



# MINUTES of

## ORDINARY MEETING OF COUNCIL

Held at 12:30pm 15 December 2020

### Present at Meeting:

#### Councillors:

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

#### Staff:

Ms K Jessep, *General Manager*  
Mr S Paul, *Chief Financial Officer*  
Mr T Seymour, *Director Development & Infrastructure*  
Ms C Valencius, *Executive Manager Corporate Services*  
Ms N Heaton, *Coordinator Governance & Risk*  
Mr M Clarkson, *Manager Planning & Development*  
Ms W Westbrook, *Minute Clerk*

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## ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr I Strutt (Deputy Mayor), and Councillors- R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, R Crouch, T Toomey, General Manager (Ms K Jessep), Director Infrastructure and Development (Mr T Seymour), Executive Manager Corporate Services (Ms C Valencius), Chief Financial Officer (Mr S Paul), Manager, Planning & Development (Mr M Clarkson) and Minute Clerk (Ms W Westbrook).

## 1 OPENING & WELCOME

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

## 2 PRAYER

*The Chair read the prayer.*

## 3 ACKNOWLEDGEMENT TO COUNTRY

*The Chair read the acknowledgement to country.*

## 4 WEBCAST INFORMATION

*The Chair advised the meeting was recorded, and is made available on Council's website following the meeting.*

## 5 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

*The Chair advised there were no apologies received.*

*Chair advised receipt of a leave of absence.*

**MOTION Moved: Cr Dusting /Seconded: Cr Sampson**

**That a leave of absence from Mayor Cr Pearce be approved.**

**CARRIED UNANIMOUSLY**

## 6 DISCLOSURES & DECLARATION OF INTERESTS

*The Chair received the following declarations of pecuniary and non-pecuniary Conflict of Interest Declarations in relation to the 15 December 2020 Meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
M Dusting	15.4 DA 87-2019	Non-pecuniary Interest	Owner of property nearby

01.12/20

## 7 CONFIRMATION OF MINUTES

### 7.1 Ordinary Meeting of Council held 24 November 2020

*The Chair referred Councillors to the Minutes of the Ordinary Meeting held 24 November 2020 and called for any amendments.*

#### AMENDMENTS

*Cr O'Connor made reference to 7.1 page 9 – Ordinary Meeting Minutes held states 24 November should be 27 October.*

**MOTION Moved: Cr O'Connor / Seconded: Cr Strutt**

**That Council adopt the Minutes to the meeting held 24 November 2020, with amendments as noted, as true and correct record of the Ordinary Meeting held 24 November 2020.**

02.12/20

**CARRIED UNANIMOUSLY**

### 7.2 Minutes of Budget Review and Finance Committee Meeting held 13 October 2020

*The Chair referred Councillors to the Minutes of the Budget Review and Finance Committee Minutes held 13 October 2020 and called for any amendments.*

*There were no amendments requested by Councillors.*

**MOTION Moved: Cr Strutt/ Seconded: Cr O'Connor**

**That Council adopt the Minutes, as a true and correct record of the Budget Review and Finance Committee Meeting held on 13 October 2020.**

03.12/20

**CARRIED**

## 8 TABLING OF REPORTS & PETITIONS

*There were no reports or petitions tabled.*

## 9 URGENT, SUPPLEMENTARY & LATE ITEMS/REPORTS OF BUSINESS

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

## 10 WRITTEN REPORTS FROM DELEGATES

### 10.1 Written Delegate Report – Councillor I Strutt – Central Northern Regional Library

**MOTION Moved: Cr Strutt / Seconded: Cr O'Connor**

**That the Written Delegate Report Central Northern Regional Libraries (CNRL) meeting held on Wednesday 11 November 2020 at Ray Walsh House, Tamworth be received and noted.**

**04.12/20**

**CARRIED UNANIMOUSLY**

### 10.2 Activities 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>	15 December 2020	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"><li>- Industrial Land Staging</li><li>- DCP Heritage Chapter</li><li>- Waste Facilities Management</li><li>- Continuous Improvement</li></ul>	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
9 December 2020	NEWA Admin	Phone
11 December 2020	NEWA Admin	Phone
14 December 2020	NEWA Admin Meeting	Uralla
15 December 2020	Council Ordinary Meeting	Uralla

