24 McDonalds Lane, Rocky River was received on 31 January 2019.

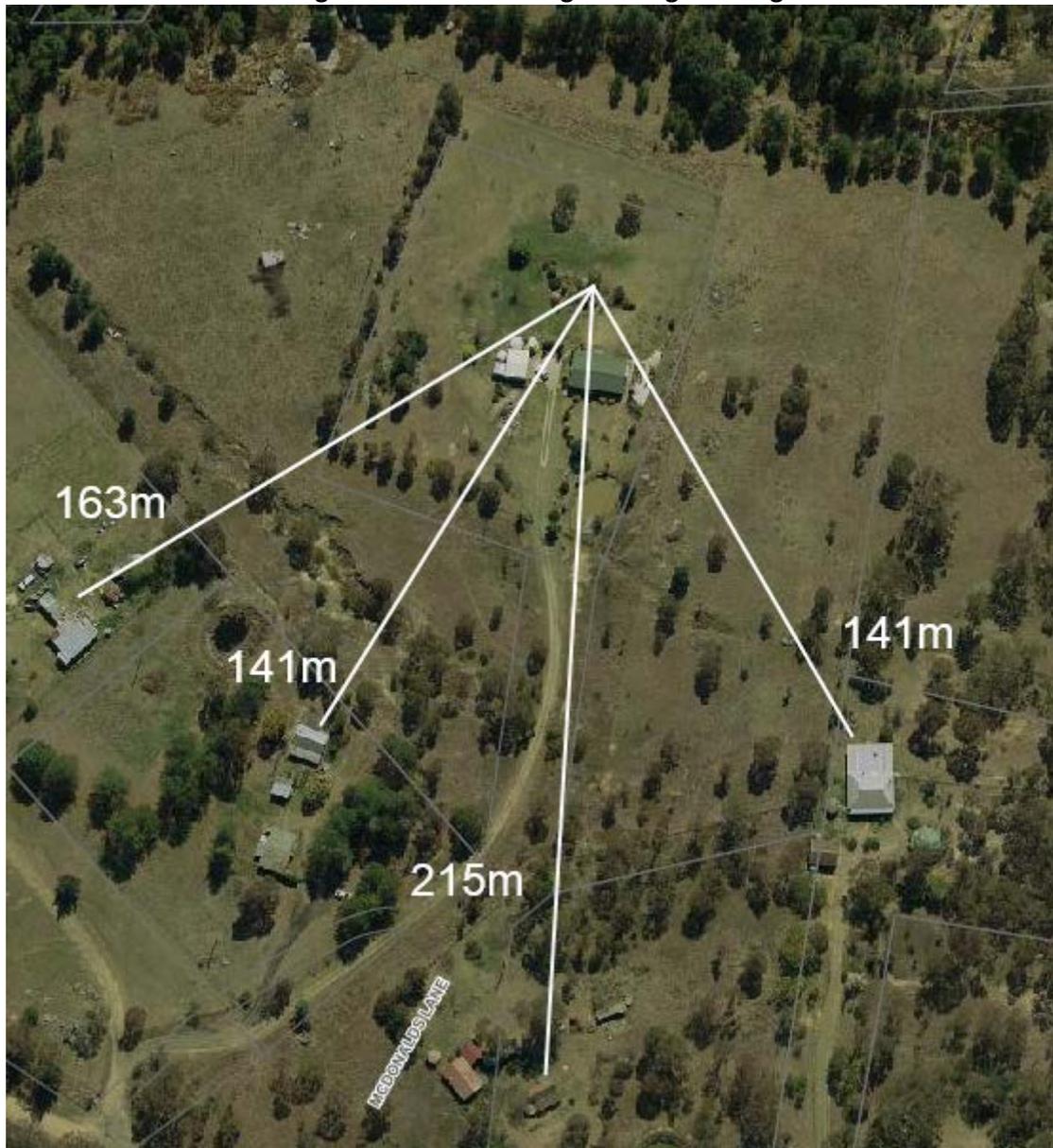
**REPORT:**

Wind turbines installed less than 200 metres from any dwelling that is not owned or occupied by the owner of the system require Development Consent from Council. In this instance, the wind turbine is located approximately 140 metres from the nearest dwelling.

**KEY ISSUES:**

Noise and visual amenity: The proposed wind turbine location is circa 65 metres further away, and around 4 metres lower in elevation than the previous application for a wind turbine on the same site from Mr and Mrs Vanden Hoogen (Development Application 34/2018). Further, a site inspection showed that the proposed wind turbine will be largely hidden from neighbours by structures and / or vegetation. Impacts on visual amenity from the tank stand are not considered significant.

**Image 1: Distances to neighbouring dwellings**



**CONCLUSION:**

No significant adverse impacts are known on the amenity of the area should the application be approved. In this context it is appropriate to approve the Development Application.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

Nil

**2. Policy and Regulation**

*Uralla Development Control Plan 2011*

*Uralla Local Environmental Plan 2012*

*Environmental Planning and Assessment Regulation 2000*

*Environmental Planning & Assessment Act 1979*

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**9. Disclosure of Political Donations and Gifts**

Has a Political Donations Disclosure Statement been received in relation to this application? No

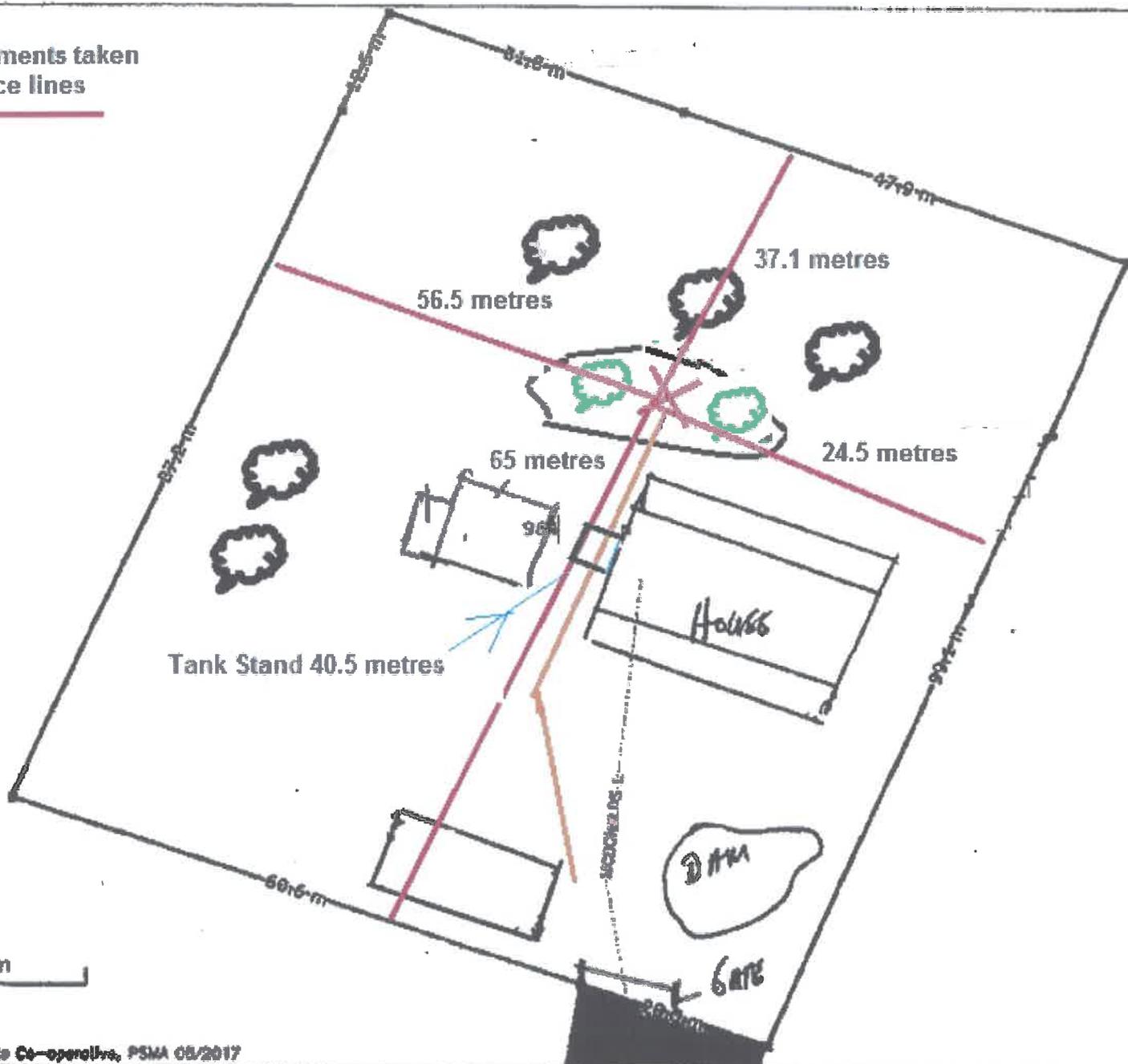
Political Donation Disclosure Statement register details N/A

Have staff received a gift or benefit from anyone involved in this application that needs to be disclosed? No

Gift and benefits register details N/A

Prepared by staff member: Matt Clarkson, Manager Development and Planning  
TRIM Reference Number: UINT/19/1734  
Approved/Reviewed by Manager: Terry Seymour, Director Infrastructure and Development  
Department: Infrastructure and Development  
Attachments: Attachment 1 - Site plan, and wind turbine / tank stand elevations  
Attachment 2 - Submissions received x 3  
Attachment 3 - Development Application 11/2019 Assessment Report

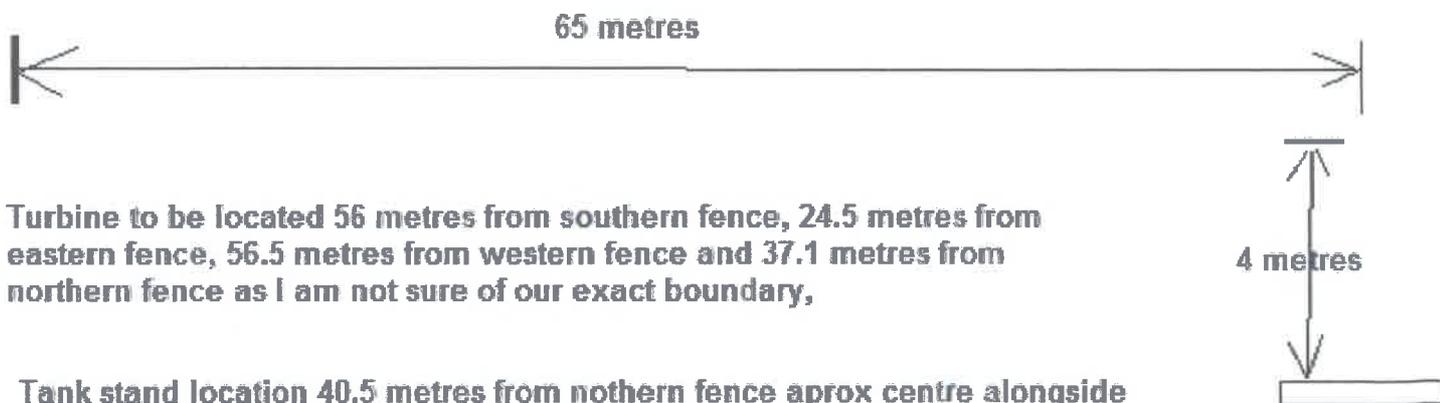
Measurements taken from fence lines



State Agents Co-operative, PSMA 08/2017

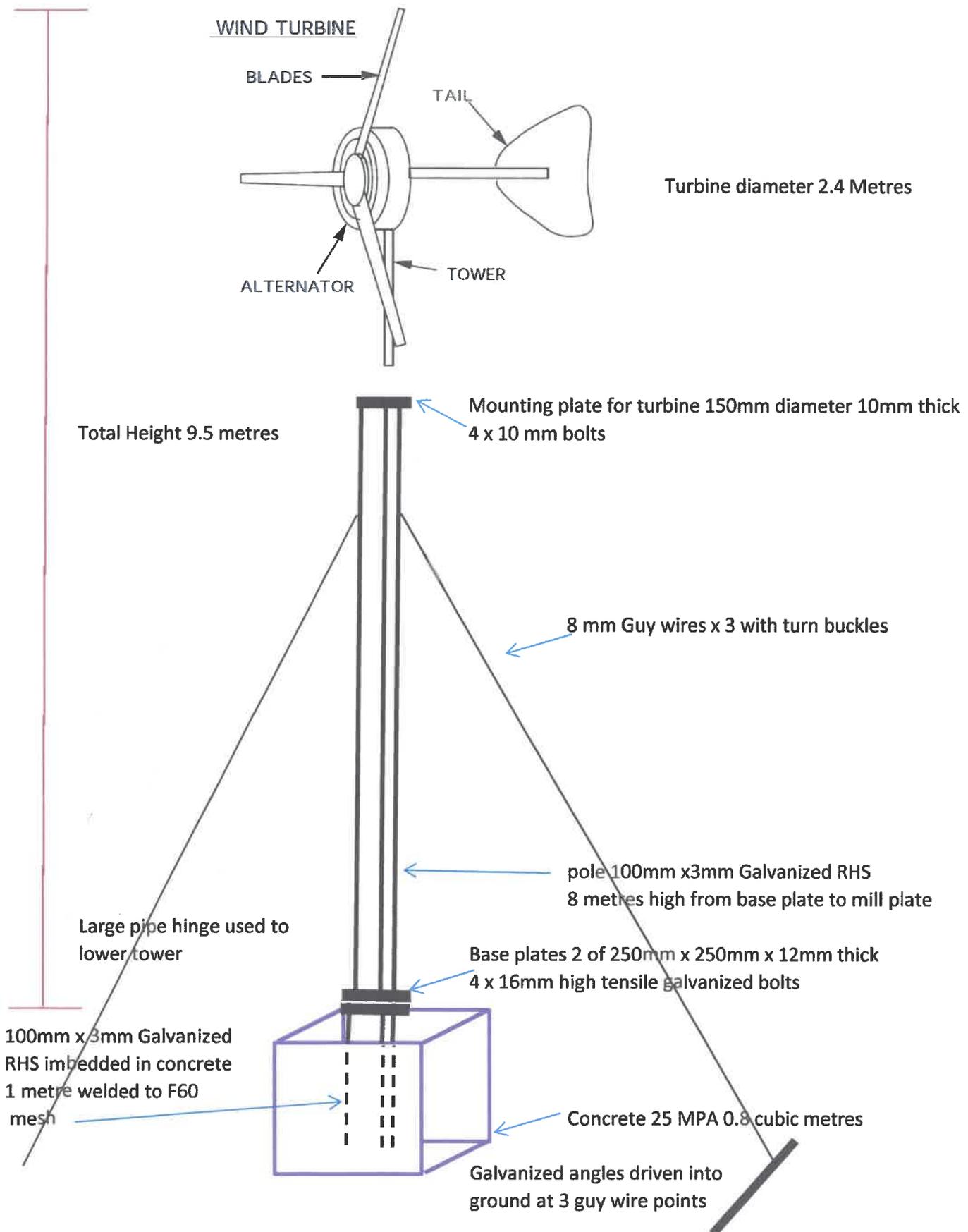
Information is obtained from various sources and cannot be guaranteed. You must make your own enquiries as to its accuracy.

