



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

27 October 2020

Kate Jessep
GENERAL MANAGER



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BUSINESS AGENDA

Ordinary Meeting of Council

27 October 2020 at 12:30pm

- 1. Opening & Welcome**
- 2. Prayer**
- 3. Acknowledgement of Country**
- 4. Webcast Information**
- 5. Apologies & Requests for Leave of Absence by Councillors**
- 6. Disclosures & Declaration of Interest**
- 7. Confirmation of Minutes**
 - 7.1. September 22, 2020 Ordinary Meeting Minutes
 - 7.2. September 29, 2020 Extraordinary Meeting Minutes
- 8. Tabling of Petitions**
- 9. Urgent; Supplementary & Late Items of Business**
- 10. Written Reports from Delegates**
- 11. Items Passed in Bulk**
- 12. Mayoral Minute**
- 13. Public Forum/Presentation**
- 14. Reports of Committees**
 - 14.1. August 11 Budget Review Finance Committee Minutes
 - 14.2. October 13 Audit Review & Improvement Committee Minutes and Recommendations
- 15. Reports to Council**
 - 15.1. Report 1 - Cash at Bank and Investments
 - 15.2. Report 2 - Works Progress Report
 - 15.3. Report 3 - DA-44-208 Natural Burial Ground – 192 Dumaresq Road Saumarez Ponds
 - 15.4. Report 4 - Planning Proposal Additional Permitted Use Transport Depot
 - 15.5. Report 5 - Report on Notice of Motion 29.08/20
 - 15.6. Report 6 - Disclosure of Interest by Councillors and Designated Persons 2020
 - 15.7. Report 7 - Community Grants Program 2020-21 - Individuals
 - 15.8. Report 8 - Enterprise Risk Management Policy
 - 15.9. Report 9 - Code of Meeting Practice
 - 15.10. Report 10 - Resolution Action Status
- 16. Motions on Notice/Questions with Notice**
- 17. Confidential Matters**
- 18. Communication of Council Decisions**
- 19. Conclusion of the Meeting**

- 1. OPENING & WELCOME**
- 2. PRAYER**
- 3. ACKNOWLEDGEMENT OF COUNTRY**
- 4. WEBCAST INFORMATION**
- 5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE
BY COUNCILLORS**
- 6. DISCLOSURES & DECLARATIONS OF INTEREST**

To be tabled at the Meeting.

7. CONFIRMATION OF MINUTES



Minutes to be confirmed at the 27 October 2020 Meeting of Council:

7.1 Ordinary Meeting of Council held 22 September 2020

MINUTES of

ORDINARY MEETING OF COUNCIL

Held at 12:30pm 22 September 2020

Present at Meeting:

Councillors:

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

Staff:

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

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1. Opening & Welcome

The Chair declared the meeting opened at 12:30pm

2. Prayer

The Chair recited the Uralla Shire Council Prayer: Almighty God we humbly ask you to grant your blessing upon this Council. Direct and prosper our deliberations to the advancement of your glory, and the true welfare of the people of our Shire and Australia. Amen!

Acknowledgement to Country

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

3. Webcast Information

This Chair advised: the meeting is being audio recorded with the recording made available on Council's website after the meeting. NOTE: There was a technical failure on the recording – no recording is available for this meeting.

4. Apologies and Application for Leave of Absence by Councillors

The Chair advised there was an apology from Cr L Sampson. .

The Chair advised receipt for leave of absence received from Cr L Sampson

MOTION: Moved: Cr M Dusting/ Seconded: Cr I Strutt

That Council accept Leave of absence from Cr L Sampson for the Ordinary Meeting held 22 September 2020.

01.09/20

CARRIED

5. Disclosures & Declaration of Interests

The Chair received the following declarations of pecuniary and non-pecuniary Conflict of Interest Declarations in relation to the 22 September 2020 Meeting.

Councillor	Item or Report Number	Pecuniary or NON-Pecuniary Interest	Nature of Interest
Cr R. Crouch	Report 2	Non – Pecuniary	Near neighbour
Cr R. Crouch	Report 10 and12	Non - Pecuniary	Secretary to Uralla Business Chamber

6. Confirmation of Minutes

Minutes to be confirmed at the 22 September 2020 Meeting:

- *Minutes of Ordinary Meeting held 25 August 2020 (to be confirmed)*

AMENDMENTS

The Chair referred Councillors to the Minutes of the Ordinary Meeting held 25 August 2020 and called for any amendments.

Amendments requested by Councillors: Incorrect spelling of Cr Dusting, correction needed in resolution numbers, and correct title to resolution27.08/20.

MOTION: Moved: Cr Ledger/ Seconded: Cr Strutt

That Council adopt the Minutes, together with amendments as follows:

- (1) Apology, correct spelling of Cr Dustings name;
- (2) Correct resolution numbering 27 – 30; and
- (3) Resolution 27.08/20 Report 9 – part 2 delete 'or'.

as noted, as a true and correct record of the Ordinary Meeting held 25 August 2020.