<b>COUNCILLOR NAME:</b>	Robert Crouch	
<b>COUNCIL MEETING DATE:</b>	15 December 2020	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
1 December 2020	Councillors Tour of Project sites Uralla & Bundarra	Uralla & Bundarra
2 December 2020	Bundarra Central School Presentation	Bundarra
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"><li>- Industrial Land Staging</li><li>- DCP Heritage Chapter</li><li>- Waste Facilities Management</li><li>- Continuous Improvement</li></ul>	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

<b>COUNCILLOR NAME:</b>	Levi Sampson	
<b>COUNCIL MEETING DATE:</b>	15 December 2020	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"><li>- Industrial Land Staging</li><li>- DCP Heritage Chapter</li><li>- Waste Facilities Management</li><li>- Continuous Improvement</li></ul>	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

<b>COUNCILLOR NAME:</b>		Natasha Ledger
<b>COUNCIL MEETING DATE:</b>		15 December 2020
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
November 2020	Bundarra Committee Meeting	Bundarra
18 November 2020	Australia Day Committee Meeting	Chambers
23 November 2020	Mundays Lane BBQ & Worked Raking	Uralla
24 November 2020	Council Ordinary Meeting	Chambers
25 November 2020	Australia Day Committee Meeting	Chambers
1 December 2020	Councillors Tour of Project sites Uralla & Bundarra	Uralla & Bundarra
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"> <li>- Industrial Land Staging</li> <li>- DCP Heritage Chapter</li> <li>- Waste Facilities Management</li> <li>- Continuous Improvement</li> </ul>	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

<b>COUNCILLOR NAME:</b>		Tara Toomey
<b>COUNCIL MEETING DATE:</b>		15 December 2020
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers
1 July 2019 to 24 November 2020	Councillor's expenses claim	\$Nil

<b>COUNCILLOR NAME:</b>		Robert Bell
<b>COUNCIL MEETING DATE:</b>		15 December 2020
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"> <li>- Industrial Land Staging</li> <li>- DCP Heritage Chapter</li> <li>- Waste Facilities Management</li> <li>- Continuous Improvement</li> </ul>	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

<b>COUNCILLOR NAME:</b>		Tom O'Connor
<b>COUNCIL MEETING DATE:</b>		15 December 2020
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
1 December 2020	Councillors' Bus Tour to Bundarra	Locations between and around Uralla and Bundarra
8 December 2020	Budget Review and Finance Committee	Chambers
8 December 2020	Councillors' Strategic Planning Workshop	Chambers
11 December 2020	Official Opening of the office of Elecnor Group, Greenlight Construction, the main contractor for the New England Solar Farm.	84 Bridge Street Uralla
15 December 2020	Council meeting	Chambers
1 July 2019 to 30 November 2020	Councillor's expenses claim	\$Nil

<b>COUNCILLOR NAME:</b>	Isabel Strutt	
<b>COUNCIL MEETING DATE:</b>	15 December 2020	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
25 November 2020	Developers Forum	Uralla
27 November 2020	CWA Meeting – GM Guest Speaker	Uralla
1 December 2020	Councillors Tour of Project sites Uralla & Bundarra	Uralla & Bundarra
8 December 2020	Councillor Strategic Planning Workshop <ul style="list-style-type: none"> <li>- Industrial Land Staging</li> <li>- DCP Heritage Chapter</li> <li>- Waste Facilities Management</li> </ul> Continuous Improvement	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
8 December 2020	UTEC Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