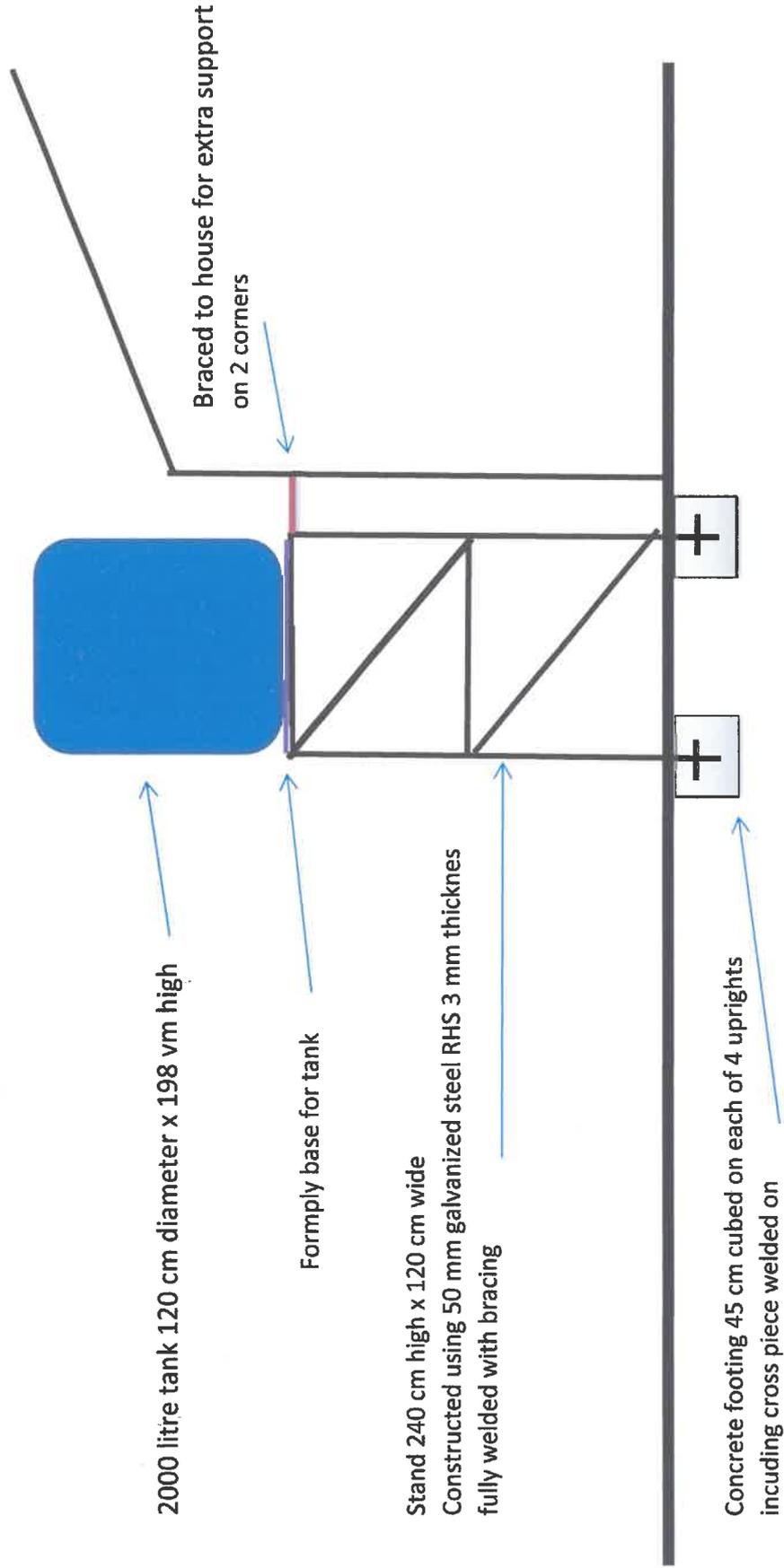
Address	Status Area	Lot/Plan	Type	Council	Last Sale
14 McDonalds Lane ROCKY RIVER	8094M	52/DP755846	Country Residence	Uralia	



Turbine to be located 56 metres from southern fence, 24.5 metres from eastern fence, 56.5 metres from western fence and 37.1 metres from northern fence as I am not sure of our exact boundary,

Tank stand location 40.5 metres from northern fence approx centre alongside house on eastern side





2000 litre tank 120 cm diameter x 198 cm high

Formply base for tank

Stand 240 cm high x 120 cm wide  
 Constructed using 50 mm galvanized steel RHS 3 mm thickness  
 fully welded with bracing

Concrete footing 45 cm cubed on each of 4 uprights  
 including cross piece welded on

Braced to house for extra support  
 on 2 corners

# OBJECTION TO DA-11-2019.

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**(WIND TURBINE & TANK STAND at 24 Mcdonalds Lane, ROCKY RIVER, 2358.)**

## 1/ WIND TURBINE:

The proposed site and any where on the property of 24 Mcdonalds Lane is unacceptable due to the WIND TURBINE's height and visibility combined with the regular loud noises emanating from the cheap Chinese construction as demonstrated by its previous location at the front of the property!

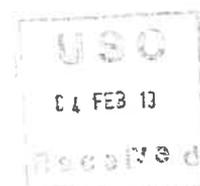
The new proposed location, doesn't address the problems and impact on neighbours amenity which was demonstrated by the previous DA (34-2018) being rejected by Council and direction for it to be removed.

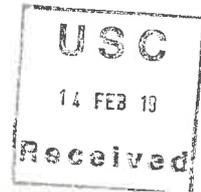
Furthermore, everywhere on the property of 24 Mcdonalds Lane is within 200 metres of my dwelling or neighbouring dwellings. Therefore, the proximity of the WIND TURBINE to other dwellings is not compliant with legislative minimum distance requirements to prevent negative impact on neighbourhood amenity .

## 1/ TANK STAND:

No details were provided in the letter I received from Council in Da-11-2019 for a TANK STAND. Consequently, given the pattern of various previous DA's by the applicant being unreasonable, I have to assume that whatever is being planned will most likely have an adverse impact on my property and my neighbours quiet enjoyment and amenity .

Therefore, I object to the TANK STAND as well.





12<sup>th</sup> February 2019

Mr. Matt Clarkson  
Manager Planning & Regulation  
Uralla Shire Council  
32 Salisbury Street  
URALLA N.S.W. 2358

**RE: OBJECTION TO DEVELOPMENT APPLICATION  
DEVELOPMENT APPLICATION No: DA – 11-2019  
PROPOSED ACTIVITY: WIND TURBINE & TANK STAND  
ADDRESS: 24 MCDONALDS LANE ROCKY RIVER  
APPLICANT: MR A & MRS D VANDEN HOOGEN**

Dear Matt,

This letter is an objection to the above-mentioned proposal based on the following grounds.

The below are the same objections as stated on my previous DA objection dated 14th June 2018.  
(a copy of which is attached)

- The proximity of the wind turbine to existing residential dwellings. I believe written consent from landowners with residences within 200m of proposed turbines must be given.
- The location & height of the wind turbine in relation to impact on landscape values, visual impact and conservation of the natural landscape.
- Noise impact (sleep disturbance and noise annoyance)
- The environmental impact to wildlife such as bird deaths from collisions.
- Potential hazards such as blade throw, involving the blades breaking or being ejected during operation. (Certifying documentation should be provided to state this construction meets all relevant Australian Safety Standards)

Further to the above, the following are additional objections.

- The wind turbine structure is the same height as previous DA.
- The new DA – 11 – 2019 shows the wind turbine at a new location. I believe the location & height of the wind turbine will still have a significant impact on the amenity of the area.
- There are no guarantees that the re-location of the wind turbine will reduce noise impact & annoyance.
- The wind turbine will still have an adverse impact on the scenic quality and integrity of the landscape from various viewpoints. It is my belief the viewer sensitivity level classification is HIGH given the relative apparent size (visual magnitude) of the wind turbine.
- Consideration should also be given to the potential for existing vegetation to be lost through circumstances such as trees burning down in bushfires, trees falling over due to wind storms or senescence. In the event of this happening the wind turbine would have a much greater domination of the landscape.

I received a letter from Mr. & Mrs. Vanden Hoogen dated 4<sup>th</sup> January 2019. (a copy of which is attached) I was asked to sign this letter if I agreed to the proposal. Obviously, I did not agree to the proposal. I was bemused by this letter that stated the following.

- “My wind turbine would be 65 meters further into our property which would bring it down 4 meters lower than the original position”.
- “This will mean the house & sheds will **help buffer** any noise created by it and lower it 4 meters from the tree line. It will not catch strong southerly winds, **but I am hopeful** the east and westerlies will work and **perhaps** some from the north”
- “**You may still be able to see it from your property in the new location** but being 4 meters lower **should not** impair your amenity vision greatly”

I do not believe 4 meters will make any difference whatsoever to the vertical extent to which the wind turbine would be visible, given the actual height of the wind turbine and topography of the land. In fact, there is no evidence or a survey to show or prove the measurements / distance as stated by Mr. & Mrs. Vanden Hoogen.

Mr. & Mrs. Vanden Hoogen’s letter clearly states the wind turbine will still be noisy. One can be hopeful of wind patterns & strengths. However, one cannot control the wind. In addition, how is it possible for Mr. & Mrs. Vanden Hoogen to know the wind turbine will not impair my amenity vision greatly?

Given the previous impacts I experienced when the wind turbine was in use, I was relieved and grateful when the previous DA was refused, and the wind turbine was taken down. The difference between the wind turbine being erected & removed was enormous.

In my opinion the wind turbine can only be described as a monstrosity.

Therefore, I strongly object to the approval of this DA.

In closing, I cannot emphasize the following strongly enough.

- I believe the relocation of the wind turbine will not make any difference whatsoever. I believe it will still have the same impacts as the previous location. In fact, there are no guarantees to prove this otherwise.
- I am still of the belief that written consent from landowners with residences within 200 meters of proposed turbines must be given.

Thank you once again, for taking the time to read my objections and concerns. I again anticipate a positive outcome.

I await your reply.

Yours sincerely,

**\*\*\*\*\* Proposed Tank Stand \*\*\*\*\***

*There are no details provided. Given the impact of the previous DA, I request comprehensive details such as location & height. Until such time as I receive details, I am not prepared to give any consideration to this DA.*

*Therefore, at this stage I object to the proposed tank stand. DA*

COPY

14<sup>th</sup> June 2018

Mr. Matt Clarkson  
Manager Planning & Regulation  
Uralla Shire Council  
32 Salisbury Street  
URALLA N.S.W. 2358

**RE: OBJECTION TO DEVELOPMENT APPLICATION  
DEVELOPMENT APPLICATION No: DA – 34 – 201  
PROPOSED ACTIVITY: WIND TURBINE  
ADDRESS: 24 MCDONALDS LANE ROCKY RIVER  
APPLICANT: MR A & MRS D VANDEN HOOGEN**

Dear Matt,

This letter is an objection to the above-mentioned proposal based on the following grounds.

- The proximity of the wind turbine to existing residential dwellings. I believe written consent from landowners with residences within 200m of proposed turbines must be given.
- The location & height of the wind turbine in relation to impact on landscape values, visual impact and conservation of the natural landscape.
- Noise impact (sleep disturbance and noise annoyance)
- The environmental impact to wildlife such as bird deaths from collisions.
- Potential hazards such as blade throw, involving the blades breaking or being ejected during operation. (Certifying documentation should be provided to state this construction meets all relevant Australian Safety Standards)

I also wish to express my disappointment & concern due to the fact that the wind turbine has already been constructed and has been in full use for some months now. At no point has there been any consultation between the applicant & myself regarding this development.

I have found the wind turbine to be noisy on most occasions. The noise impact is of great concern.

Thankyou for taking the time to read my objections and concerns. I anticipate a positive outcome for all parties concerned.

I await your reply.

Yours sincerely,



**A.M. & D.L. Vanden Hoogen**  
24 McDonalds Lane, Rocky River, NSW, 2358

---

4-Jan-19

**RE Proposed relocation of 2 KW wind turbine.**

**I am considering relocating my wind turbine 65 metres further into our property which will bring it down 4 metres lower than the original position. (So far my extra costs will be around \$1100.00 for heavy duty cable and concrete foundations)**

**This will mean the house and sheds will help buffer any noise created by it and lower it 4 metres from the tree line. It will not catch strong southerly winds but I am hopeful the east and westerlies will work and perhaps some from the north.**

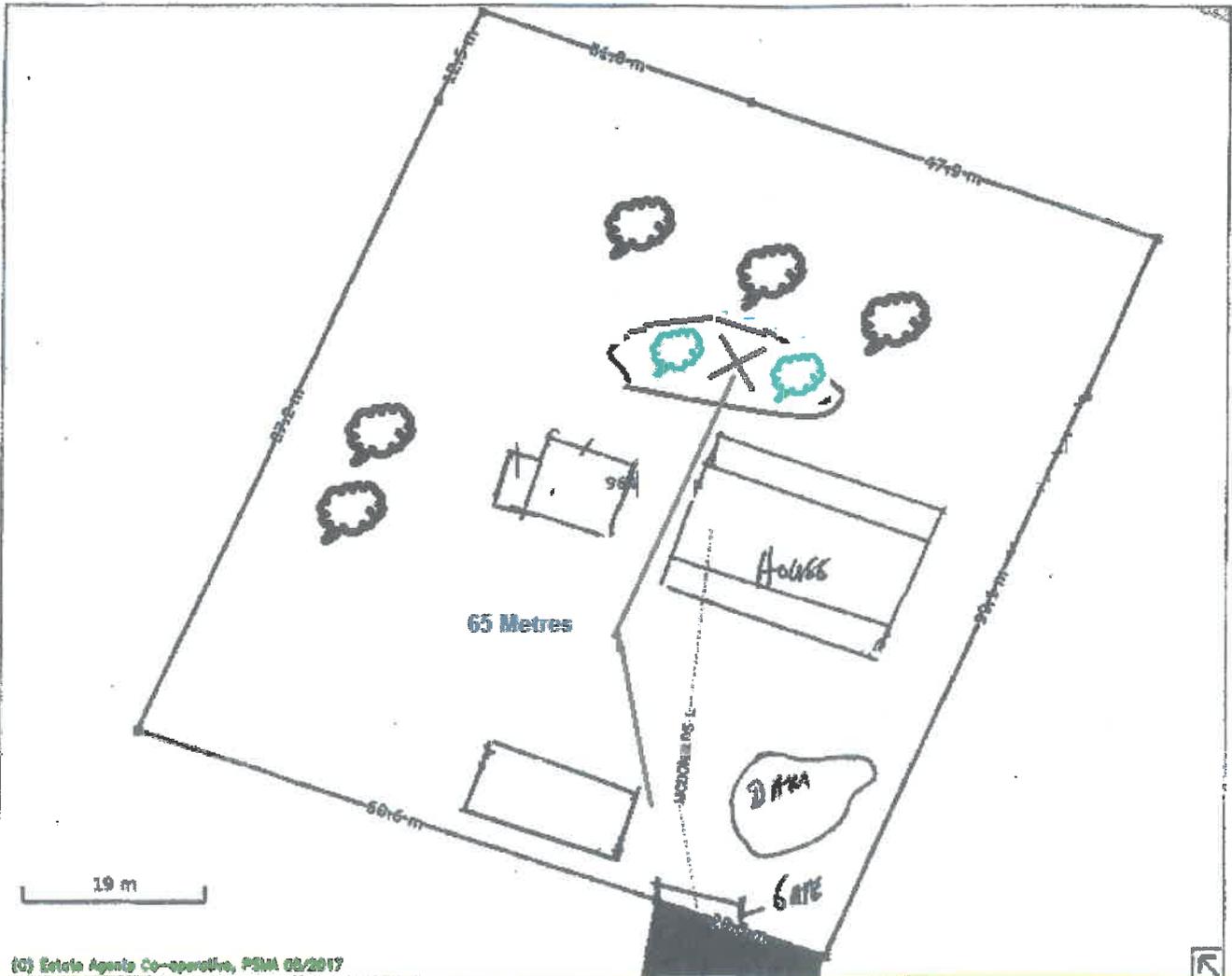
**You may still be able to see it from your property in the new location but being 4 metres lower should not impair you amenity vision greatly.**

**I do not wish to pay our hard earned money for a development application only to find it refused again.**

**If you agree to my proposal please sign the other sheet with the plan and return it to me so I can then decide on my next course of action with council.**

**Regards**  
**Antonius Vanden Hoogen**

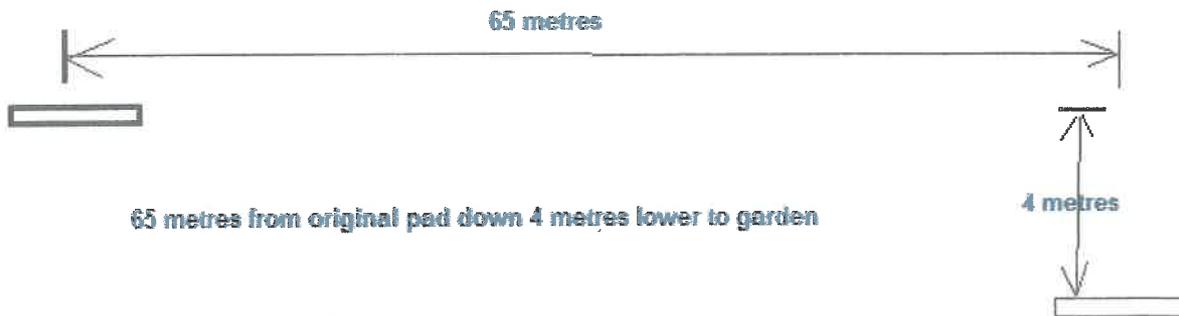
**COPY**



(C) Estate Agents Co-operative, PSM 08/2017

This information is obtained from various sources and cannot be guaranteed. You must make your own enquiries as to its accuracy.

Address	Status	Area	Lot/Plan	Type	Council	Last Sale
24 McDonalds Lane ROCKY RIVER		8094M	52/DP755846	Country Residence	Urella	



I agree to the proposed relocation of wind turbine as per above plan.

Signed .....

COPY

OBJECTION TO DA-11-2019  
WINDTURBINE AND TANK STAND  
24 McDONALD LANE ROCKY RIVER



### WIND TURBINE

THE PROPOSED SITE MAY REDUCE THE VISUAL IMPACT ON MY PROPERTY BUT I DO NOT BELIEVE THAT IT WILL HAVE ANY REAL REDUCTION ON NOISE LEVELS.

I NOTE THAT THE HEIGHT OF THE TURBINE ABOVE GROUND LEVEL HAS NOT BEEN SHOWN.

THE LAST PAGE IN THE LETTER SENT SHOWS SOME OF THE SPECIFICATIONS FOR THE CONSTRUCTION OF THE TURBINE. THERE IS NO INDICATION THAT THE POLE SHOWN (6 METRES) IS THE LENGTH OF POLE TO BE USED.

### TANK STAND

HOW CAN I OBJECT OR NOT TO THE TANK STAND WHEN NO INFORMATION HAS BEEN PROVIDED BY COUNCIL AS TO THE HEIGHT AND LOCATION OF THE STAND

IN THIS DAY AND AGE PRESSURE PUMPS EXIST.

I SEE NO REASON FOR A TANK STAND.

THEREFOR I OBJECT TO THE WIND TURBINE AND THE TANK STAND GOING AHEAD.