02.09/20

CARRIED

7. Urgent, Supplementary & Late Items of Business

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

8. Written Reports from Delegates (Activities Summaries)

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

Councillor Name: Mark Dusting		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
14 Sep 2020	New England Weed County Council	Via Phone
22 Sep 2020	Council Meeting	Chambers

Councillor Name: Robert Crouch		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
27 Aug 2020	Audit Risk & Improvement Committee	Uralla
28 Aug 2020	LSPS Workshop	Uralla
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
15 Sep 2020	Strategic Planning Workshop - Projects for future grant funding – ranking (part 2 of 3) -LSPS Feedback to date -NSW Bushfire Community Resilience & Economic Recovery fund Grant Project Scope -Development Control Plan -Operational Plan Action Status -Code of Conduct-latest statutory changes -Cr O'Connor NOM scoping workshop 2 of 3	Chambers
17 Sept 2020	LSPS Q&A	Zoom
22 Sept 2020	Council Meeting	Uralla

Councillor Name: Natasha Ledger		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Uralla
15 Sep 2020	Strategic Planning Workshop - Projects for future grant funding – ranking (part 2 of 3) -LSPS Feedback to date -NSW Bushfire Community Resilience & Economic Recovery fund Grant Project Scope -Development Control Plan -Operational Plan Action Status -Code of Conduct-latest statutory changes -Cr O'Connor NOM scoping workshop 2 of 3	Uralla

19 Sep 2020	Mundays Lane working group	Uralla
22 Sep 2020	Council September Meeting	Uralla

Councillor Name: Levi Sampson		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
8 Sept 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	

Councillor Name: Tara Toomey		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
17 Sep 2020	LSPS Q&A	Zoom
27 Aug 2020	Audit Risk & Improvement Committee	Uralla
22 Sep 2020	Council Business Meeting	Chambers
1 July – 22 Sep 2020	Claim Councillor expenses	\$Nil

Councillor Name: Robert Bell		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
22 Sep 2020	Council Meeting	Chambers

Councillor Name: Tom O'Connor		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
9 Sep 2020	Grants Assessment Panel	Email Exchange
22 Sep 2020	Council Meeting	Chambers
1 July – 22 Sep 2020	Claim Councillor expenses	\$Nil

Councillor Name: Isabel Strutt		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
27 Aug 2020	Audit , Risk and Improvement Committee - Observer	Chambers
8 Sep 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
15 Sep 2020	Strategic Planning Workshop - Projects for future grant funding – ranking (part 2 of 3) -LSPS Feedback to date	Neighbourhood Centre Uralla

	-NSW Bushfire Community Resilience & Economic Recovery fund Grant Project Scope -Development Control Plan -Operational Plan Action Status -Code of Conduct-latest statutory changes -Cr O'Connor NOM scoping workshop 2 of 3	
22 Sep 2020	Council Meeting	Chambers

Councillor Name: Michael Pearce - MAYOR		
Council Meeting Date:	22 September 2020	
Date	Committee/Meeting/Event	Location
26 Aug 2020	Mayor's Office – Admin	Uralla
27 Aug 2020	Mayor's Office – Admin	Uralla
31 Aug 2020	Mayor's Office – Admin	Uralla
1 Sept 2020	Chair Meeting – New England Bushfire Management Committee (NEBFMC)	Armidale
2 Sept 2020	Mayor's Office – Admin 2AD Radio interview	Uralla
3 Sept 2020	Mayor's Office – Admin Zoom meeting – New England /Northern Tablelands Volunteer of the Year Awards	Uralla
7 Sept 2020	UPC – New England Solar Farm Community Reference Group – Community Grants announcement, Alma Park	Uralla
8 Sept 2020	Mayor's Office – Admin	Uralla
8 Sept 2020	Strategic Planning Workshop - Tour Waste Depot - Uralla Sire Business Chamber RDA support options -Cr O'Connor NOM scoping workshop 1 of 3	Chambers
9 Sept 2020	Mayor's Office – Admin	Uralla
10 Sept 2020	Chair meeting – Northern Inland Regional Waste (NIRW) group AGM – Zoom also utilised	Uralla
14 Sept 2020	Mayor's Office – Admin	Uralla
15 Sept 2020	Mayor's Office – Admin	Uralla
15 Sept 2020	Strategic Planning Workshop - Projects for future grant funding – ranking (part 2 of 3) -LSPS Feedback to date -NSW Bushfire Community Resilience & Economic Recovery fund Grant Project Scope -Development Control Plan -Operational Plan Action Status -Code of Conduct-latest statutory changes -Cr O'Connor NOM scoping workshop 2 of 3	Chambers
16 Sept 2020	Mayor's Office – Admin	Uralla
17 Sept 2020	Mayor's Office – Admin Draft Local Strategic Planning Statement Information Session via Zoom	Uralla
20 Sept 2020	GM presentation to AGM meeting McCrossing's Mill	Uralla
21 Sept 2020	Mayor's Office – Admin	Uralla
22 Sept 2020	Mayor's Office – Admin Council September meeting	Uralla

9. Written reports from Delegates (Reports to Council)
The Chair advised there were no written reports from delegates

10. Items Passed in Bulk
Items passed in bulk were:

Item 13 - Report 1 - Cash at Bank and Investments

MOTION: Moved: Cr Dusting/ Seconded: Cr O'Connor

That:

- 1) Council note the cash position as at 31 August 2020 consisting of cash and overnight funds of \$2,045,396, term deposits of \$12,656,761 totalling \$14,702,157 of readily convertible funds.
- 2) Council note the loan position as at 31 August, 2020 totalling \$2,145,192.

03.09/20 CARRIED

Item 14 - Report 13 – LGNSW Annual Conference 2020

MOTION: Moved: Cr Dusting / Seconded: Cr O'Connor

That:

- 1) The Mayor and General manager attend the LGNSW Annual Conference on 23 November 2020; and
- 2) Should the Mayor be unable to attend the LGNSW Annual Conference, the Deputy Mayor attend as his proxy.