<b>COUNCILLOR NAME:</b>	Michael Pearce	
<b>COUNCIL MEETING DATE:</b>	15 December 2020	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
25 November 2020	Developers Forum, Mayor's Office - Admin 2AD Radio interview	Uralla
26 November 2020	Mayor's Office – Admin. Chair meeting Northern Inland Regional Waste (NIRW) group.	Gunnedah
30 November 2020	New England Joint Organisation Board meeting.	Moree
1 December 2020	Mayor's Office – Admin. Councillors Bus tour	Bundarra
2 December 2020	Mayor's Office - Admin	Uralla
3 December 2020	Mayor's Office - Admin	Uralla
5 December 2020	Official opening Amenities shed, Bundarra Sport and Rec club with Adam Marshall.	Bundarra
7 December 2020	Mayor's Office - Admin	Uralla
8 December 2020	Mayor's Office – Admin Budget, Review and Finance Committee meeting. Councillor Strategic workshop.	Uralla
9 December 2020	Mayor's Office -Admin 2AD Radio interview	Uralla
10 December 2020	Mayor's Office – Admin	Uralla
14 December 2020	Mayor's Office – Admin.	Uralla
15 December 2020	Mayor's Office – Admin	Uralla
15 December 2020	Council Ordinary Meeting	Chambers

## 11 ITEMS PASSED IN BULK

*No items were passed in bulk.*

## 12 MAYORAL MINUTE

12.1 MAYORAL MINUTE - Long Service Awards

**MOTION Moved: Mayor Cr Pearce/ Seconded: Cr Ledger**

**That Mayoral Minute – Long Service Awards be received and noted.**

05.12/20

**CARRIED UNANIMOUSLY**

12.2 MAYORAL MINUTE - Virtual ZOOM LGNSW Annual Conference Summary

**MOTION Moved: Mayor Cr Pearce / Seconded: Cr Ledger**

**That Mayoral Minute – Virtual ZOOM LGNSW Annual Conference be received as a summary of the Virtual Zoom conference held 23 November 2020.**

06.12/20

**CARRIED UNANIMOUSLY**

12.3 MAYORAL MINUTE - School Presentation Day 2020

**MOTION Moved: Mayor Cr Pearce / Seconded: Cr Strutt**

**That Mayoral Minute – School Presentation Day 2020 be received and noted.**

07.12/20

**CARRIED UNANIMOUSLY**

## 13 PUBLIC FORUM/PRESENTATIONS

13.1 Speaker 1: Steve Attard – Item 15.4 DA87/2019 51 John St Uralla

*The Chair introduced the Speaker.*

*The Speaker made a presentation to Council in relation to Item 15.4 speaking against the development application No 15.3 DA87/2019.*

*The Chair invited questions from Councillors.*

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



### 13.2 Speaker 2: Bruce McMullen – Item 16.3 Code of Meeting Conduct

*The Chair introduced the Speaker.*

*The Speaker made an address to Council presenting a submission on Item 16.3- Notice of Motion.*

*The Chair invited questions from Councillors.*

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

*The Chair resumed Standing Orders.*

## 14 REPORT OF COMMITTEES

### 14.1 Uralla Township & Environs Committee (UTEC) Minutes 10 November 2020

PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Strutt

To move to Committee of the Whole.

08.12/20

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION Moved: Cr Toomey/ Seconded: Cr Strutt

To resume Standing Orders.

09.12/20

**CARRIED UNANIMOUSLY**

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

**MOTION Moved: Cr Dusting/ Seconded: Cr Ledger**

**That Council:**

1. **Receive and note the minutes of the Uralla Township & Environs Committee meeting held 10 November 2020 including the following recommendations to Council:**
  - a. **UTEC committee engage in a Strategic Planning workshop on Tuesday 6 December at 6pm;**
  - b. **As a matter of urgency, the USC revisit the proposal for Fuller Park and in relation to Gwen Fuller's Letter (20.06.01 and 20.06.02) and request UTEC Councillor representatives present this a notice of motion to USC.**
  - c. **As a matter of urgency, USC address the issues in the Maitland Street to Bridge Street Gun proposal and request UTEC Councillor representatives present this a notice of motion to USC;**
  - d. **Council negotiate with the owner of the property, Scott Mutton, to remove and dispose of the rusted and obsolete Uralla Military Museum sign at the southern end of the highway approach to Uralla, which is the first sign motorists see entering the town, and**
  - e. **The Committee compile responses re UTEC Constitution (25.8.20) and present a proposal for change to USC.**
2. **Liaise with Mrs Gwen Fuller, Uralla Garden Club, UTEC members and James Sinclair to convene a workshop for Councillors to develop suggested design options for Fuller Park;**