# Development Assessment Report

DA Number: DA-11-2019

Council: Uralla Shire Council

Location: 24 McDonalds Lane ROCKY RIVER

Development Description: Wind Turbine & Tank Stand

Title Details: Lot: 52 DP: 755846

## Property Details/History

	Checked	Comments
File History	Yes	
Title Plan	Yes	
Check Ownership	Yes	

## Application Type

Is this application an Integrated Development Application? No

Is it a BASIX affected development? No

## Concurrence/Referral

*Section 4.13 – EP & A Act*

Does this application require concurrence or referral? No

Is there any other issue that requires notation? No

Does this application require referral for decision by Council? Yes

## Local Environmental Plan

*Section 4.15(1)(a)(i) – EP & A Act*

This land is zoned: RU2 Rural Landscape

### List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	Electricity generating works are permitted with consent.

Is there a draft LEP or draft LEP amendment which may affect this proposal? No

Do 'existing use' provisions apply to this development? No

## Development Control Plan

*Section 4.15(1)(a)(iii) – EP & A Act*

Does Uralla DCP 2011 apply to this land/proposal? No

## Regional Environmental Plan

The proposed development is not inconsistent with the New England North West Regional Plan.

## State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

### List all relevant SEPPs

SEPP	Compliance	Comment
State Environmental Planning Policy (Primary Production and Rural Development) 2019	Yes	

## Environmental Impacts

*Section 79c(1)(b) – EP & A Act*

Does this proposal have any potential environmental impacts?

Yes

	Impact	Comment
<b>Amenity</b>	Yes	Site inspection showed that the turbine will be visible to neighbours, though the location will minimise the effects on viewsheds, and amenity impacts are considered acceptable. Impacts on visual amenity from the tank stand are not considered significant.
<b>Noise</b>	Yes	Some noise will be generated by the turbine, however it is reasonable to suggest that the impacts on neighbours will be minimal due to the location. This has been addressed by consent condition XXX

## Environmental Impacts – Threatened Species

*Section 4.15(1)(b) – EP & A Act*

Has a Threatened Species Impact Assessment been prepared?

No

## Environmental Impacts – Heritage

*Section 4.15(1)(b) – EP & A Act*

Does this proposal have any potential impact on?

Heritage	Impact	Comment
<b>European</b>	No	
<b>Aboriginal</b>	No	

## Flooding

*Section 4.15(1)(b) – EP & A Act*

Is this property flood affected?

No

## Bush Fire Prone Land

*Section 4.15(1)(b) – EP & A Act*

Is this property bush fire prone as per the Bush Fire Prone Map?

Yes

**Category:** Buffer

**Comment:** No significant impact expected.

### Contaminated Land

*Section 4.15(1)(b) – EP & A Act*

Has this land been identified as being contaminated land by Council? No

### Infrastructure

Has an engineering assessment been completed? No

Does this proposal have any potential infrastructure impacts? No

### Construction Assessment

Is a construction assessment required? No

### Section 68 Assessment

*Section 68 – LGA Act*

Is a section 68 approval required? No

### Developer Contributions

*Section 7.11 – EP & A Act*

Does this proposal require any Developer Contribution? No

### Signage

Does this proposal require signage? No

### Notification

*Section 4.15(1)(d) – EP & A Act*

Was this application notified? Yes

Is this application an advertised development application? No

Were there any written submissions received? Yes

If Yes, what was the number of submissions received? 3

Submission Maker	Issue	Comment
Sharyn Kelly	Visual amenity and noise.	The proposed wind turbine location is circa 65 metres further away, and around 4 metres lower in elevation than the previous application for a wind turbine on the same site from Mr Vanden Hoogen, being DA-34-2018. Further, site inspection showed that the proposed wind turbine will be largely hidden by structures and / or vegetation. As previously noted, impacts on visual amenity from the tank stand are not considered significant.
Robert Thirlwell	Visual amenity and noise.	As above.
Calum Findlay	Visual amenity and noise.	As above.

### Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? No

3

**Public Interest**

*Section 79c(1)(e) – EP & A Act*

**Does this proposal have any construction or safety issues?**

**No**

**Site Suitability**

*Section 4.15(1)(c) – EP & A Act*

**Is this a suitable site for this proposal**

**Yes**

**Assessing Officer General Comment**

**ASSESSMENT – KEY ISSUES**

No issues warranting further detailed consideration have been identified.

**Recommendation**

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

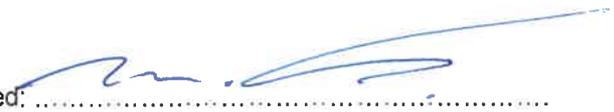
**Conclusion**

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

**No**

Signed: 

**Matt Clarkson, Manager of Development and Planning**

**Date: 18.3.2019**

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

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

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

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

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

### **Erection of signs**

**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.

## 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 +2 decibels of ambient noise measured at ground level 15 metres from the turbine base.
 

*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*

## **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](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
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.
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.



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Submitted by:</b>	Director of Infrastructure & Development
<b>Reference/Subject:</b>	<b>Report 15 – DIVISION DECISION - Development Application 48/2018 – Croft Surveying and Mapping - 10 Lot Residential Subdivision – 216 Invergowrie Road, Uralla</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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

### NOTE TO COUNCILLORS:

In accordance with the provisions of S375A of the Local Government Act 1993, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

### SUMMARY:

<b>Proposal:</b>	10 Lot Residential Subdivision
<b>Property description:</b>	Lot 7 DP 822760
<b>Applicant:</b>	Croft Surveying and Mapping
<b>Owner:</b>	Bryce Fardell
<b>Zoning:</b>	R5 Large Lot Residential
<b>Date received:</b>	5 September 2018 (koala assessment received 19 February 2019)
<b>Public notification or exhibition:</b>	Neighbour notification
<b>Exhibition period:</b>	6 September 2018 – 24 September 2018
<b>Submissions:</b>	1
<b>Other approvals:</b>	Nil

### SUMMARY:

This report is for the determination of a development application with one submission requiring consideration.

The proposed development is a 10 lot residential subdivision.

**OFFICER'S RECOMMENDATION:**

That Council approve Development Application 48/2018 submitted by Croft Surveying and Mapping for a 10 lot residential subdivision on land known as 216 Invergowrie Road, Invergowrie, being Lot 7 DP 722860 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***

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

- (d) 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
- (e) 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.
- (f) 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:
  - (d) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (e) 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
  - (f) stating that unauthorised entry to the site is prohibited.
5. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

***GENERAL CONDITIONS***

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

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

7. 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.*

8. 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 SUBDIVISION CERTIFICATE**

9. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services for which Council is satisfied that the proposed development is likely to create a demand (as detailed in the attached schedule) is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.

*The Section 94 Contribution is currently \$3,691.00 in the 2018/19 financial year for each applicable lot. This is applicable for 7 lots.*

*Reason: To ensure compliance with Uralla Shire Council Section 94 contributions plans and the provision of adequate infrastructure.*

10. 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.

*Reason: To ensure provision of appropriate documentation.*

11. Prior to the issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e. electricity and telecommunications are 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.*

12. That ten lots are created by the subdivision of Lot 7, DP 822760, eight of around 2 hectares, one of around 2.2 hectares, and one of around 2.5 hectares.

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

13. The creation by the developer, under Section 88B of the Conveyancing Act, an instrument to provide for:

1. A minimum 10 metre wide reciprocal right of carriageway for property access to in favour of proposed lots 8 and 9 and to be located along the north- south inner boundaries of proposed lots 7 and 10.
2. Details of maintenance responsibilities and any future upgrading of the reciprocal right of carriageway.
3. A minimum 8 metre wide right of carriageway for emergency access to be in favour of proposed lots 3, 4, 5, 8 and 9 and to be located along the southern boundary of proposed lots 3, 4, 5 and 8.
4. Easement to supply electricity for future infrastructure as required (width as directed by Essential Energy)

*Reason: To provide appropriate access and infrastructure to the subject lots.*

14. The accesses to proposed lots 1-6 (fronting Invergowrie Road) are to be constructed with all necessary concrete culverts and headwalls to the Armidale Engineering Design Codes in force at the commencement of works, with a bitumen seal to the property boundary. These are to be constructed to a standard approved by the Director of Infrastructure & Development and are to be at the expense of the developer.

*Reason: To provide appropriate access.*

15. The joint access to proposed Lots 8 and 9 is to be constructed including all necessary concrete culverts with headwalls, and a 5 metre wide bitumen seal from Tabulum Road for the full length of the reciprocal right of carriageway to prevent dust. This is to be constructed to a standard approved by the Director of Infrastructure & Development and is at the expense of the developer.

*Reason: To provide appropriate access.*

16. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Engineering Design Codes in force at the commencement of works, 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.*

17. Prior to the issue of a Subdivision Certificate the applicants shall provide written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of a telecommunications and electricity services.

*Reason: To ensure that subdivision is adequately serviced by utilities.*

18. The development proposal is to comply with the subdivision layout identified on the drawing titled 'Proposed Lot Layout of Valverde' being 216 Invergowrie Rd, Invergowrie NSW 2350' prepared by Croft Surveying & Mapping, referenced 181042 –DA.C, sheet 1 of 1 and dated 20 June, 2018.

*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council and to comply with Rural Fire Service conditions of consent.*

19. The developer is to provide vehicle entrances to proposed lots to the satisfaction of Council, at their own expense.

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

20. 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**

21. 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**

22. 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.*
23. 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.*
24. 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.*

**ADVISORY NOTES - GENERAL**

25. This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection2006'.
26. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
27. 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.
28. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
29. 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.
30. 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**

31. At the issue of subdivision certificate and in perpetuity, the land surrounding the existing dwelling on proposed Lot 3, for the following specified distances, shall be maintained 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';
- North, south and west for 20 metres, and
  - East for 35m, or to the boundary (whichever is the least).
32. A 20,000l fire fighting water supply must be available to the existing dwelling on proposed lot 3. Existing tank(s) may be able to be used for this purpose. The fire fighting water supply shall meet the following requirements.
- a) A hardened ground surface for fire fighting truck access is to be constructed up to and within 4 metres of the fire fighting water supply.
  - b) A 65mm metal Storz outlet with a gate or ball valve, shall be fitted to any fire fighting water supply tank(s) and be accessible for a fire fighting truck. The Storz outlet fitting shall not be located facing the hazard or the approved structure.
  - c) The gate or ball valve, pipes and tank penetration are adequate for full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material.
  - d) All associated fittings to the fire fighting water supply tank(s) shall be non-combustible.
  - e) All water supplies for fire fighting purposes shall be clearly signposted as a fire fighting water supply.
  - f) Fire fighting water supply tank(s) and associated fittings, located within 60 metres of a bushfire hazard and on the hazard side of an approved building, shall be provided with radiant heat shielding to protect the tank from bush fire impacts and maintain safe access to the water supply for fire fighters. Should new tank(s) be installed to provide an adequate fire fighting water supply, they shall meet the following additional requirements:
    - i. Any fire fighting water supply tank(s) located below ground shall be clearly delineated to prevent vehicles being driven over the tank.
    - ii. Below ground fire fighting water supply tank(s) shall have an access hole measuring a minimum 200mm x 200mm to allow fire fighting trucks to access water direct from the tank
    - iii. Fire fighting water supply tank(s) shall be located not less than 5 metres and not more than 20 metres from the approved structure.
    - iv. Above ground fire fighting water supply tank(s) are to be manufactured using non combustible material (concrete, metal, etc).
    - v. Non combustible materials (concrete, metal, etc) will only be used to elevate or raise fire fighting water supply tank(s) above the natural ground level.
    - vi. Any below ground fire fighting water supply tank(s) constructed of combustible polycarbonate, plastic, fiberglass, etc) materials shall be shielded from the impact of radiant heat and direct flame contact.

Note: Below ground dedicated fire fighting water supply tank(s) is defined as that no part of the tanks(s) is to be located above natural ground level. A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:

- i) Markers must be fixed in a suitable location so as to be highly visible; and

- ii) Markers should be positioned adjacent to the most appropriate access for the water supply.
33. In recognition that the existing dwelling, located upon proposed lot 3, may be connected to a gas supply, the following requirements are to be complied with:
- a) Reticulated or bottled gas is to be installed and maintained in accordance with the current Australian Standard AS/NZS 1596: 'The storage and handling of LP gas' and the requirements of relevant authorities. Metal piping is to be used.
  - b) All fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and be shielded on the hazard side of the installation.
  - c) Gas cylinders kept close to the building shall have release valves directed away from the building. Connections to and from gas cylinders are to be metal.
  - d) Polymer sheathed flexible gas supply lines to gas meters adjacent to building are not to be used.
34. Any alteration to the electricity supply network required to service the subdivision shall comply with either section 4.1.3 of 'Planning for Bush Fire Protection 2006' or the requirements of Essential Energy NSW.
35. The right of carriageway (ROC), proposed to be contained within the southern boundaries of lots 3, 4, 5 & 8, shall be constructed to achieve compliance with the requirements of section 4.1.3 Access (2) Property access of PBP 2006 prior to a Subdivision Certificate being released.
36. The existing dwelling on proposed Lot 3 is required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

**BACKGROUND:**

A Development Application was submitted on 5 September 2018 by Croft Surveying and Mapping for a 10 lot residential subdivision on land known as 216 Invergowrie Road, Invergowrie, being Lot 7 DP 822760. A koala habitat assessment was provided on 19 February 2019.

**REPORT:**

One submission in relation to the proposed development was received. The submission makers have requested that either:

- vegetation be planted to ameliorate possible privacy and noise impacts due to the proximity of their dwelling to proposed Lot 9, or
- the building envelope of the proposed Lot 9 be relocated.

It is not proposed to impose a condition of consent requiring either of these measures as:

- the separation of the existing dwelling of the submission makers and any dwelling sited on the proposed Lot 9 will be at least 70 metres (based on the provisions of the Uralla Development Control Plan), which presents as a not unreasonable separation distance for dwellings in a R5 Large Lot residential zone.
- the location of the building envelope appears to have been chosen to retain native vegetation, and it would be unreasonable to compel the developer to relocate it based on adjoining development, particularly in the context of both lots being a R5 Large Lot residential zone.
- Screening vegetation within the proposed Lot 9 may have to be removed to maintain the Asset Protection Zone of any approved dwelling.

- Imposition of screening conditions can fail to achieve the desired objective as the vegetation often struggles to grow / survive without maintenance, and enforcement to maintain the vegetation is problematic.

**CONCLUSION:**

This development application is being recommended for approval subject to conditions of consent.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

Nil

**2. Policy and Regulation**

*Uralla Local Environmental Plan 2012*

*Uralla Development Control Plan 2011*

*Environmental Planning & Assessment Act 1979*

**3. Financial (LTFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

**9. Disclosure of Political Donations and Gifts**

Has a Political Donations Disclosure Statement been received in relation to this application? Yes

Political Donation Disclosure Statement register details N/A

Have staff received a gift or benefit from anyone involved in this application that needs to be disclosed? No

Gift and benefits register details N/A

Prepared by staff member: Matt Clarkson, Manager of Development and Planning  
 TRIM Reference Number: UINT/19/1678  
 Approved/Reviewed by Manager: Terry Seymour, Director of Infrastructure and Development  
 Department: Infrastructure and Development  
 Attachments: Attachment A - Site plan  
 Attachment B - Development Assessment Report  
 Attachment C - Redacted submission  
 Attachment D - Annotated aerial photograph showing minimum dwelling separation in relation to submission



COUNCIL BUSINESS PAPER - 26 MARCH 2019



**Notes**

1. The location of the boundaries and offsets are an opinion based on the current available facts. No responsibility can be taken for changes in boundary locations which may occur due to subsequent surveys of adjacent lands.
2. Areas and dimensions are indicative only, and subject to final title survey registration with NSW Lands Registry.
3. Aerial image overlay ©LPI SIX Maps. Position is indicative only.

RR: 1:200 @ A3  
 Datum: N/A  
 Origin: N/A  
 RL: N/A  
 Contour: N/A

Date: 20.06.18  
 Ref: 181042 - DA.C  
 Surveyor: Michael Croft  
 Drawn: SB  
 Sheet: 1 of 1

**PROPOSED LOT LAYOUT OF "VALVERDE"**  
 LOTS 4, 6 & 7 DP822760  
 216 Invergowrie Rd, INVERGOWRIE NSW 2350

Client: Mr B Fardell



# Development Assessment Report

**DA Number:** DA-48-2018 **Council:** Uralla Shire Council  
**Location:** 216 Invergowrie Road INVERGOWRIE  
**Development Description:** 3 Lots into 10 Lot Subdivision  
**Title Details:** Lot: 7 DP: 822760, Lot: 6 DP: 822760, Lot: 4 DP: 822760

## Property Details/History

	Checked	Comments
<b>File History</b>	No	Not relevant to the application.
<b>Title Plan</b>	Yes	
<b>Check Ownership</b>	Yes	

## Application Type

**Is this application an Integrated Development Application?** Yes  
**Is this application a staged Development?** No  
**Is it a BASIX affected development?** No

## Concurrence/Referral

*Section 4.13 – EP & A Act*

**Does this application require concurrence or referral?** Yes  
**Is there any other issue that requires notation?** No  
**Does this application require referral for decision by Council?** Yes

Department	Referral	Response Received	Comments/Issues Raised
NSW RFS	Yes	Yes	Conditions supplied 13 November 2018.