04.09/20 CARRIED

11. Mayoral Minute
The Chair advised there was no Mayoral Minute addressed to 22 September 2020 meeting

12. Reports of Committees
Report 1 – Minutes of the Audit, Risk & Improvement Committee Meeting held on 27 August 2020 and Amended Charter

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

To move to Committee of the Whole

05.09/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

To Return to Standing Orders

06.09/20 CARRIED

The Chair outlined details of the discussion held in committee.

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

That the Minutes from the Audit Risk and Improvement Committee meeting held on 27 August 2020 be noted and:

- (1) That the General Manager conduct a review and evaluation of the resourcing surrounding the work plan and recommendations to be made to Council on same.

- (2) That the Audit Risk and Improvement Committee (ARIC) review and present a new (annual) work plan in consultation with relevant parties (audit/Council administration) for consideration at the next ARIC meeting.
- (3) That the Charter be endorsed as amended.
- (4) That the General Manager remove from the report on Internal Audit and Audit Office Management Letters Action Schedule, actions presented as completed.
- (5) That Council's Internal Auditor provide a report to ARIC on the effectiveness of the Contract Register.

07.09/20 CARRIED

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

- (6) That Council engage an Independent Auditor or Forensic Accountant to undertake a review of the process surrounding any possible deviation between the Transport Asset Management Plan (Feb 2016 v6) and the related 2019-2020 budget allocations without Council's approval and report to ARIC on the results of the audit.

TIED

The Mayor cast a deliberative vote

08.09/20 CARRIED - *Cr Ledger requested her vote against the motion be recorded*

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

- (7) That in relation to the sealing of the asphalt overlay of Hill Street between Bridge and Duke Streets, that Council's Internal Auditor undertake a review of the process for undertaking this work to examine whether a breach of established delegations was evidenced by the splitting of an order by Council Officers to avoid going to tender.

09.09/20 CARRIED - *Cr Ledger requested her vote against the motion be recorded.*

Report 2 – Community Grants program 2020-21 - Round 1 Application Assessments

MOTION: Moved: Cr Dusting/ Seconded: Cr Ledger

That Council adopt the Community Grant panel Committee recommendation to:

- 1) Approve Community Grants Program 2020-21 Round 1 funding allocations to the following applicants in accordance with the general grant conditions and special conditions as set out in Table 3 of this report:
 - a. Uralla Neighbourhood Centre for the amount of \$1,600
 - b. Kentucky Progress Association for the amount of \$3,000
 - c. St Joseph's Catholic School Uralla for the amount of \$2,200

10.09/20 CARRIED

13. Reports to Council (Scheduled Reports)

Per Cr Crouch declaration for this item Cr Crouch left the meeting 1.46pm

Report 2 - Development Application 20/2020 – 4 Bay Shed –178 Thunderbolts Way, Rocky River
DIVISION DECISION

MOTION: Moved: Cr Bell/ Seconded: Cr Strutt

That Council approve the Development Application 20/2020 for a shed at 178 Thunderbolts Way, Rocky River (Lot 51 DP 1266073) subject to the following conditions of consent:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
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. The structure is 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 under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a *development where a critical stage or other nominated inspection has not been carried out.

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

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

Reason: To ensure compliance with appropriate standards.

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

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

12. Occupancy of the 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.

13. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:

- (a) By piping onto a hardened surface and directed away from the building.
- (b) By piping 3.0 metres clear of any building to a rubble pit.

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

14. The shed is not to be used as a domicile without prior written approval from Council.

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

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

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

Reason: Statutory requirement

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

Reason: Statutory requirement

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

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

Reason: Statutory requirement

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

18. 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

19. 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.

20. 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.

21. 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

22. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
23. 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.
24. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new

development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

25. 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.
26. 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.
27. 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.
28. 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

For: Crs M Pearce, R Bell, M Dusting, N Ledger, I Strutt, T Toomey, T O'Connor

Against: NIL

Absent: Cr Crouch (*declared Non Pecuniary Interest*), **Cr L Sampson** (*leave of Absence*)

11.09/20

CARRIED

Cr Crouch was absent for voting on Report 2

Cr Toomey left room at 1.50pm

Cr Crouch and Cr Toomey returned at 1.51pm

Report 3 - Works Progress Report as at 31 August 2020

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

To move to Committee of the Whole

12.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION: Moved: Cr Strutt/ Seconded: Cr Bell

To Return to Standing Orders

13.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Toomey/ Seconded: Cr Bell

That report be received for the works completed or progressed during August 2020, and works programmed for September 2020.

14.09/20

CARRIED

Report 4 – Election of Deputy Mayor

MOTION: Moved: Cr Toomey / Seconded: Cr Strutt

That:

- 1) Council elect a Deputy Mayor for the period from 22 September 2020 until the Local Government Election to be held in September 2021.**
- 2) The Mayor call for nominations for the position of Deputy Mayor.**
- 3) Should there be more than one nomination for the position, the method of election of the Deputy Mayor be by way of preferential ballot. That the nominations and voting remain secret and that the nomination forms and voting ballot papers be destroyed at the conclusion of this Ordinary Meeting.**

15.09/20

CARRIED

The General Manager conducted the election.

MOTION: Moved: Cr Dusting / Seconded: Cr Crouch

- 4) That Cr Strutt be appointed as Deputy Mayor for the period from 22 September 2020 until the Local Government Election to be held in September 2021.**

16.09/20

CARRIED

Cr Ledger left meeting at 2.17pm

Cr Ledger returned to meeting at 2.20pm

Report 5 – Councillor Committee Representation

PROCEDURAL MOTION: Moved: Cr Strutt/ Seconded: Cr Crouch

To move to Committee of the Whole

17.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

The General Manager conducted ballots where there were more nominees than positions.