3. Continue to maintain the path from Maitland Street (Porter Park) through Bridge Street underpass to Apex Park following remediation works by Transport NSW;
4. Liaise with the landowner and Tamworth Regional Council to explore options for removal of the old Uralla Military Museum signs at the southern end of the highway approach to Uralla Shire, and
5. Circulate the design to consider the Main Street Beautification Design by the Creative Village Committee in the preparation of the Uralla Shire Open Space Strategy.

10.12/20

**CARRIED UNANIMOUSLY**

14.2 New England Joint Organisation Committee Minutes for 29 September 2020 & 30 November 2020

PROCEDURAL MOTION (Moved: Cr Crouch / Seconded: Cr Dusting)

To move to Committee of the Whole.

11.12/20

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION (Moved: Cr Crouch / Seconded: Cr Sampson)

To resume Standing Orders.

12.12/20

**CARRIED UNANIMOUSLY**

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

*Cr Bell removed himself from meeting declaring a pecuniary interest in Solar farm being referred to in discussion 1:41pm.*

**MOTION Moved: Cr O'Connor/ Seconded: Cr Toomey**

**That Council receive and note the minutes of the New England Joint Organisation meetings held 29 September 2020 and 30 November 2020.**

13.12/20

**CARRIED UNANIMOUSLY**

*Cr Bell was absent at the time of voting.*

*Cr Bell returned to meeting 1:44pm.*

## 15 REPORTS TO COUNCIL

*Cr Dusting, having previously declared a conflict of interest, left the meeting at 1:44pm.*

**14.12/20**  
PROCEDURAL MOTION Moved: Cr O'Connor / Seconded: Cr Toomey  
Council to consider Item 15.4 DA 87/2019 prior to Item 15.1  
**CARRIED UNANIMOUSLY**  
*Cr Dusting absent at time of voting having declared a non-pecuniary interest.*

### 15.4 DIVISION DECISION - Development Application 87/2019 - Dwelling, garage and strata subdivision at 51 John Street Uralla

**15.12/20**  
PROCEDURAL MOTION Moved: Cr O'Connor / Seconded: Cr Crouch  
To move to Committee of the Whole.  
**CARRIED UNANIMOUSLY**

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

**16.12/20**  
PROCEDURAL MOTION Moved: Cr O'Connor / Seconded: Cr Ledger  
To resume Standing Orders.  
**CARRIED UNANIMOUSLY**

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

**MOTION (Moved: Cr O'Connor / Seconded: Cr Strutt)**

**That Council approve the Development Application 87/2019 for a dwelling, garage and strata subdivision at 51 John St Uralla (Lot 12 DP 1198902) subject to the following conditions of consent:**

# Development Assessment Report

DA Number: DA-87-2019

Council: Uralla Shire Council

Location: 51 John Street URALLA

Development Description: Dwelling, Garage and Strata Subdivision

Title Details: Lot: 12 DP: 1198902

## Property Details/History

	Checked	Comments
File History	No	
Title Plan	Yes	
Check Ownership	Yes	

## Application Type

Is this application an Integrated Development Application? No

Is it a BASIX affected development? Yes. Certificate 1049073S supplied.

## 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: R1 General Residential

### List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	The proposed land use requires development consent.

## 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
3	Yes	Setbacks are compliant. No unreasonable impacts on privacy.

## 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?

No

### Subdivision

Is this application for subdivision?

Yes. Strata only.

How many new lots are being created?

1

### Environmental Impacts

*Section 79c(1)(b) – EP & A Act*

Does this proposal have any potential environmental impacts?

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?

No

### Infrastructure

Has an engineering assessment been completed?

No

	Impact	Comment
Drainage	No	Overall overland flow to the east will be less as roof stormwater will be piped to the John St culvert and runoff from the impervious driveway is channelled to a rubble trench designed for a four-day ARI of 1 in 5.