## Local Environmental Plan

*Section 4.15(1)(a)(i) – EP & A Act*

**This land is zoned:** **R5 Large Lot Residential**

### List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	The subdivision is permissible with consent.

**Is there a draft LEP or draft LEP amendment which may affect this proposal?** No

## Development Control Plan

Section 4.15(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal?

Yes

Chapter	Compliance	Comment
2	Yes	<ul style="list-style-type: none"><li>All weather access is available.</li><li>Vegetation should be largely retained.</li><li>Sight distances appear acceptable.</li></ul>

Is there a draft DCP which may affect this proposal?

No

## Regional Environmental Plan

The proposal is not inconsistent with the New England North West Regional Plan.

## State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

### List all relevant SEPPs

SEPP	Compliance	Comment
State Environmental Planning Policy No 44— Koala Habitat Protection	Yes	A report has been supplied by David Carr of Stringybark Ecological dated 12 February 2019 which states that the site is not core koala habitat.

## Subdivision

Is this application for subdivision?

Yes

How many new lots are being created?

7

## Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential environmental impacts?

Yes

	Impact	Comment
Siting & Configuration	Yes	A submission has been received regarding privacy .See below.

## Environmental Impacts – Threatened Species

Section 4.15(1)(b) – EP & A Act

Has a Threatened Species Impact Assessment been prepared?  
threatened species are indicated on the BioNet Vegetation Map.

Yes. Koala habitat only. No

## Environmental Impacts – Heritage

*Section 4.15(1)(b) – EP & A Act*

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	
Aboriginal	No	

## Flooding

*Section 4.15(1)(b) – EP & A Act*

Is this property flood affected? No

## Bush Fire Prone Land

*Section 4.15(1)(b) – EP & A Act*

Is this property bush fire prone as per the Bush Fire Prone Map? Yes. Partially.

Category: Category1/Buffer

Comment: RFS consent conditions have been incorporated.

## Contaminated Land

*Section 4.15(1)(b) – EP & A Act*

Has this land been identified as being contaminated land by Council? No

## Infrastructure

Has an engineering assessment been completed? No

Does this proposal have any potential infrastructure impacts? No

Does the development require any new easements? No

## Construction Assessment

Is a construction assessment required? No

## Section 68 Assessment

*Section 68 – LGA Act*

Is a section 68 approval required? No

## Developer Contributions

Section 7.11 – EP & A Act

Does this proposal require any Developer Contribution? Yes

Is the contribution for a subdivision? Yes

Contribution Plan	Levy (per lot)	Rate (\$)
Invergowrie	Sealing Main Traffic Routes	\$1,793.00
	Provision of Community Buildings	\$659.00
	Recoupment of Study & Investigation Costs Relating to Development	\$814.00
	Provision of Fire Fighting Equipment	\$239.00
	Recoupment of a Type "B" Intersection on Bundarra Road	\$186.00
	<b>Total for 18/19 Financial Year</b>	<b>\$3,691.00</b>

Is there any other issue that requires notation? No

## Signage

Does this proposal require signage? No

## Notification

Section 4.15(1)(d) – EP & A Act

Was this application notified? Yes

Is this application an advertised development application? No

Were there any written submissions received? Yes

If Yes, what was the number of submissions received? 1

Submission Maker	Issue	Comment
Jimmy and Marinda Piddington	Privacy / noise	<p>The submission makers have requested that either:</p> <ul style="list-style-type: none"> <li>• vegetation be planted to ameliorate possible privacy and noise impacts due to the proximity of their dwelling to proposed Lot 9, or</li> <li>• the building envelope of the proposed Lot 9 be relocated.</li> </ul> <p>It is not proposed to impose a condition of consent requiring either of these measures as:</p> <ul style="list-style-type: none"> <li>• the separation of the existing dwelling of the submission makers and any dwelling sited on the proposed Lot 9 will be at least 70 metres (based on the provisions of the Uralla Development Control Plan), which presents as a not unreasonable separation distance for dwellings in a R5 Large Lot residential zone.</li> <li>• the location of the building envelope appears to have been chosen to retain native vegetation, and it would be unreasonable to compel the developer to relocate it based on adjoining development, particularly in the context of both lots being a R5 Large Lot residential zone.</li> <li>• Screening vegetation within the proposed Lot 9 may have to be removed to maintain the Asset Protection Zone of any approved dwelling.</li> <li>• Imposition of screening conditions can fail to achieve the desired objective as the vegetation often struggles to grow / survive without maintenance, and enforcement to maintain the vegetation is problematic.</li> </ul>

### Section 88b Instrument

**Does Council require a Section 88b instrument to be prepared?** Yes

### Public Interest

*Section 79c(1)(e) – EP & A Act*

**Does this proposal have any construction or safety issues?** No

### Site Suitability

*Section 4.15(1)(c) – EP & A Act*

**Is this a suitable site for this proposal** Yes

### Assessing Officer General Comment

#### **ASSESSMENT – KEY ISSUES**

While it is conceded that the proposed development may have some amenity impacts, the area is zoned R5 Large Lot Residential, hence there is a reasonable expectation that this type of development should be approved. The application has been assessed against the provisions of:

- The Environmental Planning & Assessment Act 1979,
- The Environmental Planning and Assessment Regulation 2000,
- State Environmental Planning Policy (Rural Lands) 2008,
- The Uralla Local Environmental Plan 2012, and
- The Uralla Development Control Plan 2011.

## Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

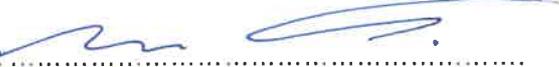
## Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

No

Signed:  .....

**Matt Clarkson, Manager of Development and Planning**

**Date: 13.3.2013**

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

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

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

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

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

### **Erection of signs**

**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.

## GENERAL CONDITIONS

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

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

7. 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.*

8. 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 SUBDIVISION CERTIFICATE

9. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services for which Council is satisfied that the proposed development is likely to create a demand (as detailed in the attached schedule) is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.

*The Section 94 Contribution is currently \$3,691.00 in the 2018/19 financial year for each applicable lot. This is applicable for 7 lots.*

*Reason: To ensure compliance with Uralla Shire Council Section 94 contributions plans and the provision of adequate infrastructure.*

10. 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.

*Reason: To ensure provision of appropriate documentation.*

11. Prior to the issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e. electricity and telecommunications are 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.*

12. That ten lots are created by the subdivision of Lot 7, DP 822760, eight of around 2 hectares, one of around 2.2 hectares, and one of around 2.5 hectares.

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

13. The creation by the developer, under Section 88B of the Conveyancing Act, an instrument to provide for:
1. A minimum 10 metre wide reciprocal right of carriageway for property access to in favour of proposed lots 8 and 9 and to be located along the north- south inner boundaries of proposed lots 7 and 10.
  2. Details of maintenance responsibilities and any future upgrading of the reciprocal right of carriageway.
  3. A minimum 8 metre wide right of carriageway for emergency access to be in favour of proposed lots 3, 4, 5, 8 and 9 and to be located along the southern boundary of proposed lots 3, 4, 5 and 8.
  4. Easement to supply electricity for future infrastructure as required (width as directed by Essential Energy)

*Reason: To provide appropriate access and infrastructure to the subject lots.*

14. The accesses to proposed lots 1-6 (fronting Invergowrie Road) are to be constructed with all necessary concrete culverts and headwalls to the Armidale Engineering Design Codes in force at the commencement of works, with a bitumen seal to the property boundary. These are to be constructed to a standard approved by the Director of Infrastructure & Development and are to be at the expense of the developer.

*Reason: To provide appropriate access.*

15. The joint access to proposed Lots 8 and 9 is to be constructed including all necessary concrete culverts with headwalls, and a 5metre wide bitumen seal from Tabulum Road for the full length of the reciprocal right of carriageway to prevent dust. This is to be constructed to a standard approved by the Director of Infrastructure & Development and is at the expense of the developer.

*Reason: To provide appropriate access.*

16. All engineering works to be designed by an appropriately qualified person and carried out in accordance with Armidale Engineering Design Codes in force at the commencement of works, 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.*

17. Prior to the issue of a Subdivision Certificate the applicants shall provide written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of a telecommunications and electricity services.

*Reason: To ensure that subdivision is adequately serviced by utilities.*

18. The development proposal is to comply with the subdivision layout identified on the drawing titled 'Proposed Lot Layout of Valverde' being 216 Invergowrie Rd, Invergowrie NSW 2350' prepared by Croft Surveying & Mapping, referenced 181042 –DA.C, sheet 1 of 1 and dated 20 June, 2018.

*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council and to comply with Rural Fire Service conditions of consent.*

19. The developer is to provide vehicle entrances to proposed lots to the satisfaction of Council, at their own expense.

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

20. 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**

21. 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**

22. 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.*

23. 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.*

24. 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.*

## **ADVISORY NOTES - GENERAL**

25. This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.
26. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
27. 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.
28. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
29. 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.

30. 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***

31. At the issue of subdivision certificate and in perpetuity, the land surrounding the existing dwelling on proposed Lot 3, for the following specified distances, shall be maintained 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';
- North, south and west for 20 metres, and
  - East for 35m, or to the boundary (whichever is the least).
32. A 20,000l fire fighting water supply must be available to the existing dwelling on proposed lot 3. Existing tank(s) may be able to be used for this purpose. The fire fighting water supply shall meet the following requirements.
- a) A hardened ground surface for fire fighting truck access is to be constructed up to and within 4 metres of the fire fighting water supply.
  - b) A 65mm metal Storz outlet with a gate or ball valve, shall be fitted to any fire fighting water supply tank(s) and be accessible for a fire fighting truck. The Storz outlet fitting shall not be located facing the hazard or the approved structure.
  - c) The gate or ball valve, pipes and tank penetration are adequate for full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material.
  - d) All associated fittings to the fire fighting water supply tank(s) shall be non-combustible.
  - e) All water supplies for fire fighting purposes shall be clearly signposted as a fire fighting water supply.
  - f) Fire fighting water supply tank(s) and associated fittings, located within 60 metres of a bushfire hazard and on the hazard side of an approved building, shall be provided with radiant heat shielding to protect the tank from bush fire impacts and maintain safe access to the water supply for fire fighters. Should new tank(s) be installed to provide an adequate fire fighting water supply, they shall meet the following additional requirements:
    - a) Any fire fighting water supply tank(s) located below ground shall be clearly delineated to prevent vehicles being driven over the tank.
    - b) Below ground fire fighting water supply tank(s) shall have an access hole measuring a minimum 200mm x 200mm to allow fire fighting trucks to access water direct from the tank
    - c) Fire fighting water supply tank(s) shall be located not less than 5 metres and not more than 20 metres from the approved structure.
    - d) Above ground fire fighting water supply tank(s) are to be manufactured using non combustible material (concrete, metal, etc).
    - e) Non combustible materials (concrete, metal, etc) will only be used to elevate or raise fire fighting water supply tank(s) above the natural ground level.
    - f) Any below ground fire fighting water supply tank(s) constructed of combustible polycarbonate, plastic, fiberglass, etc) materials shall be shielded from the impact of radiant heat and direct flame

contact.

Note: Below ground dedicated fire fighting water supply tank(s) is defined as

that no part of the tanks(s) is to be located above natural ground level. A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:

- i) Markers must be fixed in a suitable location so as to be highly visible; and
- ii) Markers should be positioned adjacent to the most appropriate access for the water supply.

33. In recognition that the existing dwelling, located upon proposed lot 3, may be connected to a gas supply, the following requirements are to be complied with:
  - a) Reticulated or bottled gas is to be installed and maintained in accordance with the current Australian Standard AS/NZS 1596: 'The storage and handling of LP gas' and the requirements of relevant authorities. Metal piping is to be used.
  - b) All fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and be shielded on the hazard side of the installation.
  - c) Gas cylinders kept close to the building shall have release valves directed away from the building. Connections to and from gas cylinders are to be metal.
  - d) Polymer sheathed flexible gas supply lines to gas meters adjacent to building are not to be used.
34. Any alteration to the electricity supply network required to service the subdivision shall comply with either section 4.1.3 of 'Planning for Bush Fire Protection 2006' or the requirements of Essential Energy NSW.
35. The right of carriageway (ROC), proposed to be contained within the southern boundaries of lots 3, 4, 5 & 8, shall be constructed to achieve compliance with the requirements of section 4.1.3 Access (2) Property access of PBP 2006 prior to a Subdivision Certificate being released.
36. The existing dwelling on proposed Lot 3 is required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

**END**

---

**From:**  
**Sent:** Thursday, 27 September 2018 4:12 PM  
**Subject:** DA-48-2018 Submission

To Whom it may concern,

I am writing an objection submission regarding a DA application... DA-48-2018, 216 Invergowrie rd Invergowrie... lot 9 DP 822760.

We feel the building envelope for lot 9 is too close to our dwelling at \_\_\_\_\_ and will have an impact on our privacy and that noise will be of concern.

We ask that a row of trees or shrubs be planted to aid in privacy and reduce noise, or that the Building Envelope be assigned to a different area of the block.

I am aware that my submission is late but this is due to us not receiving our copy of the DA letter. I spoke with Linda in regards to finding out about this subdivision which we found out about off a neighbour on 19th Sept. An emailed copy was sent to us on the 19th and i rang Linda in response to this on 25th, a meeting was in progress and Linda got in contact with me today the 27th and suggested i put my objection in writing.

Please consider our small ask.

Kimd regards  
Jimmy and Marinda Piddington

Sent from my Samsung Mobile on the Telstra Mobile Network

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This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

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**Attachment D – Aerial photograph showing minimum distance between submission makers’ dwelling and any possible dwelling on the proposed Lot 9.**





## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	<i>Senior Executive Officer</i>
<b>Reference/Subject:</b>	<b>Report 16 – Country Mayors Association - Minutes of the Meeting held 8 March 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Objective:</b>	4.1	A strong, accountable and representative Council
<b>Strategy:</b>	4.1.4	Provide strong representation for the community at the regional, state and federal levels
<b>Activity:</b>	4.1.4.1	Maintain effective partnerships and advocacy activities

### SUMMARY:

The purpose of this report is to provide Council with the minutes from the general meeting of the Country Mayors Association of New South Wales held 8 March 2019.

### OFFICER'S RECOMMENDATION:

**That Council receive and note the minutes of the Country Mayors Association of New South Wales meeting held 8 March 2019.**

### REPORT:

The Country Mayors Association of New South Wales held a general meeting on Friday, 8 March 2019. Mayor Michael Pearce was in attendance.

The minutes of the meeting are attached. Matters discussed included:

- Presentation by Richard Colbran, Chief Executive Officer of NSW Rural Doctors Network
- Closing of Target Stores in Country Towns
- Sustainable Renewable Energy Projects
- Defined Benefits Scheme

Prepared by staff member:	Gabrielle Stratton, Senior Executive Officer
TRIM Reference Number:	UINT/19/1733
Approved/Reviewed by Manager:	Andrew Hopkins, General Manager
Department:	General Manager's Office
Attachments:	A. Minutes of the Country Mayors Association Meeting held 8 March 2019



# Country Mayors Association of NEW SOUTH WALES

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

## MINUTES

### GENERAL MEETING

FRIDAY, 8 MARCH 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 8.30 a.m.