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

To Return to Standing Orders

18.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Ledger / Seconded: Cr Bell

That Council:

- 1) Review the Committees Register, contained at Attachment A, and resolve to appoint Councillor delegates to each of the committees and external bodies for the 2020-21 year.**
- 2) Appoint as Council's representatives to the committees and external bodies for 2020-21 year:**

Specific Purpose Committees/Panels	Councillor Representatives
Audit, Risk & Improvement Committee	1. Cr Toomey 2. Cr O'Connor
Australia Day Committee	1. Cr Ledger 2. Cr Sampson
Community Grants Panel	1. Cr O'Connor 2. Cr Ledger 3. Cr Crouch
Arts North West	1. Cr O'Connor (Advisory Council) 2. Cr Strutt (Delegate Alternate)
Central Northern Regional Library	1. Cr Strutt
Community Safety Precinct Committee	1. Cr M Pearce
Country Mayors Association	1. Cr M Pearce
Local Traffic Committee	1. Cr Bell (Member) 2. Cr O'Connor (Alternate)
Mid North Weight of Loads	1. Cr Bell
New England Joint Organisation	1. Cr M Pearce
New England Weeds Authority	1. Cr Dusting
Northern Joint Regional Planning Panel	1. Cr Bell (Panel Member) 2. General Manager (Panel Member) 3. Cr Strutt (Alternate)
Bundarra School of Arts Hall Committee	1. Cr Ledger
Uralla Township & Environs Committee	1. Cr Toomey 2. Cr Strutt

and;

- 3) Write to each committee and external body on which Council is represented and advise of their Councillor delegate/s for the 2020-21 year.

19.09/20 CARRIED

Report 6 – Code of Conduct Annual Statistical Report

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

To move to Committee of the Whole

20.09/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

To Return to Standing Orders

21.09/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Crouch/ Seconded: Cr Dusting

That Council:

- 1) Receive and note the Code of Conduct Annual Statistical Report with the addition of the cost table 1 part (g), noting it includes a training cost; and
- 2) Provide the Office of Local Government with the Code of Conduct Annual Statistical report for the period 1 September 2019 to 31 August 2020, by 31 December 2020

22.09/20 CARRIED

Report 7 – Amendments to the Code of Conduct

PROCEDURAL MOTION: Moved: Cr M Pearce/ Seconded: Cr Toomey

To move to Committee of the Whole

Cr Ledger left the meeting 3:07pm

23.09/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

To Return to Standing Orders

24.09/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Toomey / Seconded: Cr Bell

That :

- 1) Under section 440 of the Local Government Act 1993 that Council adopt the revised Code of Conduct to reflect the Office of Local Government's amendments dated 14 August 2020, with the exception of gifts and benefits capped to remain as previously adopted;
- 2) Under section 440 of the Local Government Act 1993 that Council adopt the revised Procedures for the Administration of the Model Code of Conduct to reflect the office of Local Government's amendments; and
- 3) Expressions of Interest be sought for Code of Conduct Reviewers and report back to Council.

25.09/20

CARRIED

Report 8 – Schedule of Ordinary Meetings 2020-2021

MOTION: Moved: Cr O'Connor / Seconded: Cr Bell

That Council:

- 1) Adopt the Ordinary meeting cycle for 2020-2021 as follows
Tuesday 27 October 2020
Tuesday 24 November 2020
Tuesday 15 December 2020
Tuesday 23 February 2021
Tuesday 23 March 2021
Tuesday 27 April 2021
Tuesday 25 May 2021
Tuesday 22 June 2021
Tuesday 27 July 2021
Tuesday 24 August 2021
Tuesday 28 September 2021
- 2) Place a Public Notice on Council's website, social media platform, Council newsletter and in local print media detailing the date, commencement time and venue of each Ordinary Meeting scheduled for the 2020-2021 period, in accordance with clauses 3.4-3.6 of the Uralla Shire Council Code of Meeting Practice.

26.09/20

CARRIED

Report 9 – General Manager Performance Review Panel

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

To move to Committee of the Whole

Cr O'Connor left room 3:28pm

Cr O'Connor returned 3:30pm

27.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

The General Manager conducted a ballot at the request of Council to identify the Council's nomination of a Councillor to the General Manager Performance Review Committee.

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

To Return to Standing Orders

28.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Strutt / Seconded: Cr Bell

That:

- 1) Council adopt the *General Manager Performance Review Committee Charter* with the addition of a mid-term review.
- 2) Council note that in accordance with the *General Manager Performance Review Committee Charter* the Mayor and Deputy Mayor are appointed to the *General Manager Performance Review Committee*.
- 3) A councillor be appointed to the *General Manager Performance Review Committee* for a one-year term, by ballot.
- 4) Cr R Crouch is appointed to the *General Manager Performance Review Committee*.

29.09/20

CARRIED

Cr Ledger requested her vote against the motion be recorded.

Per Cr Crouch declaration for this item, Cr Crouch left the meeting 3:40pm

Report 10 - NSW Bushfire Community Resilience and Economic Recovery Fund Projects

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

To move to Committee of the Whole

30.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION: Moved: Cr Dusting/ Seconded: Cr Bell

To Return to Standing Orders

31.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr O'Connor/ Seconded: Cr Bell

That Council:

- 1) Request an extension to the project completion date from 31 Dec 2020 to 30 June 2021
- 2) Request the following minor amendments to the funding agreement in regards to its activity scope and budget allocation within the total grant amount of \$100,000:
 - a. Project 1 – Addition of gap analysis in liaison with Uralla Shire community including community organisations and the business community including the Uralla Shire Business Chamber, include the impacts of COVID-19 and the engagement of a Googlemaps and analytics consultant to work with businesses.
 - b. Project 2 – Include print cost in the budget allocation.
 - c. Project 4 – Add a 100 photo stock of tourism photos by a professional photographer for marketing Uralla Shire and produce one video with shorter social media edits.