### Section 68 Assessment

*Section 68 – LGA Act*

Is a section 68 approval required?

Yes

What the type of assessment/approval required? B1, B5 and B6.

### 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
Steven Attard	<ul style="list-style-type: none"><li>• Lot sizes</li><li>• Easement</li><li>• Access</li><li>• Privacy</li><li>• Noise</li><li>• Stormwater</li></ul>	<ul style="list-style-type: none"><li>• Lot size not relevant to strata subdivision</li><li>• An easement for sewage drainage forms part of the consent conditions</li><li>• Access is compliant with the DCP</li><li>• Privacy and noise impacts are considered reasonable in an R1 general residential zone</li><li>• As the stormwater from the roof is being piped to the John St culvert and the rubble drain has been designed for a four-day ARI of 1 in 5 no detrimental impacts on the amenity of neighbours are expected.</li></ul>
Sally-Anne Prado	<ul style="list-style-type: none"><li>• Stormwater</li><li>• Lot sizes</li></ul>	<ul style="list-style-type: none"><li>• See comments above</li><li>• See comments above</li></ul>
Geoff Khan	<ul style="list-style-type: none"><li>• Stormwater</li></ul>	<ul style="list-style-type: none"><li>• See comments above</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

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: 1.12.2020**

CONFIRMED

## ***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.

### 136D Fulfillment of BASIX commitments

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

## GENERAL CONDITIONS

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

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

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

12. The structures are to be inspected at the following stages of construction:

- before the pouring of footings\*\*
- before covering drainage (under hydrostatic test)
- before pouring any reinforced concrete structure \*\*
- before covering the framework for any wall, roof or other building element \*\*
- before covering waterproofing in any wet area\*\*
- before covering any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed\*\*

\*\* denotes a critical stage inspection (a mandatory inspection under Section 6.3 of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.

Council has limited capacity for inspections, which may only be on specific days. Please contact Council well in advance to arrange an inspection.

\*All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer

*Reason: To ensure compliance with appropriate standards.*

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

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

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

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

15. Roof water from the dwellings and garages on both proposed strata lots is to be disposed of in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:

- (a) By piping to the John St culvert.
- (b) By piping to a rainwater tank and then via the overflow to the John St culvert.

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

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

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

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

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

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

*Reason: Statutory requirement*

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

*Reason: Statutory requirement*

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

19. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:
- a) The owner of the land or the owner's agent,
  - b) The Council.

*Reason: Statutory requirement*

20. 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**

21. That two lots are created by the subdivision of Lot 12, DP 1198902 one of about 451m<sup>2</sup> and the other about 582m<sup>2</sup>.

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

22. The new driveways are to be concrete or bitumen seal. These works are to be at the developer's expense.

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

23. 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 proposed Lot 1.
- (b) It must be located centrally over the sewage line located within proposed Lot 2.
- (c) It must have a minimum width of one metre.

*Reason: To protect the sewage infrastructure from inappropriate future development that may have an adverse impact on its repair, maintenance or replacement.*

24. 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.*

25. The development must be provided with reticulated electricity. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity.

*Reason: To ensure that development is adequately serviced by utilities*

26. Prior to the issue of a subdivision certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed strata allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.

*Reason: To ensure that subdivision is adequately serviced by utilities.*

27. 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.*

28. Prior to the issue of the Subdivision or Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:

- (a) the installation of fibre-ready facilities to all individual lots and/or premises in a development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The developer must demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

and

- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a development project demonstrated through an agreement with a carrier.

*Reason: To ensure that development is adequately serviced by utilities.*

### **CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING**

29. 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**

30. The owner of the property is to ensure that any building is constructed:
- (c) to meet the setback requirements of the approved plans,
  - (d) to be located within the confines of the lot, and;
  - (e) 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.*

31. 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.*

32. 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.*

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

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

34. All construction materials, sheds, skip bins, spoil, temporary water closets etc. shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

*Reason: To preserve the amenity of the locality and protect stormwater systems.*

35. Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with council's drainage system shall not be used.