#### 1. ATTENDANCE:

Armidale Regional Council, Cr Simon Murray, Mayor  
Bathurst Regional Council, Cr Graeme Hanger, Mayor  
Bega Valley Shire Council, Cr Kristy McBain, Mayor  
Bellingen Shire Council, Cr Dominic King, Mayor  
Bland Shire Council, Mr Ray Smith, General Manager  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Blayney Shire Council, Ms Tiffany Irlam, Chief Financial Officer  
Broken Hill City Council, Cr Marion Prowne, Deputy Mayor  
Broken Hill City Council, Mr Jay Nankivell, Acting General Manager  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Ms Heather Nicholls, Acting General Manager  
Carrathool Shire Council, Cr Peter Laird, Mayor  
Carrathool Shire Council, Mr, Rick Warren General Manager  
Cessnock City Council, Cr Bob Pynsent, Mayor  
Coffs Harbour City Council, Cr Denise Knight, Mayor  
Coffs Harbour City Council, Mr Stephen McGrath, General Manager  
Coolamon Shire Council, Cr John Seymour, Mayor  
Coolamon Shire Council, Mr Tony Donoghue, General Manager  
Coonamble Shire Council, Cr Allan Karanouh, Mayor  
Cootamundra-Gundagai Regional Council, Cr Abb McAlister, Mayor  
Cootamundra-Gundagai Regional Council, Mr Phillip McMurray, Acting General Manager  
Cowra Shire Council, Cr Bill West, Mayor  
Cowra Shire Council, Cr Ruth Fagan  
Cowra Shire Council, Mr Paul Devery, General Manager  
Dubbo Regional Council, Cr Ben Shields. Mayor  
Dubbo Regional Council, Cr Greg Mohr  
Dubbo Regional Council, Mr Michael McMahan, CEO

Dungog Shire Council, Cr Tracy Norman, Mayor  
Federation Council, Cr Patrick Bourke, Mayor  
Federation Council, Cr Shaun Whitechurch, Deputy Mayor  
Federation Council, Mr Adrian Butler, General Manager  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Gilgandra Shire Council, Cr Doug Batten, Mayor  
Gilgandra Shire Council, Mr David Neeves, General Manager  
Glen Innes Shire Council, Cr Carol Sparkes, Mayor  
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor  
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager  
Griffith City Council, Cr John Dal Broi, Mayor  
Griffith City Council, Mr Brett Stonestreet, General Manager  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gunnedah Shire Council, Mr Eric Growth, General Manager  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir Shire Council, Mr Max Eastcott, General Manager  
Hilltops Council, Cr Brian Ingram, Mayor  
Inverell Shire Council, Cr Paul Harmon, Mayor  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager  
Kiama Municipal Council, Cr Mark Honey, Mayor  
Kyogle Council, Cr Danielle Mulholland, Mayor  
Kyogle Council, Mr Graham Kennett, General Manager  
Leeton Shire Council, Cr Paul Maytom, Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Ray Thompson, Mayor  
Lithgow City Council, Mr Graeme Faulkner, General Manager  
Liverpool Plains Shire Council, Cr Andrew Hope, Mayor  
Liverpool Plains Shire Council, Mr Ron Van Katwick, General Manager  
Lockhart Shire Council, Cr Roger Schirmer, Mayor  
Lockhart Shire Council, Mr Peter Veneris, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Moree Plains Shire Council, Mr Lester Rogers, General Manager  
Murrumbidgee Council, Cr Ruth McRae, Mayor  
Murrumbidgee Council, Mr John Scarce, General Manager  
Narrabri Shire Council, Cr Catherine Redding, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Narromine Shire Council, Cr Craig Davies, Mayor  
Oberon Shire Council, Cr Kathy Sajowitz, Mayor  
Oberon Shire Council, Mr Garry Wallace, General Manager  
Orange City Council, Cr Reg Kidd, Mayor  
Parkes Shire Council, Cr Barbara Newton, Deputy Mayor  
Port Stephens Council, Cr Ryan Palmer, Mayor  
Port Stephens Council, Cr Sarah Smith, Deputy Mayor  
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Singleton Council, Cr Sue Moore, Mayor  
Snowy Valleys Council, Cr James Hayes, Mayor  
Temora Shire Council, Cr Rick Firman, Mayor  
Upper Lachlan Shire Council, Cr John Stafford, Mayor  
Upper Lachlan Shire Council, Mr John Bell, General Manager

Uralla Shire Council, Cr Michael Pearce, Mayor  
Wagga Wagga City Council, Cr Greg Conkey, Mayor  
Walcha Council, Cr Eric Noakes, Mayor  
Warrumbungle Shire Council, Cr Denis Todd, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
Wentworth Shire Council, Cr Melissa Hendrics, Mayor  
Yass Valley Council, Cr Rowena Abbey, Mayor  
Yass Valley Council, Ms Sharon Hutch, General Manager  
LGNSW, Cr Linda Scott, President

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

Mr Richard Colbran, Chief Executive Officer, NSW Rural Doctors Network

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

RESOLVED that the minutes of the General Meeting held on 2 November 2018 be accepted as a true and accurate record (Singleton Council Council / Blayney Shire Council).

**3. Matters Arising from the Minutes**

NIL

**4. RICHARD COLBRAN, CHIEF EXECUTIVE OFFICER, NSW RURAL DOCTORS NETWORK**

The issues around the health workforce are serious and important. The State is struggling with sustaining a workforce in rural NSW. We cannot run away from the fact that communities need to be engaged and in this councils have a role to play. Eighty percent of funds are allocated to crisis issues and we ask councils to engage the network in their local issues. Drought has increased the workload of rural doctors and these doctors need support. "Rural Health Together" has been launched to assist health workers. There are scholarships and grant opportunities of \$3.5 million available but doctors don't have the time to participate. There is a need to encourage young doctors to go to the bush and any work experience in country towns needs to be a great experience.

**5. Membership**

RESOLVED that Port Stephens Council and Wentworth Shire Council be admitted as members of the Association (Shoalhaven City Council / Singleton Council)

**6. CORRESPONDENCE**

Outward

- (a) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage requesting that Country Mayors be part of the review of the EPA's Waste to Energy Policy
- (b) Mr Ken Gillespie, Regional Infrastructure Coordinator thanking him for his service and friendship and wishing him well in his future endeavours
- (c) Mr David Smith, Chief Executive Officer, Local Government Super, advising that the Boards decision to continue with additional contributions for the Defined Benefit Plan is unacceptable to our member councils
- (d) The Hon Gladys Berejiklian, Premier, advising that the Country Mayors Association supports the "Southern Lights" project and supporting funding for the project
- (e) Mr Michael Daley MP, NSW Leader of the Opposition advising that the Country Mayors Association supports the "Southern Lights" project and supports funding for the project
- (e) Mr David Salisbury, Executive Manager Engineering, Essential Energy, thanking for his presentation to the 2 November meeting
- (f) Mr Alex Young, Director, Community and Behavioural Change, MSW Environment Protection Authority thanking him for his presentation to the 2 November meeting
- (g) Mr Simon Draper, Secretary Department of Industry, thanking him for his presentation to the 2 November meeting
- (h) To all Regional and Rural Councils, requesting councils to give consideration to financially supporting the Waste to Energy feasibility study

#### Inward

- (a) Hon Gladys Berejiklian MP, Premier, advising avenues available for the Southern Lights proposal
  - (b) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage regarding the Waste to Energy policy review
  - (c) Cr Linda Scott, President, LGNSW, regarding the Defined Benefits Scheme contributions and the appointment of a skills based board
  - (d) Dr Liz Develin, Deputy secretary, Energy, water and Portfolio Strategy, NSW Department of Planning and Environment, regarding funding contributions from solar farms
  - (e) Simon Draper, Secretary, Department of Industry, responding to questions asked at the 2 November meeting
  - (f) Councils advising that they are unable to contribute to the Waste to Energy feasibility study
  - (g) Bathurst Regional council advising that they are prepared to contribute \$5,000 to the Waste to Energy feasibility study
  - (h) Glen Innes Severn Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
  - (i) Cr Susai Benjamin, Blacktown city Council wanting a dialogue of interested rural Mayors to discuss the employment opportunities in rural areas of NSW as a few Country Mayors have expressed frustration by local businesses in being able to get workers
  - (j) Murray River Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
- NOTED

## 7. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Forbes Shire Council / Lockhart Shire Council)

**8. Closing of Target Stores in Country Towns**

Target are closing stores in a number of towns in country NSW. Those councils affected are to meet at the conclusion of today's meetings to organize a united opposition.

**9. Sustainable Renewable Energy Projects**

RESOLVED that a motion urging both the Federal and State Governments to support sustainable renewable energy projects and asking the State Government to amend legislation to allow Local Government the opportunity to develop renewable energy projects be referred to the next meeting for discussion. (Lockhart Shire Council / Cowra Shire Council)

**10. DEFINED BENEFITS SCHEME**

RESOLVED That the Country Mayors Association have further consultation with Local Government Super regarding the Defined Benefits Scheme contributions and the matter be referred to the next meeting together with reports from Goulburn Mulwaree Council and LGNSW (Goulburn Mulwaree Council / Hilltops Council)

There being no further business the meeting closed at 9.25am.

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



## REPORT TO COUNCIL

<b>Department:</b>	<b>General Manager's Office</b>
<b>Submitted by:</b>	<i>Senior Executive Officer</i>
<b>Reference/Subject:</b>	<b>Report 17 – Minutes of Bundarra School of Arts Hall s355 Committee</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	4.3	Deliver the goals and strategies of the Community Strategic Plan.
Strategy:	4.3.1	Resource the organisation of Council adequately to provide the services and support functions required to deliver the goals and strategies detailed in this plan.
Activity:	4.3.1.1	Enhance the effectiveness of Council resourcing strategies and practices.

### SUMMARY:

The purpose of this report is to provide Council with the minutes from the 6<sup>th</sup> February 2019 meeting of the Bundarra School of Arts Hall s355 Committee.

### OFFICER'S RECOMMENDATION:

***That Council receive and note the 6<sup>th</sup> February 2019 Minutes of the Bundarra School of Arts Hall s355 Committee.***

### REPORT:

The Bundarra School of Arts Hall Committee met on 6<sup>th</sup> February 2019. Cr Bob Crouch, Cr Natasha Ledger and the General Manager were in attendance.

Key matters discussed included (minutes attached):

- Collection of computers to be removed from the hall.
- Request for formal update on sewerage scheme.
- Key issues around water treatment and current boil water alert.
- Responsibility of hall renting/caravan letting and receipting of same.
- Funding for upgrades at the Bundarra Sport and Rec Club.
- Funding allocation for 1.8 km of road works north of the town bridge.
- Need of a traffic survey since the opening of the new Emu Bridge.

The next meeting of the Bundarra School of Arts Hall Committee will be held Wednesday, 17<sup>th</sup> April 2019.

Prepared by staff member:	Gabrielle Stratton, Senior Executive Officer
TRIM Reference Number:	UINT/19/1737
Approved/Reviewed by Manager:	General Manager
Department:	General Manager's Office
Attachments:	A. 6 <sup>th</sup> February 2019 Minutes of Bundarra School of Arts Hall s355 Committee

## **BUNDARRA SCHOOL OF ARTS HALL (355) COMMITTEE**

**6<sup>th</sup> February 2019**

Meeting opened 6.30pm

**APOLOGIES.** Terry Seymour. Kristi Jenkin

### **PRESENT:**

Darrell Franklin, Bob Crouch (USC). Theresa Layton .John Layton. Natasha Ledger (USC)  
David Lowell. Dawn Franklin. Jeffrey Dezius. Andrew Hopkins (USC General Manager)  
Mick Jukes

### **DECLARATION OF INTERESTS**

Nil

### **MINUTES OF THE PREVIOUS MEETING**

Minutes of the previous meeting read

Moved Theresa Layton. Seconded David Lowell

Accepted.

### **BUSINESS ARISING:**

-  **Computers to be disposed have not be collected.**
-  **The work that was tabled at last meeting is still to be done. Council has this in hand**
-  **Sewerage Treatment Site decided.**
-  **A request to have a formal update on the sewerage has been requested as some residents did not understand the letter sent by Council updating the work and requesting resident to sign and return**
-  **Mick Jukes addressed the meeting and raised objection to the sewerage work, stating that he has not received enough information on the proposal. Mick said that he had contacted Council 4 times and had not received a reply. General Manager Andrew Hopkins will have a member of the team contact M Jukes next week to discuss his concerns.**

**At this point in time the priority for Council is repairing the water treatment problem.**

**A public meeting/information night was suggested.**

**For any information re the sewerage information is available on the Council Web site.**

### **CORRESPONDENCE IN:**

**Water Treatment USC**

**Gabbi Gubin. Thank you letter and certificate to committee**

### **CORRESPONDENCE OUT**

**Nil**

## **TREASURERS REPORT**

**Not available.**

### **General Business**

**Natasha Ledger reported that a Kerbside pick up for household/building materials etc has been approved. She will confirm this with Terry Seymour when he returns from leave.**

**Theresa Layton and Melissa Lowell will share the responsibility of hall renting/caravan letting and money collecting. Melissa will take the bookings and Theresa will collect and receipt the monies.**

**Bundarra has received funding of \$195,000 towards upgrading facilities at the Bundarra Sport and Rec Club. New toilets and showers. However we were unsuccessful in obtaining funding for the Multi Purpose Complex (tennis court, basketball and cricket pitch) as a telephone survey to some residents did not identify this as a priority.**

**Funding has been allocated for road works north of the town bridge, 1.8 klms.**

**John Layton addressed the need for a traffic survey which had been addressed at a previous meeting, as there has been an increase in the volume of traffic travelling through Bundarra since the opening of the new Emu Bridge. Andrew will make enquiries.**

**There being no further business the meeting closed at 7.20pm**

**Next meeting 17<sup>th</sup> April 2019**



## REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	<i>Environmental Management Coordinator</i>
<b>Reference/Subject:</b>	<b>Report 18 – Summary for the New England Weeds Authority Ordinary Meeting in February 2019</b>

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3.1	To preserve, protect and review our beautiful natural environment
<b>Strategy:</b>	3.1.4	Raise community awareness of environmental and biodiversity issues
<b>Activity:</b>	3.1.4.1	Provide bush regeneration activities and information
<b>Action:</b>	3.1.4.1.2	Implement the bush regeneration strategy and action plan

### SUMMARY:

This report will provide a summary of the New England Weeds Authority Ordinary Meeting in February 2019.

### OFFICER'S RECOMMENDATION:

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

### BACKGROUND:

The New England Tablelands (Noxious Plants) County Council trades and operates as New England Weeds Authority (NEWA). NEWA activities are governed by two overarching legislative Acts; the *NSW Biosecurity Act 2015* and the *NSW Local Government Act 1993*.

NEWA operates on behalf of its constituent Councils; Armidale Regional, Uralla Shire and Walcha Councils. NEWA assigns a District Biosecurity Officer to manage weeds across the Local Government Area of its constituents.

Constituent Councils are responsible for providing financial support on an annual basis for services provided by NEWA.

### REPORT:

A summary of the key issues relative to Council operations are provided below.

- The New England County Council Chairman attended the Annual Local Government Conference in Albury in October 2018. During the conference a motion was sought to increase funding for the implementation of the *Biosecurity Act 2015*.

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

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- NEWA has been advised that funding for the Weeds Action Program has been increased by 7.5%.
- The Chairman notes that few complaints regarding NEWA staff activities have been received and extends thanks to staff.
- Council resolved a motion that NEWA as a County Council write to the New England Joint Organisation requesting the cost of joining and what NEWA needs to do should it consider membership.

The New England Tablelands Noxious Plants County Council holds ordinary meetings on a bi-monthly basis. The minutes for the October Ordinary meeting are included as an attachment to this report.

**CONCLUSION:**

The New England Tablelands Noxious Plants County Council holds ordinary meetings on a bi-monthly basis. The minutes for the February 2019 Ordinary meeting are included as an attachment to this report.

**COUNCIL IMPLICATIONS:**

**1. Community Engagement/ Communication (per engagement strategy)**

N/A

**2. Policy and Regulation**

Nil

**3. Financial (LTFFP)**

Nil

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Council will continue to liaise with the New England Weeds Authority Senior Biosecurity Officer (Weeds) to ensure priority weed management areas identified in Council annual work programs are achieved.

Prepared by staff member:	Environmental Management Coordinator
TRIM Reference Number:	UINT/19/1529
Approved/Reviewed by Manager:	Director of Infrastructure & Development
Department:	Infrastructure & Development
Attachments:	Attachment 1 - Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council for February 2019.

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND TABLELANDS (NOXIOUS PLANTS) COUNTY COUNCIL HELD IN THE ARMIDALE OFFICE, 129 RUSDEN STREET, ARMIDALE ON TUESDAY, 19 FEBRUARY 2019 COMMENCING AT 8:30AM.**

**PRESENT:** Councillor M Dusting - Chairperson, Councillor S Kermode Councillor A Murat Councillor J Galletly and Councillor L Martin.

**IN ATTENDANCE:** General Manager Mr J Duggan and Senior Weeds Officer Mr J Browning.

**APOLOGIES:** Nil

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CONFIRMATION OF MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 16 OCTOBER 2019.**

**1/19 RESOLVED** on the motion of Councillors Murat and Martin that the Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 16 October 2018, copies of which have been distributed to all members, are taken as read and confirmed a true record.

**BUSINESS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 16 OCTOBER 2018.**

There were no matters arising.

**CHAIRMAN'S REPORT**

As this is the first meeting of the new year, let me wish all our Councillors and staff a very happy and prosperous new year.

During October last year I had the opportunity to represent Council at the Local Government Annual Conference in Albury. It was good to hear from the Minister for Local Government and other dignitaries. Some of the interesting motions sought to extend the term of a County Council Chair to 2 years, and to increase funding for the implementation of the Biosecurity act 2015.

I attended the joint meeting of NTRWC and NWRWC at Lake Keepit in November. It is dryer now than when we were there. I also attended the meeting of the NTRWC on Feb 5 and we raised an issue to the state weeds committee that we do not want administrative and reporting requirements to take away from on-ground works.

We have also been advised that our WAP funding will increase this year by 7.5%. A detailed report is included in the agenda.

The drought continues to be problematic for our communities and the need for ongoing rain intensifies. I am experiencing very few complaints about our activities and the job we are doing so I want to thank the councillors and staff for a job well done.

**1. NORTHERN TABLELANDS NSW WEEDS ACTION PROGRAM 2015-2020  
SUB-REGIONAL PROGRAM-FUNDING DEED CONTRACT FOR  
REGIONAL SERVICES (ITEM 7.1.1)**

**2/19 RESOLVED** on the motion of Councillors Galletly and Kermode that the report on the Funding Deed Contract NT00590 between the Northern Tablelands Local Land Services and Council for the provision of regional Coordination Services on behalf of the Northern Tablelands Local Land Services under the Northern Tablelands NSW Weeds Action Program 1520 Regional Sub-Program for the financial year 2018/19 be received and noted.

**2. STATECOVER WORKERS COMPENSATION AND WORK HEALTH &  
SAFETY ANNUAL REPORT (ITEM 7.1.2)**

**3/19 RESOLVED** on the motion of Councillors Martin and Kermode that the report on the 2017/18 Workers Compensation and Work Health and Safety Annual Report, the Work Health and Safety Incentive Program be received and noted.

**3. GRIEVANCE POLICY (ITEM 7.1.3)**

**4/19 RESOLVED** on the motion of Councillors Galletly and Murat that the NEWA Grievance Policy No: 01/19, as attached to the report, be adopted.