32.09/20

CARRIED

Cr Crouch absent at time of voting and returned to meeting 3:55pm

Report 11 - Resolution Action Status at 22 Sep 2020

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

To move to Committee of the Whole

33.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

To Return to Standing Orders

34.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr Bell/ Seconded: Cr O'Connor

That Council receive and not the Resolution Action Status as at 22 September 2020.

Including amendment to 6 Aug 2020 06.08/20 - replace with correct report title – ZNET Plus

35.09/20

CARRIED

Per Cr Crouch declaration for this item, Cr Crouch left meeting 4:08pm

Report 12 – Council and Uralla Shire Business Chamber support

MOTION: Moved: Cr Bell/ Seconded: Cr Dusting

That Council:

- 1) **Received the outcomes of the strategic workshop held on 8 September 2020 as summarised in the report to Council on 22 September 2020 titled 'Council and Uralla Business Chamber support; and**
- 2) **Note that the General Manager will give a presentation to the Uralla Shire Business Chamber on this report.**

36.09/20

CARRIED

Cr Crouch was absent for voting returned to meeting 4:09pm

14. **Confidential Matters**

Nil

15. **Communications of Council Decisions**

Not applicable.

16. **Closure of Meeting 4:09pm**

Council Minutes Confirmed by:

Resolution Number:

Date:

Mayor Signature:

7.2 Extraordinary Meeting of Council held 29 September 2020



MINUTES of EXTRAORDINARY MEETING OF COUNCIL

Held at 9:30am 29 September 2020

Present at Meeting:

Councillors:

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

Staff:

Mr S Paul, *Chief Financial Officer (Acting General Manager)*
Mr T Seymour, *Director Development & Infrastructure*
Ms C Valencius, *Interim Executive Manager Corporate Services*
Ms B White, *Coordinator Communication & Engagement*
Ms N Heaton, *Coordinator Governance & Risk*
Ms W Westbrook, *Minute Clerk*

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1. Opening & Welcome

The Chair declared the meeting opened at 9:35am

2. Prayer

The Chair recited the Uralla Shire Council Prayer: Almighty God we humbly ask you to grant your blessing upon this Council. Direct and prosper our deliberations to the advancement of your glory, and the true welfare of the people of our Shire and Australia. Amen!

3. Acknowledgement to Country

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

4. Webcast Information

This meeting is being audio recorded with the recording made available on Council's website after the meeting.

5. Apologies and Application for Leave of Absence by Councillors

The Chair advised receipt of an apology from General Manager Kate Jessep and Cr L Sampson

MOTION: Moved: Cr Dusting/ Seconded: Cr Crouch

That Council accept apologies from General Manager Kate Jessep and Cr L Sampson for the Extraordinary Meeting held 29 September 2020.

X01.09/20

CARRIED

The Chair advised there were no applications for leave of absence received.

6. Disclosures & Declaration of Interests

The Chair advised there were no disclosures or declarations made.

7. Reports

1. Late Report - Local Strategic Planning Statement Recommendation

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

To suspend standing orders

X02.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

Cr Ledger left the meeting 9.59am

Cr Ledger return to meeting 10:00am

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

To resume standing orders

X03.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

MOTION: Moved: Cr O'Connor/ Seconded: Cr Crouch

That Council

1. adopt the draft Uralla Local Strategic Planning Statement 2020, as amended, as a first step in the continuing process of community consultation and feedback to enhance the strategic plan;
2. by 30 January 2021 commence public consultation to revise the LSPS to reflect community views as required by the initial instruction from the NSW Government;
3. By 30 June 2021 submit a revised version of the LSPS.

The results of the Division Decision are as follows:

Councillors Pearce, Dusting, Crouch, Ledger, Toomey, Bell, O'Connor and Cr Strutt voted for the Motion.

Councillor Sampson was absent.

X04.09/20

CARRIED

1. Report to Council – 2019-20 Operational Plan Annual Performance

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

To suspend standing orders

X05.09/20

CARRIED

Councillors held a detailed discussion in committee regarding the report.

Break called 10:41 am

Return from Break 10:53 am

Break called 11:22am

Return from Break 11:30am

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

To resume standing orders

X06.09/20

CARRIED

The Chair outlined details of the discussion held in committee.

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

That Council receive and note the 2019-20 Operational Plan Annual Progress Report as at 30 June 2020, as amended, including the Councils' key activities, projects, programs and/or achievements for the 2019-20 year which will be reported in the Council's Annual Report.

X07.09/20

CARRIED

Councillor Ledger requested that her dissent be noted.

PROCEDURAL MOTION Moved Cr Dusting / Seconded Cr Crouch

To move into Closed Session of Council

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

The matters referred to the Closed Session of the 29 September 2020 meeting are received by Council 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

X08.09/20

CARRIED

CLOSED Session

8. Confidential Reports

1. Bundarra Sewerage Scheme – Award of Tender
Moved Cr Bell Seconded Cr Ledger

That the report for the Bundarra Sewerage Scheme - Award of Tender lay on the table and that Council engage a suitably qualified consultant to review the tender process.