*Reason: To ensure that Council's stormwater system is protected.*

36. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of Council or the PCA.

*Reason: To ensure compliance with approved plans.*

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

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

*Reason: Requirement of Council as the Road Authority.*

38. Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- (j) divert uncontaminated run-off around cleared or disturbed areas,
- (k) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (l) prevent tracking of sediment by vehicles onto roads,
- (m) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

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

### **CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

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

*Reason: To ensure that public infrastructure is maintained.*

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

*Reason: To provide appropriate access to the site.*

41. A street number must be displayed on each dwelling/premises in a position clearly visible from the

street, using numbers having a height of not less than 80 mm.

*Reason: To enable the dwelling to be identified by a location based address.*

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

42. Stormwater management must be designed and constructed to a standard approved by Council's Director of Infrastructure and Development or nominee.

*Reason: To ensure appropriate management of stormwater prior to use.*

### **ADVISORY NOTES – GENERAL**

43. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
44. 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.
45. 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.
46. 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.
47. 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.
48. 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.
49. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

**END**



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

**FOR:** Crs M Pearce, N Ledger, T O'Connor, I Strutt, R Crouch, R Bell, L Sampson,  
T Toomey.

**AGAINST:** NIL

**ABSENT:** Cr M Dusting

**17.12/20**

**CARRIED**

*Cr Dusting, was absent for voting having previously declared a conflict of interest.*

*Cr Dusting returned to the meeting 2:00pm.*

15.1 REPORT – Cash at Bank and Investments

**MOTION Moved: Cr Ledger / Seconded: Cr Strutt**

**That:**

1. Council note the cash position as at 30 November 2020 consisting of cash and overnight funds of \$3,078,065, term deposits of \$14,821,531 totalling \$17,899,596 of readily convertible funds.
2. Council note the loan position as at 30 November 2020 totalling \$2,091,371.

**18.12/20**

**CARRIED UNANIMOUSLY**

15.2 Works Progress Report as at 30 November 2020

PROCEDURAL MOTION Moved: Cr O'Connor/ Seconded: Cr Toomey

To move to Committee of the Whole.

**19.12/20**

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION Moved: Cr O'Connor/ Seconded: Cr Strutt

To resume Standing Orders.

**20.12/20**

**CARRIED UNANIMOUSLY**

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

**MOTION Moved: Cr O'Connor/ Seconded: Cr Strutt**

**That the Works Progress Report as at 30 November 2020 be received and noted.**

**21.12/20**

**CARRIED UNANIMOUSLY**

### 15.3 Information Report to November Council Resolution 15.11/20

The General Manager corrected an error in the report in section a. changed from 'Kingstown Road Ch18-18.75km' to 'Multiple Roads' and Scope of works changed from 'Widening & Stabilising' to 'Resealing'. This report relates to a particular funding program- Roads to Recovery.

PROCEDURAL MOTION Moved: Cr O'Connor/ Seconded: Cr Sampson

To move to Committee of the Whole.

22.12/20

**CARRIED UNANIMOUSLY**

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

*Councillor O'Connor left the meeting 2:14pm.*

*The Chair called for a short break/Seconded: Cr Crouch 2:15pm.*

*The meeting resumed at 2:31pm.*

*The Chair advised Cr O'Connor had left the meeting and Council continued in Committee.*

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Toomey

To resume Standing Orders.

23.12/20

**CARRIED UNANIMOUSLY**

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

MOTION Moved: Cr Crouch/ Seconded: Cr Toomey

That Council:

1. note the information on the funding from Roads to Recovery Program, \$894,159, and Local Roads and Infrastructure Program, \$596,106, towards Capital and Recurrent Roadworks; and
2. request that General Manager provide a report on Capital Expenditure, undertaken and proposed in this report and including expenditures planned in the Capital Works Program at 31 October 2020 that are unbudgeted, non-approved and altered from the Capital Expenditure as approved and funds voted in the Uralla Shire Council Delivery Program 2017-2022 and Operational Plan 2020-2021 (pages 70 and 71) by Council Resolution 08.07/20.