**4. CODE OF CONDUCT (ITEM 7.1.4)**

**5/19 RESOLVED** on the motion of Councillors Kermode and Galletly that:

1. That Council adopt the New England Weeds Authority Code of Conduct and the Procedures for the Administration of the New England Weeds Authority Code of Conduct, as attached to the report.
2. That Council appoint the Project/Admin Officer as Complaints Coordinator.
3. That Council adopt the following persons as its conduct review panel.

- Monica Kelly, Prevention Partners NSW  
0438 280 621  
[enquiry@preventionpartnersnsw.com](mailto:enquiry@preventionpartnersnsw.com)
- Kath Roach, SINC Solutions Pty Ltd  
0414 193 755  
[solutions@sincolutions.com.au](mailto:solutions@sincolutions.com.au)
- Linda Pettersen, Linda Pettersen Consulting Pty Ltd  
0413 552 155

[linda.petterson@iinet.net.au](mailto:linda.petterson@iinet.net.au)

• Emma Broomfield, Locale Consulting  
0421 180 881

[emma@localeconsulting.com.au](mailto:emma@localeconsulting.com.au)

• Belinda Nolan, Pinnacle Integrity  
0419 472 133

[b.nolan@pinnacleintegrity.com.au](mailto:b.nolan@pinnacleintegrity.com.au)

• Shane White, Pinnacle Integrity  
0439 485 428

[s.white@pinnacleintegrity.com.au](mailto:s.white@pinnacleintegrity.com.au)

• Andrew Hedges, LKA Group Pty Ltd  
1300 139 321

[sydney@lkagroup.com.au](mailto:sydney@lkagroup.com.au)

• Greg Wright, Wright Associates  
0418 225 027

[greg.wright@wrightassociates.com.au](mailto:greg.wright@wrightassociates.com.au)

## **5. ENTERPRISE RISK MANAGEMENT STRATEGY REVIEW (ITEM 7.1.5)**

**5/19 RESOLVED** on the motion of Councillors Murat and Kermode:

1. That the report on the review of the NEWA Risk Management Policy and Strategy, including the updated Risk Register be received and noted.
2. That Council adopt the NEWA Risk Management Policy 02/19, as attached to the report.
3. That Council reaffirm the NEWA Risk Management Strategy, as attached to the report.

## **6. DELIVERY PROGRAM PROGRESS REPORT (ITEM 7.1.6)**

**6/19 RESOLVED** on the motion of Councillors Martin and Murat that the report on the 6 monthly progress of the Principal Activities under Council's Delivery Plan 2018-2021 to 31 December 2018 be received and noted.

## **7. PUBLIC INTEREST DISCLOSURES REPORT (ITEM 7.1.7)**

**7/19 RESOLVED** on the motion of Councillors Murat and Martin:

1. That the six- monthly report on Council's compliance with their obligations under the Public Interest Disclosures Act 1994 be received and noted.
2. That a copy of the report be forwarded to the NSW Ombudsman.

## **8. AUDIT AND RISK COMMITTEE (ITEM 7.1.8)**

**8/19 RESOLVED** on the motion of Councillors Galletly and Kermode:

1. That Council adopt the New England Tablelands County Council Audit & Risk Committee Charter, as attached to the report.
2. That Council adopt the minutes of the Audit and Risk Committee.

#### **8. INVESTED FUNDS REPORT (ITEM 7.2.1)**

**9/19 RESOLVED** on the motion of Councillors Murat and Galletly that:

1. The report indicating Council's Fund Management position be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

#### **9. DECEMBER 2018 QUARTERLY BUDGET REVIEW (ITEM 7.2.2)**

**10/19 RESOLVED** on the motion of Councillors Martin and Galletly that Council adopt the December 2018 Quarterly Budget Review and approve the Budget variations.

#### **10. 2018/2019 WEEDS ACTION PROGRAM (ITEM 7.3.1)**

**11/19 RESOLVED** on the motion of Councillors Murat and Martin that the report on the 2018/2019 Weeds Action Program be received and noted.

#### **11. MATTERS OF URGENCY –**

##### **MEMBERSHIP OF A JOINT ORGANISATION**

**12/19 RESOLVED** on the motion of Councillors Murat and Kermode that NEWA as a County Council write to the New England Joint Organisation requesting the cost of joining and what Council needs to do should it consider membership.

#### **NEXT MEETING:**

The next meeting will be held on Tuesday, 16<sup>th</sup> April 2019 at 8.30 am. Councillor Kermode indicated he will be an apology.

**THERE BEING NO FURTHER BUSINESS THE CHAIR DECLARED THE MEETING CLOSED AT 9:15 AM.**

**17. MOTIONS ON NOTICE**

There are no Motions on Notice for the 26 March 2019 meeting.

**18. SCHEDULE OF COUNCIL RESOLUTIONS**

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
23 March 2015	26.03/15	<b>Land Disposal – Karava Place, Uralla</b>	That Council: 3. Give the General Manager delegation to negotiate payment options; and 4. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.	MTPR/DIR	2/6/15	Negotiations between all parties not yet completed. Lot 103 – No agreement made May 2018: Lot 103 – no agreement with landholder has been reached as landholder is unwilling to negotiate.	B
23 Nov 2015	24.11/15	<b>Bergen Road Land Acquisition and Exchange for Road Works</b>	That the Council approve for the exchange of land associated with the reconstruction of Bergen Road and authorise the General Manager to complete all documentation.	DIR	May 2019	Survey plans completed. Awaiting result of other like applicants. Item to be revisited.	B
25 July 2016	17.07/16	<b>2.18.06.9 Gazetting of Compulsorily Acquired Land for Thunderbolts Way realignment</b>	That Council: 1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) for the purpose of a public road realignment in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.  2. Make an application to the Minister and the governor for approval to acquire the Land described as Lot 1, 2 and 7 in deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) by compulsory process under Section 177 of the roads Act 1993	DIR  DIR	Feb 2019	Gazettal pending for Lots 1, 2 and 3.. Referred to Council’s solicitors.  June 2018. Application being processed by OLG for Lots 1, 2 and 3. Lot 7 (Crown Land) to be progressed separately with the Lands Department.  Sept 18 - OLG have provided approval. Gazettal can be undertaken for Lots 1, 2 and 3.  December 2018. Gazettal notice prepared and signed and submitted to Council’s solicitor to finalise.	B  B

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 July 2016	18.07/16	<b>2.18.06.10 Gazetting of Land Acquired for approaches to new Emu Crossing Bridge</b>	That Council: 1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) for the purpose of a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.	DIR	Feb 19	Application has been sent to Office of Local Government by solicitors (Nov 16) for approval.	B
			2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993.	DIR		Letter drafted to Local Member regarding delays in processing from OLG.  June 2018. Application being processed by OLG.  August 2018 – Further delays as OLG has requested extension of Lands Department approval for Lot 110 and updated confirmation of status of land claims.  Referred to Council solicitors to progress.	B
25 July 2016	19.07/16	<b>2.18.06.11 Road Closure Request – Lot 32 DP 813093</b>	That Council: 2. Subject to the necessary statutory requirements Lot 32 DP 813093 be sold to A & L McLean upon completion of the road closure on the basis that the purchase price is based on the value of the land plus the full cost of the road closure application; and  3. Delegation be given to the General Manager to: a. Complete the road closure, and b. Undertake any necessary negotiations to complete the sale.  4. Approve the fixing of the Council Seal to all necessary documents.	DIR	Feb 17	2. Noted  3. Future action once closure has been undertaken  4. Future action once closure has been undertaken  June 2018: Approval from crown lands for Road closure. Land Registry services have advised that	B  A A  B C



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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
		<b>Report 16 - Rowan Avenue, Stormwater Drainage</b>	2. A low level trash rack/screen be fitted to the stormwater outlet under Rowan Avenue. 3. The residents of 21 and 23 Rowan Avenue be advised of councils resolution.	DIR DIR	April 18 Dec 17	2019. Design commenced. 2. Installed during December 2017. 3. Completed	C C
25 July 2017	22.07/17	<b>Dept: I&amp;R: Submitted by: Dir I&amp;R Reference/Subject: Report 11 - Uralla Sporting Complex</b>	That Council; (a) endorse the proposed upgrades to the Uralla Sports complex including the construction of the canteen facilities and disabled toilets and access, (b) provide additional seating around the perimeters of the fields and oval if residual funding is available, and (c) develop a plan of management for the sharing of the facilities among the user groups, (d) staff investigate relocation and redevelopment of the playground area.	DIR		a) Completed b) No residual funding available. SCCF Round 2 funding has provision for seating. c) Under preparation. d) Playground under construction. Funded under SCC Round 1.	C C B C
22 August 2017	20.08/17	<b>Dept: I&amp;R Submitted by: DIR I&amp;R Reference: Report 13 – Development Application 25/2017 M Smith &amp; L Ducat</b>	That Council; a) Support the Clause 4.6 Development Application 25/2017 being for a variation of minimum lot size on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 under the ownership of PJ & CM Ducat subject to conditions. b) Request concurrence from the Director General of the NSW Office of Planning & Environment. c) Upon receipt of concurrence from the Director General of the NSW Office of Planning & Environment, delegate the General Manager to approve Development Application 25/2017 submitted by M Smith and L Ducat for a staged development being: <ul style="list-style-type: none"> <li>Stage 1 - Subdivision of two lots being Lots 3 and 4 with building envelopes, and the construction of a dwelling in the E4 zoned land</li> </ul>	MTPR MTPR MTPR	Sept 2017 Sept 2017	a) Noted b) Requested from DG c) Pending – developer advised of proposed modification	C C B

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**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<ul style="list-style-type: none"> <li>Stage 2 - Subdivision of two lots being Lot 1 and 2 along the zone boundary with a building envelope on Lot 2 on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 subject to the following conditions</li> </ul> <p>d) Amend Uralla Local Environmental Plan 2012 to:</p> <ul style="list-style-type: none"> <li>Alter the zone boundary on Lot 13 DP 875212 between the E4 and R5 zone to be 50 metres from the edge of the working face of the quarry, and Amend Clause 4.1A by modifying the wording to reflect the current model clause and one that would better suit the subdivision of split zoned land circumstance and be clearer in its intent.</li> </ul>	MTPR		d) Stage 1 determination issued.  Completed.	C
28 Nov 2017	13.11/17		That; That Council review its development control plans to consider setbacks and other issues for RU2 & RU1 zoning.	MTPR	March 2019	September 2018: DCP to be presented to future workshop. December 2018 – proposed amendments presented to workshop	B
19 Dec 2017	15.12/17	<b>Dept: Community &amp; Governance Submitted by: Dir C&amp;G Reference/Subject: Report 8 – Report of the Audit and Risk Committee Meeting held on 21 November 2017</b>	<p>That;</p> <ol style="list-style-type: none"> <li>Council note the minutes of the Audit and Risk Committee Meeting held on 21 November 2017</li> <li>Council adopt the following Committee Recommendation: Report No. 6.2 Audit and Risk Committee Review Committee Recommendation 6.2.1 Council:                             <ol style="list-style-type: none"> <li>Set the meeting schedule for 2018 as follow:                                     <ul style="list-style-type: none"> <li>9am Tuesday, 10 April 2018</li> <li>9am Tuesday, 10 July 2018</li> <li>9am Tuesday, 16 October 2018 - Draft 2017/18 Financial Statements</li> <li>9am Tuesday, 27 November 2018 - Presentation 2017/18 Audited Financial Statements, prior to Ordinary Council Meeting held at 12:30pm)</li> </ul> </li> <li>Note the resignation of independent external Committee member Mr Sean Johnston and thank him for his contribution.</li> <li>Call for expressions of interest for a new external Committee member with relevant skills and experience, including accounting and auditing standards in the public sector environment.</li> <li>Defer receipt of the Fraud and Corruption Prevention Policy and Plan final drafts, and consider their priority as part of the forward meeting plan, as required by section 6.1 of the Committee Charter.</li> </ol> </li> </ol> <p>Report No. 6.4 Procurement Policy Final Draft Committee Recommendation 6.4.1: That:</p>	RMSO		Noted	C
				RMSO		Noted	C
				RMSO	28/2/18	c) EOI called and reported to March Ordinary Meeting	C
				RMSO	31/1/18	d) Noted for inclusion in 2018 Audit & Risk Committee Forward Plan.	C

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**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			a) the draft Procurement Policy be circulated to senior Council staff to review for implementation functionality with feedback to be provided to the Chief Financial Officer; and b) the Chief Financial Officer make minor amendments as might be identified in the review process to improve functionality, and report the draft Procurement Policy to Council recommending public exhibition for 28 days prior to adoption.  3. Council: a) note the Committee’s request to receive a report on cash handling procedures and practices at Council’s waste facility, including recommendations for improvements identified at 7.1 Cash Handling at Waste Facilities, under Other Business. b) as part of implementing its internal audit program in 2018, prioritise an internal audit of all cash handling and petty cash procedures and practices, and receive a report via the Audit and Risk Committee on the findings and recommendations for improvement.	CFO  CFO/DCG	27/11/17  5/1/18	a) Email sent to senior staff seeking feedback b) Prepare Council paper to put policy on public exhibition for 28 days. c) Awaiting draft policy review to include tendering provisions and provisions regarding procurement for TCS as discussed with external auditor	C  B
				CFO	21/11/17	Noted. Internal audit completed; draft report provided to ARIC members with final report to go to next ARIC meeting	C
				RMSO	31/1/18		C
24 April 2018	19.04/18	<b>Dept: C&amp;G Submitted by: RMSO Reference/Subject: Report 4 – Report of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018</b>	1. That Council note the minutes of the Audit, Risk and Improvement Committee Meeting held on 10 April 2018, Attachment A. 2. Report No. 2 Chair's Review of Committee Performance. Committee Recommendation 2.1: <i>That Council receive and note the Audit, Risk and Improvement Committee Chair’s Review of Committee Performance Report [Attachment B].</i> 3. Report No. 3 Policy Risk Management 2018. Committee Recommendation 3.1: <i>That Council:</i> a. <i>place the draft Policy: Risk Management 2018, as amended by the Committee, on public exhibition for a period of 28 days [Attachment C].</i> b. <i>adopt the draft Policy: Risk Management 2018 to replace the Risk Management Policy adopted in 2014, subject to no public submissions being received.</i> 4. Report No. 4 2018 Internal Audit Program Committee Recommendation 4.1: <i>That Council receive and note the:</i> a. <i>Charter: Internal Audit 2018, as modified by the Committee [Attachment D].</i>	RMSO	27.04.18	Noted	C
				RMSO	27.04.18	Noted	C
				CGR		Placed on Exhibition from 27 April to 25 May 2018.	C
				CGR		No submissions received, added to Policy Register	C
				RMSO		Noted	C

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<p>b. 2018 Internal Audit Program, as modified by the Committee [Attachment E].</p>	RMSO		Noted	C
			<p>5. Report No. 5 Committee Annual Program Committee Recommendation 5.1:  That Council receive and note the 2018 Annual Committee Program, as modified by the Committee [Attachment F].</p>	RMSO		Noted	C
			<p>6. Report No. 6 Policy: Fraud and Corruption Control 2018 and Strategy: Fraud and Corruption Control 2018. Committee Recommendation 6.1:</p>				
			<p>a. That Council:</p>				
			<p>i. place the draft Policy: Fraud and Corruption Prevention 2018 on public exhibition for a period of 28 days [Attachment G].</p>	CGR		Placed on Exhibition from 27 April to 25 May 2018.	C
			<p>ii. adopt the Policy: Fraud and Corruption Prevention Policy 2018, subject to no public submissions being received.</p>	CGR		No submissions received, added to Policy Register.	C
			<p>b. That Council adopt the Strategy: Fraud and Corruption Control 2018, as modified by the Committee, and note the financial implications for its implementation [Attachment H].</p>	CGR		Strategy added to Corporate Documents Register following adoption.	C
			<p>7. Report No. 7 Risk Management Action Plan 2017-18 Committee Recommendation 7.1:  That Council:</p>				
			<p>a. receive and note the four improvement actions plans (footpaths, trees and tree roots, signs as remote supervision, and stormwater management) resulting from Council's insurer's 'Continual Improvement Pathway Workbooks' used to self-assess the integrity of Council's existing systems [Attachment I].</p>	DIR		Noted	C
			<p>b. refer the four improvement action plans (footpaths, trees and tree roots, signs as remote supervision, and stormwater management) to the Director Infrastructure and Regulation for consideration as to funding and resourcing for implementation as part of the 2018/19 Operational Plan and Budget preparation process.</p>	DIR		Pending.	B