X09.09/20 CARRIED UNANIMOUSLY

2. Commonwealth Home Support Program – Proposed Auspice Change

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

That Council:

1. Endorse the Department of Social Services intent to offer on behalf of the Department of Health to novate the remaining 50% of a local service provider's current 2020/21 Commonwealth Home Support Program grant to Uralla Shire Council from 1 Jan 2021, and
2. Delegates the General Manager to execute the resultant offer of a Deed of Funding Variation with the Department of Health.

X10.09/20 CARRIED UNANIMOUSLY

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

That Resolutions in Closed Session become the Recommendations in Open Session in Council.

X11.09/20 CARRIED

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

That Council return to Open Session in Council at 1:36pm.

X12.09/20 CARRIED

9. Closure of Meeting at 1:37pm

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

UNCONFIRMED

8. TABLING OF PETITIONS

9. URGENT, SUPPLEMENTARY AND LATE ITEMS OF BUSINESS

9.1. Late Reports to Council

9.2. Urgent Items

No Urgent Items for this meeting

9.3. Supplementary Items

No Supplementary Items for this meeting

10. WRITTEN REPORTS FROM DELEGATES

To be received at the Meeting.

11. ITEMS PASSED IN BULK

To be received at the Meeting.

Councillors, I am (Chair/Mayor) seeking to have some agenda items dealt with, in bulk, by Exception – as per Section 13 of Council’s Code of Meeting Policy.

I will now read and call though the agenda list items – Reports of Committees and Reports to Council to be adopted by Exception and ask Councillor to identify any individual items of business listed, that Councillors intend to VOTE against the recommendation as recorded in the Business paper – or that they wish to speak on.

12. MAYORAL MINUTE

12.1 There is no Mayoral Minute for the 27 October Meeting.

13. PUBLIC FORUM/PRESENTATION

14 REPORTS OF COMMITTEES

14.1 | August 11 Budget Review Finance Committee Minutes



MINUTES

Budget Review & Finance Committee

Meeting 11 August 2020, 12:30pm, Council Chambers

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ATTENDANCE

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

1. OPENING & WELCOME

The Chair declared the meeting opened at 12:31pm.

2. PRAYER

The Chair recited the Uralla Shire Council prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. WEBCAST INFORMATION

This meeting is being audio recorded with the recording made available on Council's website after the meeting.

Discussion on records management and advice to the community on the website regarding the availability of recordings.

5. APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE

The Chair advised receipt of an apology from Mayor Cr M Pearce and Cr R Bell

MOTION (Moved: Cr M Dusting; Seconded: Cr L Sampson)

That:

The Committee accept the apology from Mayor Cr M Pearce and Cr R Bell for the meeting held 11 August 2020.

BRFC07/20 CARRIED UNANIMOUSLY

6. DISCLOSURES & DECLARATION OF INTERESTS

There were no disclosures or declarations made.

7. CONFIRMATION OF MINUTES

Discussion regarding minutes being confirmed at next Council meeting as this is a Committee of the Whole and not waiting two months for the next meeting and then proceeding to Council. (Note: GM will seek legal advice from LGNSW on this governance question).

Minutes to be confirmed at the 11 August 2020 Meeting:

- Minutes of Budget Review and Finance Committee meeting held 9 June 2020 (to be confirmed)

MOTION (Moved: Cr T Toomey; Seconded: Cr I Strutt)

That:

The Committee confirm the minutes as a true and accurate record of the Budget Review and Finance Committee meeting held 9 June 2020, as a true and accurate record of the Budget Review and Finance Committee meeting held 9 June 2020.

BRFC08/20 CARRIED UNANIMOUSLY

8. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS

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

9. REPORTS TO COMMITTEE

Report 1 – First Draft of the LTFP 2030

MOTION (Moved: Cr T O'Connor/ Seconded: Cr I Strutt)

That the Budget Review and Finance Committee recommend that Council:

1. Set a strategic objective for the General Fund to achieve a balanced operating result before capital grants by 2022/2023 including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment, and to build reserves of \$4 million over the remaining seven years of the long term financial plan (LTFP).
2. To inform the implementation of the strategic objective Council:
 - a. Workshop Shire continuity and financial sustainability including a review of financial performance measures;
 - b. Workshop a review of service standards and councils operating costs;
 - c. Undertake community engagement on the above and financial strategies;
 - d. Prepare and endorse policy/plans to inform the construction of the LTFP; and
 - e. Undertake community consultation on the LTFP.

BRFC09/20 CARRIED UNANIMOUSLY

10. NOTICE OF MOTION

There were no Motions on Notice to the 11 August Meeting.

11. CONFIDENTIAL BUSINESS

There were no confidential business items to the 11 August meeting.

12. MEETING CLOSE

The meeting closed at 2:19pm

13. NEXT MEETING DATE

13 Oct 2020 12:30pm

Budget Review and Finance Committee Meeting Minutes confirmed	
Resolution number:	
Date:	
Mayor:	

14.2 | October 13 Audit Review & Improvement Committee Minutes and Recommendations

Department: Corporate Services
Prepared by: Coordinator Governance & Risk
TRIM Reference: UINT/20/9605
Attachments: UINT/20/9580 - ARIC Unconfirmed Minutes 13 October 2020
UINT/20/8662 - General Manager Performance Review Charter

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 4.2 An effective and efficient organisation
Strategy: 4.2.6 Identify and manage risk associated with all Council activities and ensures a safe and healthy work environment workforce

SUMMARY:

The unconfirmed Minutes of the Audit, Risk and Improvement Committee meeting held on 13 October 2020 are attached for Council's information.