DIVISION DECISION For: Crs Toomey; Crouch; Sampson; Bell.

Against: Crs Pearce; Strutt; Ledger; Dusting.

Casting Vote - The Mayor voted – Against the motion

**LOST**

*Cr Toomey Left the meeting 2:45pm.*

MOTION Moved: Cr Dusting/ Seconded: Cr Strutt

**FORESHADOWED MOTION:**

**That Council note the information provided for the works to be undertaken through funding from the Roads to Recovery and Local Roads and Infrastructure Programs.**

24.12/20

**CARRIED**

*Crs Bell and Crouch requested that their vote against the motion be recorded.*

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

*Cr Toomey returned to the meeting at 2:49pm.*



## 15.5 Draft Policy – Gifts and Benefits

PROCEDURAL MOTION (Moved: Cr Toomey / Seconded: Cr Strutt)  
To move to Committee of the Whole.

25.12/20

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Dusting  
To resume Standing Orders.

26.12/20

**CARRIED UNANIMOUSLY**

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

**MOTION (Moved: Cr Ledger / Seconded: Cr Crouch)**

**That Council place the draft Gifts and Benefits Policy on public exhibition for 28 days, with a minor amendment to page 2 (127 of business paper) delete the words in part 3 in the last paragraph “which is not of token value” and adding an additional sentence regarding the \$50 value as per code of conduct, and if no significant submissions are received that the Policy be adopted.**

27.12/20

**CARRIED UNANIMOUSLY**

15.6 Draft Policy - Provision of Information and Interaction between Councillors and staff.

PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Bell  
To move to Committee of the Whole.

28.12/20

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Dusting  
To resume Standing Orders.

29.12/20

**CARRIED UNANIMOUSLY**

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

**Procedural Motion Moved: Cr Crouch/ Seconded: Cr Dusting  
That the matter lay on the table.**

30.12/20

**CARRIED**

*Crs Ledger requested that her vote against the motion be recorded.*

*The Chair Moved for a short break/ Seconded: Cr Crouch 2:25pm.*

*Meeting resumed 2:28pm.*

## 15.7 Register Resolutions Actions Status

PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Dusting  
To move to Committee of the Whole.

31.12/20

**CARRIED UNANIMOUSLY**

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

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Dusting  
To resume Standing Orders.

32.12/20

**CARRIED UNANIMOUSLY**

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

**MOTION Moved: Cr Sampson / Seconded: Cr Toomey**

**That Council receive and note the Resolution Action Status as at 8 December 2020.**

33.12/20

**CARRIED**

## 15.8 Uralla Shire Council 2020 Summary of Achievements

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Ledger  
That Council suspend meeting procedures to view the PowerPoint *Uralla Shire Council 2020 Summary of Achievements Presentation*.

34.12/20

**CARRIED UNANIMOUSLY**

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Dusting  
To resume Standing Orders.

35.12/20

**CARRIED UNANIMOUSLY**

## 16 MOTIONS ON NOTICE / QUESTIONS WITH NOTICE 16.1 Procurement

Favouring Local Suppliers – Cr Robert Crouch

**Moved: Cr Crouch / Seconded: Cr Ledger**

- 1. That Council amend Uralla Shire Council Policy: Procurement, to include a preference for local suppliers/local content section that specifies a 5% 'Local Business' weighting criteria for businesses whose registered business address is in Uralla Shire, and 2% weighting criteria for businesses in neighbouring LGAs.**
- 2. The amended procurement policy be placed on public consultation for 28 days and if no substantive feedback is received, the policy be adopted as amended.**

36.12/20

**CARRIED UNANIMOUSLY**

16.2 Open Workshops to the Public – Cr Robert Crouch

**MOTION Moved: Cr Crouch/ Seconded: Cr Ledger**

**That Council:**

- 1. Open councillor workshops to the public, except for agenda items that fall under Section 10A of the Local Government Act 1993, when workshops will be closed.**
- 2. Public Notice of the agenda items to be given 3 business days before the workshop.**