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
24 April 2018	50.04/18	<b>Dept: I&amp;R Submitted by: DIR Ref/Subject: Late Report 2 – Industrial Land Subdivision</b>	That; Council resolve to: <ul style="list-style-type: none"> <li>• Endorse option 2 of the Kehoe Myers report dated 6 April 2018 for the subdivision of the Uralla Industrial Estate, being Lot 14 DP 787477, Rowan Avenue Uralla,</li> <li>• Progress detailed design of the subdivision and the construction of Stage 1,</li> <li>• Install billboard signage at the property indicating the endorsed layout and undertake additional marketing of the project.</li> </ul>	DIR  DIR  DIR	Ongoing	Noted  Survey and design consultant commissioned. DA considered at the Feb 2019 Council meeting.  Signage installed. Valuation received. Probity advice received and probity plan developed. DA Consent concluded. Design being finalized.	C  B  B
24 July 2018	15.07/18	<b>Dept: DIR Submitted by: MTPR Ref/Subject: Report 5 - DIVISION DECISION - Development Application 35/2017 – Dwelling – 36 Uralla Street, Uralla</b>	That; Report 5 lay on the table awaiting further information from the applicant.	MTPR		Pending. Applicant has requested and been granted a processing hold on the DA.  December 2018 – Amended plans received. February 2019 – DA report prepared for Council consideration. Application refused.	C
24 July 2018	35.07/18	<b>Dept: DIR Submitted by: MTPR Ref/Subject: Report 14 - Petition for a Primitive Campground at The Glen recreation area.</b>	That; Council consider the proposal detailed in the petition in the preparation of the Uralla Open Spaces Strategy.	DIR		Pending	B

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28 August 2018	9.08/18	<b>Dept: DIR Submitted by: MTPR Ref/Subject: Report 2 – Design options for the redevelopment of Pioneer Park under the Stronger Country Communities Fund – Round 1</b>	That Council; 1.Place the Option 1 and Option 2 proposals, contained in this Business Paper, on public exhibition for submissions for a period of not less than 14 days. 2.Advise the New South Wales Government that, after receiving community feedback, it wishes to change the location of the approved project from Pioneer Park to Porter Park. 3.Subject to New South Wales Government approval change the location of the approved project from Pioneer Park to Porter Park: a) Endorse the redevelopment works underway, funded through Round 1 of the Stronger Country Communities Fund for all other parks. b) Engage with Council’s Uralla Township and Environs Committee to further develop concepts for Pioneer Park. c) Place any concept plans developed with Council’s Uralla Township and Environs Committee for Pioneer Park on public exhibition for a period of not less than 14 days. 4.Should New South Wales Government approval to modify the Pioneer Park project not be received, consider the submissions received during the public exhibition period of the Options 1 and 2 proposals, as contained in this Business Paper, at the September Ordinary Meeting and determine the preferred option for implementation.	MTPR	Sep 2018	1. Complete 2. Advised 3. a) Noted b) February 2019 – consultation with community groups done. Minor amendments to plans incorporated. c) Noted. 4. N/A	C C C C C A C C
28 August 2018	15.08/18	<b>Dept: DCG Submitted by: CGR Ref/Subject: Report 3 – Recommendations of the Audit, Risk and Improvement Committee held on 10 July 2018 laid on the table</b>	That; The following recommendations of the Audit, Risk and Improvement Committee, previously submitted to the Ordinary Meeting of Council held on 24 July 2018 and resolved to be laid on the table, be lifted from the table: a. Report No. 5 Plan: Corporate Governance Improvement Action 2018 <i>That Council:</i> 1. Review the draft Plan: Corporate Governance Improvement Act 2018 [Attachment A] to clarify section 6.11 in relation to (u) Purchasing and Tendering Policy and (v) Disposal of Assets Policy. 2. Place the draft Plan: Corporate Governance Improvement Action 2018, as modified by the Committee, on public exhibition for a period of 28 days. 3. Adopt the draft Plan: Corporate Governance Improvement Action 2018, subject to no public submissions being received. b. Report No. 6 Guide: Agency Information 2018-19 <i>That Council:</i>	CGR	Oct 2018	Plan reviewed and updated as required Placed on public exhibition for 28 days. No submissions and strategy adopted.	C C C
				CGR	Nov 2018		C

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			1. Amend the draft Guide: Agency Information 2018-19 [Attachment B] at section 4 to reference the relevant section of the Local Government Act 1993 and ensure the dot points reflect the relevant section of the Act regarding the role of the Governing Body.	CGR	Nov 2018	1. Amendments made	C
			2. Amend the map contained on page 101 of the draft Guide: Agency Information 2018-19 to reflect the correct name of Armidale Regional Council.	CGR	Nov 2018	2. Amendments made	C
			3. Refer the draft Guide: Agency Information 2018-19, as amended by (1) and (2) above, to Council's Audit, Risk and Improvement Committee for its consideration.			3. Referred to Audit, Risk and Improvement Committee on 27/11	
			c. Report No. 7 Plan: Privacy Management 2018 Committee Recommendation 7.1: That Council:	CGR	Oct 2018	1. Placed on public exhibition for 28 days.	C
			1. Place the draft Plan: Privacy Management 2018 [Attachment C], on public exhibition for a period of 28 days.			2. No submissions received, policy adopted	C
			2. Adopt the Plan: Privacy Management 2018, subject to no public submissions being received.			3. Repealed	C
			3. Repeal the Privacy and Confidentiality Policy 2013 and authorise its removal from Council's Policy Register.				
			d. Report No. 8 Policy: Complaint Handling 2018: That Council:	CGR	Nov 2018	1. Revisions made and referred to ARIC on 27/11/2018	C
			1. Make the following amendments to the draft Policy: Complaint Handling 2018 [Attachment D]:				
			a. Modify the first paragraph under Section 4.4 to read: Council has adopted a four-tiered approach to handling standard complaints.				
			b. Insert as a third tier, 'Review by the Governing Body': If the Complainant remains unsatisfied with the outcome, the complaint, will be submitted to the Governing Body of Council.				
			c. Insert as a second paragraph under Section 4.6: Council appreciates complainants are often under a degree of stress when lodging a complaint and Council will take reasonable steps to understand the issues. The decision on whether or not a complainant is behaving unreasonably and/or the complaint is vexatious is the responsibility of the General Manager. All complainants (including those whose complaints				

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			<p><i>are deemed unreasonable or vexatious) will be advised of their right to appeal to the Council Governing Body.</i></p> <p>d. <i>Insert on page 161 at Section 4.5.2 at the end of the second paragraph: The person appointed to be the independent Code of Conduct reviewer or their associate cannot become the investigator if it is determined that an investigation is required.</i></p> <p>2. <i>Refer the draft Policy: Complaint Handling 2018, as amended by (1) above, to Council's Audit, Risk and Improvement Committee for its consideration.</i></p> <p>e. Report No. 9 Repeal of Operational Policies Committee Recommendation 9.1: <i>That Council receive a report on the status of Council policies, an assessment of their priority for review, and the repeal of Management policies previously adopted by Council.</i></p>	CGR	Nov 2018	2. Referred to ARIC on 27/11/2018	C
				CGR	Dec 2018	e. Council report to December 2018 meeting.	C
25 Sept 2018	22.09/18	<p><b>Dept: DIR</b>  <b>Submitted by: MTPR</b>  <b>Ref/Subject: Report 10 – DIVISION DECISION - Planning Proposal, Amendment to the Uralla Local Environment Plan 2012 (ULEP 2012) by the inclusion of site specific enabling clause under Schedule 1 'Additional permitted uses' of the ULEP 2012</b></p>	<p>That;                      Council endorse Planning Proposal – Amendment to Schedule 1 of the Uralla LEP 2012, prepared by Bath Stewart Associates Pty Ltd for Kanha Pty Ltd and submit the document to the Department of Planning and Environment for a Gateway Determination.</p>	MTPR		<p>Referred to Department of Planning &amp; Environment</p> <p>November 2018 – Gateway Determination received and public exhibition commenced.</p> <p>December 2018 – Public exhibition completed: no submissions received.                      February 2019 – Request for DPE Tamworth to provide mapping services lodged.</p>	B

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25 Sept 2018	30.09/18	<b>Dept: DIR Submitted by: MTPR Ref/Subject: Report 16 – Recommendations of Uralla Township and Environs Committee July and August 2018 meetings</b>	That Council resolve to: <ol style="list-style-type: none"> <li>1. Consider readoption of the lapsed slogan, “Find Yourself In Uralla”, and the stylised copperplate “Uralla” logo, in the context of the development of a Destination Marketing Plan</li> <li>2. Consider installation of “Find Yourself” street banners in Uralla should the slogan be readopted through the future development of a Destination Marketing Plan.</li> <li>3. Engage with Uralla Arts in relation to their proposal to design a makeover for The Glen recreation area information shelter.</li> <li>4. Engage with Uralla Arts in relation to their proposal to provide a strategy for the completion of “Constellations of the South” installation at The Glen recreation area.</li> <li>5. Engage with Uralla Arts in relation to their proposal to provide specifications and cost estimates for walking track works and exercise stations at The Glen recreation area.</li> <li>6. Incorporate minor “Fibonacci” design components within a prominent existing park or other public area within Uralla to gauge public interest in the concept.</li> <li>7. Write to the Uralla Township and Environs Committee and advise that no funding is available under the Regional Tourism Product Development Program for upgrading or developing meeting and/or local community facilities—including picnic or playground areas, local parks, barbeques, meeting facilities and regional and town entry features.</li> <li>8. Advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of Fay Porter.</li> <li>9. Provide a copy of this report and Council’s resolution to the Uralla Township and Environs Committee.</li> </ol>	MTPR		1. Noted 2. Noted 3. Pending 4. Pending 5. Pending 6. Pending	B B B B B C C C

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MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
30 Oct 2018	33.10/18	<b>Dept: Infrastructure and Regulation Submitted by: DIR Ref/Subject: Late Report 1 – Drought Communities Program - Extension</b>	That Council; 1. Participate in the Drought Communities Program with the following list of projects in priority order, noting that the funding is unlikely to extend to all projects: a. Uralla Memorial Hall – upgrades/repairs b. Grace Munro Centre, Bundarra – upgrades/repairs c. The Showgrounds Lands Management Committee projects d. Bundarra Hall – upgrades/repairs e. Kentucky Hall – upgrades/repairs f. Composite project including eg Bird Hide repairs at Dangars Lagoon, shed and concrete pad for Friends of McMaugh Gardens, repainting of the logo frames on the 4 Uralla town entrances. g. Control of roadside weeds and vermin h. Uralla Preschool – upgrades/repairs i. Series of community events	DIR		1. Applications submitted and approved.	C
			2. Authorise a committee comprising of the Mayor, the Deputy Mayor and the General Manager to determine the amount of funding to be attributed to each project. 3. Secure the necessary human resources to: a. Scope the necessary works and pricing to support the funding application(s); b. Prepare the funding application(s); c. If successful, procure and coordinate the contractors and materials necessary to deliver the works; and d. Liaise with the stakeholders of the facilities and/or activities to which the funding will be directed. 4. Wherever possible utilise resources, businesses and suppliers from within the Uralla Shire Council area for works and/or activities delivered in accordance with the program.			2. Noted  3. a) Scoping completed b) funding application submitted and approved c) noted d) noted  4. Noted	C  B  B
28 Nov 2018	21.11.18	<b>Dept: Infrastructure and Regulation Submitted by: MTPR Ref/Subject: Report 8 - Recommendations of Uralla Township and Environs Committee</b>	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	MTPR		1. Pending 2. Pending 3. Pending 4. Pending 5. Pending 6. Pending 7. Completed	A A A A A A C

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**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
		<b>September and October 2018 meetings</b>	<p>suggestions on options for interpretive signage for the layout of the Pioneer Cemetery.</p> <ol style="list-style-type: none"> <li>4. Investigate options for suitable visual enhancement of the dump point and toilet at the Pioneer Cemetery.</li> <li>5. Invite the McCrossin’s Mill Museum to submit an application for advertising signage at the Pioneer Cemetery directing people to the Museum for further information regarding the history of the cemetery.</li> <li>6. Review the information available on tourist sites within Uralla and possible means of imparting information on significant sites to the travelling public.</li> <li>7. Consult with representatives from community groups once Council has a draft plan for the installation of the new playground equipment in Alma Park which was formerly allocated to Pioneer Park under Round 1 of the Stronger Country Communities Fund.</li> </ol>				
28 Nov 2018	29.11/18	<b>Dept: Infrastructure &amp; Regulation Submitted by: DIR Ref/Subject: Report 15 - Heritage Advisory Services Summary for November 2018</b>	<p>That;</p> <ol style="list-style-type: none"> <li>1. The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and</li> <li>2. That consideration be given to utilising the bronze plaques prepared for the Old Cemetery in Uralla as part of the Open Spaces Strategy.</li> </ol>	DIR/MTPR		<ol style="list-style-type: none"> <li>1. Complete</li> <li>2. Pending</li> </ol>	C B
28 Nov 2018	31.11/18	<b>Submitted by: Cr I Strutt Ref/Subject: Notice of Motion 1 - Impact of Cost Shifting on Local Government in NSW</b>	<p>That Council;</p> <ol style="list-style-type: none"> <li>a) Note the latest LGNSW report on the Impact of Cost Shifting on Local Government in New South Wales;</li> <li>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;</li> <li>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;</li> <li>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.</li> </ol>	GM	Dec 2018	<ol style="list-style-type: none"> <li>a) Noted</li> <li>b) Noted</li> <li>c) Complete</li> <li>d) Pending</li> </ol>	C C C B

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
18 Dec 2018	25.12/18	<b>Dept: Infrastructure &amp; Regulation Submitted by: DIR Ref/Subject: Report 13 - Industrial Land Subdivision – Probity Advice for the Sale of Lands</b>	That Council: a) Receive and note the probity advisor’s recommendations;  b) Prepare a probity plan to detail the procedures going forward to manage the sales of lots within the subdivision.	DIR		a) Completed  b) Probity plan prepared. Under review	C  B
18 Dec 2018	31.12/18	<b>Dept: Infrastructure and Regulation Submitted by: MWWSS Ref/Subject: Report 15 - Waste Management Services Options Evaluation</b>	That Council; 1. Engage the necessary consultancy services to undertake an assessment of the long term waste management options available to Council; 2. Approve a budget variance of up to \$40,000 from the Waste Management Budget for the consultancy; 3. Instruct the Budget Review and Finance Committee to receive a draft scope of works for approval prior to engaging the consultant.	MWWSS CFO	4 Feb 2019	1. Pending 2. Noted 3. Completed at the Feb BRFC meeting.	B C C

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
18 Dec 2018	34.12/18	<b>Submitted by: Cr Tara Toomey Ref/Subject: Notice of Motion 1 – Bridge St Design Project</b>	That; Should funding be received for the High Pedestrian Activity Area-Bridge Street Detailed Design, Council resolve to; 1) As part of the community engagement strategy for the project: a) Publicise proposed designs of the project to the Uralla Shire community via Council’s newsletter and Facebook page and other print media where relevant. b) Provide relevant additional information to any address where street frontage is impacted by the design. c) Give consideration to suggestions and/or ideas which come from community consultation activities and provide feedback to the community which articulates that consideration. 2) Give consideration to the design intent of the Creative Village project and confirm to the design consultant the elements of the Creative Village project Council would like to see incorporated into the detailed design. 3) Request the design consultant address the potential for the project to increase traffic on local streets parallel to Bridge Street. 4) Refer the draft detailed design to the UTEC committee for comment. 5) Review traffic and accident data for local streets parallel to Bridge Street to determine if there has been an increase in traffic numbers and accidents over time. 6) Receive advice from the General Manager about the arrangements for the planting and maintenance of those blisters in Bridge Street not currently maintained by the generosity of volunteers. 7) Define the impact of any proposed project design on our Long Term Financial Plan and the next annual budget after implementation of the design is commenced.	DIR		Noted	B
26 Feb 2019	18.02/19	<b>Committee: Budget Review &amp; Finance Submitted by: GM Ref/Subject: Report 1 - LTFP – Horizontal Service Review – Priority Actions</b>	That Council: Address the actions identified in the ‘First Tranche of Potential Actions’ list, in the Report, as follows: I. Items: 1, 3, 4, and 14 be implemented or researched further then, where viable, implemented by staff as quickly as possible. II. Items: 2, 5, 6, 9, 11, 13, 16 and 18 be researched further and then presented to Council as quickly as possible for consideration and direction. III. Items: 7, 8, 10, 12, 15 and 17 are to have separate cost/benefit assessments prepared and presented to Council prior to, where possible, the final determination of the 2019/20 budget. IV. Items directly relating to Bundarra, specifically Item 6, be referred to the Bundarra School of Arts Hall Committee.	GM		Pending	B