RECOMMENDATION:

That the Minutes from the Audit Risk and Improvement Committee meeting held on 13 October 2020 be noted and endorse the following recommendations:

- (1) That the Audit, Risk and Improvement Committee advise Council that ARIC have reviewed the Enterprise Risk Management Policy 2020 and, subject to the following changes:
 - a. Policy document history refer to the renaming of the policy; and
 - b. Risk Management policy to add "enterprise" to the title , recommend to Council that the policy be adopted. [Note: see separate agenda item #15.4 to progress this recommendation].
- (2) That the Audit, Risk and Improvement Committee note that Council have endorsed the GM review Charter and recommend that Council consider deleting: *"the external facilitator as an active participant on the performance review committee"* and the entire bullet point providing the option for an independent observer.
- (3) That the Audit, Risk and Improvement Committee Annual Program be endorsed.
- (4) That the Audit, Risk and Improvement Committee meeting dates for 2021 are set as follows:
 - Tuesday 9 February 2021 at 9:30am
 - Tuesday 11 May 2021 at 9:30 am
 - Tuesday 10 August 2021 at 9:30 am
 - Tuesday 12 October 2021 at 9:30am

- (5) That the Audit, Risk and Improvement Committee note that Quarterly Report from Governance and Risk and request a report on current policies not meeting the requirements of the *Local Government Act* section 165(4).**

BACKGROUND:

The Audit, Risk and Improvement Committee met on 13 October 2020.

REPORT:

The Audit, Risk and Improvement Committee provided feedback on the Enterprise Risk Management Framework and Policy. The Committee also suggested amendments to the General Manager Performance Review Charter.

The Committee noted the recently adopted Code of Conduct and its Procedures. The Code of Conduct Statistics and the Quarterly Report from Governance and Risk were also noted. The Risk Management and Safety Officer spoke to the Continuous Improvement Program Report and the State Cover WHS Audit Report.

Discussion took place with respect to Financial Sustainability Policies aligning with the community's desire to safeguard the shire's financial sustainability. ARIC noted the strategic financial objectives that Council have resolved and that a high-level plan to achieve those objectives had been agreed. The members noted that that Council staff had commenced the preparation of a Service Register to identify current service levels against key benchmarks to address to the extent possible the Council's information needs regarding operating efficiency as well as enabling the prioritisation of service reviews. ARIC recommended that Council proceed to implement the plan and make decisions on its financial policy position with the information available. Specifically, ARIC resolved:

(6) That the Audit, Risk and Improvement Committee:

1. Advise Council that a discussion surrounding a *Long Term Financial Plan – Financial Sustainability Policies* was undertaken involving a range of considerations; and
2. Advise Council to pursue the council resolution 04.08/20: *the strategic objective for the General Fund to achieve a balanced operating result before capital grants by 2022/2023 including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment and to build reserves of \$4 million over the remaining seven years of the long term financial plan (LTFP).*

KEY ISSUES:

- Amendments recommended to the General Manager Performance Review Committee Charter.
- Enterprise Risk Management Policy recommended
- Feedback to Executive on the Enterprise Risk Management Framework
- Advice to Council on pursuing its financial strategic objective

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Informing - The ARIC minutes are presented to the public Council meeting.
Recommendations from the ARIC are presented in a public report to the Council meeting.

2. Policy and Regulation

ARIC is convened under the *Local Government Amendment (Governance and Planning) Act* 2016 and is required to review its charter once every two years.

3. Financial (LTFP)

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

No change

6. Legal and Risk Management

The Audit, Risk and Improvement Committee is an independent advisory body that assists Council to fulfil its functions by providing advice on risk management, control, governance, business improvement and external accountability responsibilities. The advisory status of the Committee means that it may only make recommendations to management and the Council.

7. Performance Measures

ARIC sets an annual work plan and undertakes a self-assessment annually.

8. Project Management

N/A



MINUTES

Audit, Risk and Improvement Committee Meeting

13 October 2020 - 9:00am, Council Chambers

Members (voting):

Mr Michael O'Connor - Independent External Member (Chair)
Mr Paul Packham - Independent External Member
Ms Deborah Creed - Independent External Member
Cr Tom O'Connor
Cr Tara Toomey

Attendees (non-voting):

Ms Kate Jessep - General Manager
Ms Christine Valencius - Executive Manager Corporate Services
Mr Simon Paul - Chief Financial Officer
Ms Nathalie Heaton - Coordinator Governance and Risk
Mr Carlos Chica - Internal Auditor
Ms Wendy Westbrook (minute secretary)

Apologies

There were no apologies.

Observers

List : Cr I Strutt; Cr M Pearce; Ms K Bryant; Cr Crouch (*arrived 9:25am*); Cr N Ledger (*arrived 10:10am*)

1. Meeting Open

The Chair declared the meeting open at 9:06am

2. Welcome

The Chair welcomed attendees to the meeting.

3. Acknowledgement of Country

The Chair acknowledged Country and Elders past and present.

4. Apologies, Requests for Leave of Absence and Observers

The Chair advised there were no apologies.

5. Quorum Confirmation

The Chair confirmed there was a Quorum.

6. Disclosure and Declarations of Interest

The Chair M O'Connor disclosed that he is a member of the Armidale Regional Council ARIC, Tamworth Regional Council ARIC, Walcha Shire Council ARIC, Liverpool Plains Shire Council ARIC and the New England Weeds County Council ARIC.

D Creed disclosed she is a member of the Walcha Council Audit and Risk Committee.

P Packham disclosed he is a member of the Armidale Regional Growth Place Activation Peak Advisory Committee.