37.12/20

**CARRIED UNANIMOUSLY**

16.3 Policy – Code of Meeting Practice – Cr Tara Toomey

**MOTION Moved: Cr Toomey/ Seconded: Cr Crouch**

**1 - That Council make the following amendments to the Code of Meeting Practice:**

1. delete 4.6, and 4.11.
2. modify 4.10 to remove the need to register with council any written, visual or audio material and remove the discretion of the General manager to refuse to allow such material
3. modify 4.4 to permit more than 1 item, amending the wording to “up to 3 items”.
4. modify 4.3 to permit people to speak on items not on the agenda, but which the Council agrees are in the public interest to be addressed to Council by adding the words “or the topic” following the words “the person wishes to speak on”
5. Amend 4.13 to include “or the topic”
6. 4.22 replace "general manager or their delegate" with "the Council"
7. Include 20.24 from the Model Code
8. Include 11.11 from the Model Code
9. Delete 3.33

**2 - Place the revised version on public display for a period of 28 days.**

**Procedural Motion Moved: Cr Strutt/ Seconded: Cr Dusting**

**That Council lay the matter on the table.**

38.12/20

**CARRIED**

16.4 Councillors Expenses - Cr Tara Toomey

**MOTION Moved: Cr Toomey/ Seconded: Cr Bell**

- 1) That Councillors table a statement of all claims made under the Councillor Expenses and Facilities Policy 2008 at each Ordinary Council meeting as part of their delegate report.**
- 2) That Councillors who have incurred travel or other costs that are borne by Council directly, provide a statement of these at each Council meeting.**

39.12/20

**CARRIED**

*Cr Ledger requested that her vote against the motion be recorded.*

**17 CONFIDENTIAL MATTERS**

**MOTION Moved: Cr Dusting/ Seconded: Cr Strutt**

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

**This report is presented to the CLOSED section of the December 2020 meeting under section 10A (2)(d)(i) of the Local Government Act (NSW) 1993.**

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:**
  - (a) the discussion of any of the matters listed in subclause (2), or**
  - (b) the receipt or discussion of any of the information so listed.**
- (2) The matters and information are the following:**
  - (d) commercial information of a confidential nature that would, if disclosed:**
    - (i) prejudice the commercial position of the person who supplied it.**

**Reason: report on commercial-in-confidence tender submissions.**

40.12/20

**CARRIED UNANIMOUSLY**

## REPORT TO CLOSED SESSION

*The General Manager provided an update to the report that advice from LGNSW Procurement that procurement of a second truck was considered a major variation as it was not in the original tender scope; therefore only the first recommendation should be considered by Council.*

- 17.1 Confidential Report -UINT/20/11183 - Supply and Delivery Horizontal Discharge Bitumen Truck RFT936816 Evaluation Recommendation

**MOTION (Moved: Cr Bell / Seconded: Cr Ledger**

**That Council accept the tender from JT Fossey Trucks – Tamworth for Supply 1 Nissan Quon with Ausroad Bitumen body for \$433,580.97 (including GST).**

41.12/20

**CARRIED UNANIMOUSLY**

**PROCEDURAL MOTION Moved: Cr Dusting/ Seconded: Cr Strutt**

**To return to open session of Council.**

42.12/20

**CARRIED UNANIMOUSLY**

**PROCEDURAL MOTION Moved: Cr Dusting/ Seconded: Cr Strutt**

**The resolutions of closed session of Council become the resolutions of open session of Council.**

43.12/20

**CARRIED UNANIMOUSLY**

**MOVE TO OPEN SESSION**

## 18 COMMUNICATION OF COUNCIL DECISIONS

*The Chair communicated the Council decisions from the closed session:*

*Mayor: During the meeting the Council made the following resolutions:*

- 1. That Council accept the tender from JT Fossey Trucks – Tamworth for Supply 1 Nissan Quon with Ausroad Bitumen body for \$433,580.97 (including GST).*
- 2. To return to Open Session of Council.*

## 19 CLOSURE OF MEETING

*The meeting was closed at 4:35pm.*

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	
DATE:	
MAYOR:	Councillor Michael Pearce