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
26 Feb 2019	21.02/19	<b>Committee: Budget Review &amp; Finance Submitted by: MWWSS Ref/Subject: Report 2 - Scope of Works for Waste Management Consultancy</b>	That Council; 1. Note the clarifications and additions to the Draft Scope of Works for the Waste Management Consultancy, as outlined under Key Issues; and 2. Adopt the Budget Review and Finance Committee Meeting resolution 3/19 part 2, "Recommend to Council that the attached Draft Scope of Works for the Waste Management Consultancy has been received and is approved." 3. Incorporate words around reducing waste through education. 4. Page 3: Kerbside waste collection/scope/2 – incorporate at the end of sentence "and kerbside waste collections" and delete point A. 5. Page 4: Green waste/scope – remove point 3.	MWWSS		1. Noted and amended 2. Noted 3. Completed 4. Completed 5. Completed	C C C C C
26 Feb 2019	26.02/19	<b>Dept: Finance Submitted by: CFO Ref/Subject: Report 5 - 2018/19 – 2nd Quarter Budget Review Statements</b>	1. That the second quarter budget review summary for the 2018/19 financial year be received and noted; 2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted; 3. That information be provided to Council on the impact on the resealing program by the transfer of funding to the gravel re-sheeting program on the Transport Asset Management Plan; and 4. A list of consultants and expenditure be provided to Council.	CFO	Mar 18	2. Posted 3. Council report prepared. 4. Council report prepared.	C C C
26 Feb 2019	30.02/19	<b>Dept: Community &amp; Governance Submitted by: CGR Ref/Subject: Report 9 - Policy – Draft Code of Meeting Practice 2019</b>	That Council: 1. Exhibit the Draft Code of Meeting Practice 2019 for 28 days. 2. Subject to no submissions being received within 42 days, adopt the Draft Code of Meeting Practice 2019. 3. Allocate funding of \$15,000, from Council's reserves, to provide for recording and webcasting of council meetings in accordance with s5.19 of the Draft Code of Meeting Practice.	CGR	Feb 2018	1. On exhibition	B
26 Feb 2019	31.02/19	<b>Dept: Community &amp; Governance Submitted by: CGR Ref/Subject: Report 10 - Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019</b>	That Council: 1. Exhibit the "Draft Code of Conduct 2019" (Attachment 1) for 28 days; and 2. Exhibit "Draft Procedures for the Administration of the Draft Code of Conduct 2019" (Attachment 2) for 28 days; 3. Subject to no submissions being received within 42 days, Council adopt the Draft Code of Conduct 2019 and Draft Procedures for the Administration of the Draft Code of Conduct 2019; and 4. Review council's panel of conduct reviewers as required by the Draft Code. 5. Request the Mayor to ask the New England Joint Organisation to consider the establishment of a regional panel of Conduct Reviewers for the member Councils of the Organisation.	CGR	Feb 2018	1. On exhibition 2. On exhibition	B

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
26 Feb 2019	33.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Ref/Subject: Report 12 - Works Progress Report as at 31/1/19</b>	That; <ol style="list-style-type: none"> <li>The report be received and noted for the works completed or progressed during December 2018, January 2019 and works programmed for February 2019; and</li> <li>That Council receive the report on the Bundarra/Barloo Road Project expenditure.</li> </ol>	DID		<ol style="list-style-type: none"> <li>Noted</li> <li>Noted</li> </ol>	<p>C</p> <p>B</p>
26 Feb 2019	39.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: MDP Ref/Subject: Report 16 - Road Naming: "Somerset Close" in Stage A Phase 1 – DA-27-2015-5 – 114 Barleyfields Road, Uralla and "Wards Lane" off Eastern Avenue, Kentucky South</b>	That Council: <ol style="list-style-type: none"> <li>Accept the name of "Somerset Close" as a suitable name for a road off Warwick Street within the Staged 42 Lot Low Density Residential Subdivision at 114 Barleyfields Road, Uralla.</li> <li>Accept the name of "Wards Lane" as a suitable name for the unformed road off Eastern Avenue, Kentucky South, to access Lot Lots 203-207 and Lots 2011-213 DP 755829.</li> <li>Advertise both names for public submissions and, if no submissions are made, the General Manager be given delegated authority to accept the road names on behalf of Council.</li> <li>Follow the process through NSW Online Road Naming System for approval by the Geographical Names Board, which involves notification to relevant parties and gazettal for "Somerset Close" and "Wards Lane".</li> <li>Advertise both road names in the local newspaper and on council's website once gazetted.</li> </ol>	MDP		Pending	B
26 Feb 2019	43.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Ref/Subject: Report 20 -Planning Proposal 8 - Amendment Land Classification</b>	That Council: <ol style="list-style-type: none"> <li>Resolve to note and receive the Public Hearing Report and Recommendation prepared by Barnson (Ref: 30501-PR01_B) dated 10 January 2019, and</li> <li>Resolve to continue to progress Planning Proposal 8 – Amendment of Land Classification to reclassify the Uralla Caravan Park (Lot 30 DP793510) and the proposed Industrial Estate (Lot 14 DP787477) from community land to operational land with the Department of Planning and Environment.</li> </ol>	MDP		Pending	B
26 Feb 2019	44.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Ref/Subject: Report 21 - Drought Communities Assistance Program</b>	That Council: <ol style="list-style-type: none"> <li>Submit a grant application (being the second under this program) based on the quoted works for: the Showgrounds Projects, Bundarra School of Arts Hall; Dangars Lagoon bird hide; Arding Hall; Kentucky Memorial Hall; the Uralla Preschool building, and Uralla Memorial Hall.</li> <li>Seek additional quotations from contractors and tradespeople, inside and outside the Uralla Shire for works to: the Uralla Memorial Hall; the Uralla Shire Council owned preschool building; the Uralla Court House; the McMaugh Garden's garden shed; and the Council Chambers/Administration Building, subject to available funding.</li> </ol>	DID		<ol style="list-style-type: none"> <li>Completed</li> <li>Additional quotes requested</li> <li>Underway</li> <li>Completed as part of 1</li> </ol>	<p>C</p> <p>B</p> <p>B</p> <p>C</p>

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<ol style="list-style-type: none"> <li>3. Seek quotations for potential rectification work to the Grace Munro buildings where such would not otherwise be funded by the recently awarded ACRRRI grant for that facility.</li> <li>4. Submit a grant application (being the third under this program) for works identified in accordance with 2 and 3, above, and to exhaust the remainder of the 'up to' \$1 million grant available to Council.</li> </ol>				
26 Feb 2019	48.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: MDP Ref/Subject: Report 25 - Recommendations of Uralla Township and Environs Committee November and December 2018 meetings</b>	<p>That Council: receive and note the minutes of Uralla Township and Environs Committee for Tuesdays 13 November and 11 December 2018 and adopt the following suggestions as recommendations:</p> <ol style="list-style-type: none"> <li>1. Council provide clear parameters to the Uralla Township and Environs Committee.</li> <li>2. Council explore the concept of Uralla 2358 in the development of a Fibonacci Discovery Park or other options in the Pioneer Park Precinct with the Uralla community and seek avenues of funding as part of the development of the Open Space Strategy.</li> </ol>	MDP		Pending	B
26 Feb 2019	50.02/19	<b>Dept: Infrastructure &amp; Development Submitted by: DID Ref/Subject: Report 26 - Recommendation to fill the member vacancies on the Uralla Township and Environs Committee</b>	<p>That Council appoint:</p> <ul style="list-style-type: none"> <li>• Carol Higginbottom</li> <li>• Sonia Repin</li> <li>• Bob Anderson</li> <li>• Kath Corcoran</li> </ul> <p>to the Uralla Township and Environs Committee for the term of this Committee and in accordance with the Uralla Township and Environs Committee Constitution.</p>	DID	Feb 2019	Letters sent to successful and unsuccessful applicants advising of council's resolution on 28 February 2019.	C
26 Feb 2019	53.02/19	<b>Dept: Infrastructure and Development Submitted by: DID Ref/Subject: Late Report 1 - Tolleys Gully Bridge – GLE Business Case</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Vote \$30,000 from Council's reserves to fund the development of the Business Case for the Tolleys Gully Bridge replacement and road realignment.</li> </ol>	CFO/DID	March 2019	To be adjusted in the next Quarterly Budget Review Statement. Business Case preparation underway.	B
26 Feb 2019	54.02/19	<b>Submitted by: Cr Tara Toomey Ref/Subject: Uralla VIC</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1) Resolve to progress the detailed design, costings and tender documentation of the VIC in accordance with the plans put on display; and</li> <li>2) Draw on the VIC Restricted Funds to meet the costs.</li> </ol>	DID		<ol style="list-style-type: none"> <li>1. RFQ under preparation</li> <li>2. Noted</li> </ol>	B C

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
12 March 2019	X03.03/19	<b>Dept: Infrastructure and Development Submitted by: MDP Ref/Subject: Report 1 / New England Solar Farm submission</b>	That; Council resolve to make a submission to the Department of Planning and Environment in relation to the proposed New England Solar Farm stating that Council endorses sustainable development within the Shire, and expects the Development Application to be considered in the context of our Community Strategic Plan, particularly the following stated goals: <ul style="list-style-type: none"> <li>• To preserve, protect and renew our beautiful natural environment.</li> <li>• Maintain a healthy balance between development and the environment.</li> <li>• An attractive environment for business, tourism and industry.</li> <li>• Growing and diversified employment, education and tourism opportunities.</li> </ul> Further: <ul style="list-style-type: none"> <li>• A ‘cradle to grave’ approach should be taken to ensure the project is environmentally sustainable during construction, operation, and decommissioning through appropriate bonding arrangements with the NSW Government</li> <li>• Operation of the worker’s village should be ‘best practice’ with regard to environmental impacts;</li> <li>• That local employment be preferred</li> <li>• Systems be put in place to preserve environmental values</li> <li>• Any upgrades and maintenance to Council Infrastructure to service the construction and/or operation of the development should be at the developers expense;</li> <li>• No Council infrastructure should be negatively impacted by the solar farm construction and or operation and</li> <li>• Protection of the amenity of residents surrounding the solar farm and along transport routes should be the paramount consideration in the decision making process.</li> </ul>	MDP		Submission made 19 March 2019	C
12 March 2019	X06.03/19	<b>Dept: Infrastructure and Development Submitted by: MDP Ref/Subject: Report 2 / New England Solar Farm technical submission</b>	That; Council resolve to make a technical submission on infrastructure to the Department of Planning and Environment in relation to the proposed New England Solar Farm with the following recommended conditions of consent:  Roads <ul style="list-style-type: none"> <li>• A Traffic Management Plan prepared by an accredited certifier with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken. The Traffic Management Plan is to detail specific routes for heavy vehicles and dust suppression maintenance standards.</li> </ul>	MDP		Submission made 19 March 2019	C

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**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<ul style="list-style-type: none"> <li>• The Traffic Management Plan is to be developed for each road prior to it being utilised by the developer.</li> <li>• Any roads to be used for B Doubles are to be assessed using the RMS B double route assessment guidelines and, if upgrading is required, this work is to be undertaken by the developer.</li> <li>• Roads to be used for Oversized/Overweight movements are to be assessed as per National Heavy Vehicle Regulator assessment.</li> <li>• That gravel roads in front of residences be sealed for a length of 200m for dust suppression purposes.</li> <li>• All roads need to be upgraded as per the standards set out in Table 4.2, Appendix K (of the EIS), as per future daily traffic assessment for project peak construction traffic by the developer prior to commencement of site works for each stage.</li> <li>• Project-related heavy vehicles are not to traverse any roads not specifically identified in the approved Traffic Management Plan.</li> <li>• Any damage to Council’s road infrastructure is to be immediately rectified by the developer or operator, at their cost, to the satisfaction of Councils General Manager or nominee.</li> <li>• Local roads proposed to be used for project-related traffic are to be constructed, at the cost of the developer, to meet the current Austroads design standard at the time of construction, based on peak predicted traffic volumes outlined in the EIS prepared by EMM Consulting dated 16 November 2018.</li> <li>• The subject roads are to be maintained to this standard, at the developers cost, until the completion of construction and issue of an Occupation Certificate.</li> </ul> <p>Services</p> <ul style="list-style-type: none"> <li>• Any provision of normal municipal services by Council to the developer will be at Councils discretion.</li> <li>• A Waste Management Plan with detail commensurate with the scale of the solar farm is to be submitted to Council and approved before any works are undertaken.</li> <li>• Comingled recycling or any other waste products will not be accepted at the Uralla landfill without formal agreement.</li> <li>• A Water and Waste Water Management Plan with detail commensurate with the scale of the solar farm and workers village is to be submitted to Council and approved before any works are undertaken.</li> <li>• Adequate wash bays are provided and used.</li> </ul>				

**SCHEDULE OF ACTIONS – RESOLUTION REGISTER**

**Key A: Action B: Being processed C: Completed**

MEETING DATE	RESOLUTION NO.	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
			<p>Assets</p> <ul style="list-style-type: none"> <li>Location of any project related assets on Council controlled land will require approval of Council by resolution.</li> </ul> <p>Rehabilitation</p> <ul style="list-style-type: none"> <li>All infrastructure and equipment, including underground cabling above 500mm depth, is to be removed from the site during decommissioning.</li> <li>Rehabilitation of the workers accommodation site must be done prior to the issue of the occupation certificate.</li> </ul> <p>Environmental</p> <ul style="list-style-type: none"> <li>An environmental monitoring plan be developed and implemented to include:                             <ul style="list-style-type: none"> <li>On and off site pollution by heavy metals</li> </ul> </li> </ul> <p>Monitoring the impact of the panels on migratory birds</p>				
18 March 2019	X09.03/19	<b>Dept: Infrastructure and Development Submitted by: MWWSS Ref/Subject: Report 1 - Council's response to questions regarding the Bundarra Sewer Access Charge</b>	That Council; Lift the charge for the coming Financial Year (2019/2020) and reapply it from the financial year after the additional required funding is secured.	MWWSS		1. Noted	C

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## Responsibility Matrix

Each of the resolution actions is assigned to a responsible local government officer, who provides progress reports to the Council each month. Set out below is the responsibility legend used throughout this Schedule of Actions document:

- |         |  |                                |
|---------|--|--------------------------------|
| • GM    | General Manager                                  | General Manager's Office       |
| • CFO   | Chief Financial Officer                          | General Manager's Office       |
| • MHR   | Manager Human Resources                          | General Manager's Office       |
| • DID   | Director Infrastructure and Development          | Infrastructure and Development |
| • EMC   | Environmental Management Coordinator             | Infrastructure and Development |
| • MWWSS | Manager Waste, Water and Sewer Services          | Infrastructure and Development |
| • MDP   | Manager Development and Planning                 | Infrastructure and Development |
| • MIW   | Manager Infrastructure and Works                 | Infrastructure and Development |
| • DCG   | Director Community and Governance                | Community and Governance       |
| • CCDE  | Coordinator Community Development and Engagement | Community and Governance       |
| • CGR   | Coordinator Governance and Risk                  | Community and Governance       |
| • MMG   | Manager McMaugh Gardens Aged Care                | Community and Governance       |
| • MCC   | Manager Community Care                           | Community and Governance       |
| • CTI   | Coordinator Technology and Information           | Community and Governance       |
| • TPOO  | Tourism Promotion and Operations Officer         | Community and Governance       |
| • RMSO  | Risk Management and Safety Officer               | Community and Governance       |

## 19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING



### REPORT TO COUNCIL

<b>Department:</b>	<b>Infrastructure and Development</b>
<b>Submitted by:</b>	<i>Director Infrastructure and Development</i>
<b>Reference/Subject:</b>	<b>Response to Questions from February 2019 Ordinary Meeting</b>

#### OFFICER'S RECOMMENDATION:

That Council note the responses to Cr T O'Connor, Cr T Toomey, Cr R Bell and Cr M Pearce's questions from February 2019 Ordinary Meeting.

#### QUESTION 1: From Cr T O'Connor

*The three year average full time equivalent staff numbers, before vacancies, for the 30 June 2013 to 2015 was 109 (106, 106 and 114) and the three year average for the years 2016 to 2018 was 129 (132, 120 and 136). This is an 18% increase in employed staff, resulting in a 16% increase in Employees Costs 2014 to 2018.*

*Can the General Manager provide to the Budget Review and Finance Committee a list of positions that have been created in the period 2015 to 2018?*

#### RESPONSE:

Yes. Report was provided to the March Budget Review and Finance Committee meeting.

#### QUESTION 2: From Cr T Toomey

*Approximately 6-8 months ago, both myself and Kevin Ward asked questions around the management of the Glen in relation to regular complaints by residents of the Uralla Shire that the area was being used for camping. As this is not a permitted use for the Glen the matter was raised as a Question on Notice. The reply was that the staff monitoring the area could see no evidence of the occupancy being claimed by residents.*

*As a result of this feedback being duly provided to those making the complaint they have kept a photographic record of those camping illegally at the Glen, and of the impact that is having on the Glen. The images were taken during February 2018 and show:*

- *Repurposed large school buses parking at the Glen*
- *People setting up solar panels as part of their stay at the Glen*
- *Visitors photographed camping for up to 3 days*
- *Vehicles situated in various areas of the Glen*
- *Human excrement and associated toilet paper left around various places in the Glen*

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*At the risk of causing a stir, the resident refrained from taking photos of:*

- *The camper taking a shower in the open under a camping shower attached to their vehicle*
- *The washing hanging around the campers vehicles and in the trees*

*Can council staff provide further advice as to what action they will now take to address the illegal camping at the Glen?*

**RESPONSE:**

Council staff attend in response to complaints. Of the two responded to in the past 12 months by the Manager of Development and Planning, one moved on immediately, and one moved on under threat of a penalty infringement notice being issued.

**QUESTION 3: From Cr R Bell**

*Could we please have a copy of the reply to the owners of the Altona Motel in response to their letter regarding water quality?*

**RESPONSE:**

The response has been circulated.

**QUESTION 4: From Cr M Pearce**

*Does Uralla Shire Council have a current policy or procedure for drug or alcohol testing for council staff and councillors?*

**RESPONSE:**

A policy exists for staff, not councillors. It was last adopted in April 2014.

Prepared by staff member:	Director Infrastructure and Development Manager Planning and Development Manager Water Sewer and Waste
TRIM Reference Number:	UINT/19/1524
Approved/Reviewed by Manager:	Director Infrastructure and Development
Department:	Department Infrastructure and Development
Attachments:	Nil

**20. QUESTIONS FOR NEXT MEETING**

Questions will be received at the Meeting.

**21. CONFIDENTIAL BUSINESS**

Confidential business items to be heard in Closed Session of Council.

**END OF BUSINESS PAPER**