7. Confirmation of Minutes and Business Arising

Minutes from the 27 August 2020 Audit, Risk and Improvement Committee Meeting:

MOTION Moved: M O'Connor/ Seconded: P Packham

That the committee confirm the minutes as a true and accurate record of the Committee Meeting held on 27 August 2020.

ARIC01.10/20 CARRIED

Business Arising:

Survey Monkey – performance of ARIC will be completed and each individual member will complete at the end of this calendar year. This review would include Cr R Crouch's response and not new member Cr O'Connor.

Internal Audit – confirmed that Council resolved the two ARIC recommendations for additional internal audit at the September 2020 Council meeting with a minor amendment to resource one recommendation by an external forensic accountant (or similar). The actioning of these two resolutions will be progressed by the Chief Financial Officer.

8. Late Item

This item was dealt with following item 9 report 10.

9. Reports to Committee

Report 1 | Revised Audit, Risk and Improvement Committee Annual Program 2020

Members of the committee provided feedback on the report, including:

- a) Timeframe will depend on Framework being created, within the financial year.

That the Audit, Risk and Improvement Committee Annual Program be endorsed.

MOTION Moved: M O'Connor / Seconded: Cr T Toomey

ARIC02.10/20 CARRIED

Report 2 | Amended Audit, Risk and Improvement Committee Charter 2020

That the Audit, Risk and Improvement Committee note that the Audit Risk and Improvement Committee Charter has been endorsed by Council.

MOTION Moved: M O'Connor / Seconded: Cr T Toomey

ARIC03.10/20 CARRIED

Report 3 | Enterprise Risk Management Framework and Policy

ARIC reviewed the draft Enterprise Risk Management (ERM) Policy and draft ERM Framework (ERMF) and provided feedback to Council and the executive including:

- a. Policy for Council endorsement and the Framework for ARIC review and Executive sign-off.
- b. ERMF – 'stakeholder' in Uralla Shire Business is not broad enough – Revisit stakeholder definition and its adequacy e.g. "a person of interest in Uralla Shire Business, which will include contractor, sub-contractor and employees but not limited to ..."
- c. ERMF - page 33 ERM Framework top down approach in support of the whole of the organisation
- d. ERMF - 2.4 page 37 – review section on risk appetite to focus on what it is and how it is assessed rather than endeavouring to pre-determine and not reference 'councillor' (should refer to 'Council').
- e. ERM - Further review of the consequence table to align with risk appetite considerations
- f. Page 36 – 2.2 Objectives – move point four to point one to emphasise importance of training and equipping Council's people.

MOTION Moved: M O'Connor / Seconded: Cr T O'Connor

That the Audit, Risk and Improvement Committee advise Council that ARIC have reviewed the Enterprise Risk Management Policy 2020 and subject to the following changes:

- a. Policy document history refer to the renaming of the policy;
- b. Risk Management policy to add "enterprise" to the title

And recommend to Council that the policy be adopted.

ARIC04.10/20 CARRIED

Report 4 | GM Performance Review Committee Charter EMCS

MOTION Moved: M O'Connor/ Seconded: Cr T O'Connor

That the Audit, Risk and Improvement Committee note that Council have endorsed the General Manager Performance Review Committee Charter and recommend that Council consider deleting: *"the external facilitator as an active participant on the performance review committee"* and the entire bullet point providing the option for an independent observer.

ARIC05.10/20 CARRIED

Report 5 | Code of Conduct Statistics

MOTION Moved: M O'Connor / Seconded: D Creed

That the Audit, Risk and Improvement Committee note the Code of Conduct Statistical report as endorsed to the Council Ordinary Meeting in September 2020.

ARIC06.10/20 CARRIED

Report 6 | Code of Conduct Amended

MOTION Moved: Cr T Toomey/ Seconded: M O'Connor

That the Audit, Risk and Improvement Committee note the amended Code of Conduct and the Procedures for the Administration of the Code of Conduct as adopted by Council.

ARIC07.10/20 CARRIED

Chair called for break 10:23am returned to meeting 10:37am

Report 7 | Setting dates for ARIC Meetings 2021

MOTION Moved: M O'Connor / Seconded: T Toomey

That the Audit, Risk and Improvement Committee meeting dates for 2021 are set as follows:

- 1) Tuesday 9 February 2021 at 9:30am**
- 2) Tuesday 11 May 2021 at 9:30 am**
- 3) Tuesday 10 August 2021 at 9:30 am**
- 4) Tuesday 12 October 2021 at 9:30am**

ARIC08.10/20 CARRIED

Report 8| Progress of Scheduled Internal Audit Engagements
Postponed to be discussed in confidential session at end of meeting

MOTION Moved: M O'Connor / Seconded: D Creed

That report 8 be moved to the last item on the agenda and moved into a closed session.

ARIC09.10/20 CARRIED

Report 9| Quarterly Report from Governance and Risk

MOTION Moved: M O'Connor/ Seconded: T O'Connor

That the Audit, Risk and Improvement Committee note that Quarterly Report from Governance & Risk and request a report on current policies not meeting the requirements of the Local Government Act section 165(4).

ARIC10.10/20 CARRIED

Report 10| Long term Financial Plan – Financial Sustainability Policies

MOTION Moved: M O'Connor/ Seconded: T O'Connor

That the Audit, Risk and Improvement Committee:

- 1. Advise Council that a discussion surrounding a *Long Term Financial Plan – Financial Sustainability Policies* was undertaken involving a range of considerations; and**
- 2. Advise Council to pursue the council resolution 04.08/20: *the strategic objective for the General Fund to achieve a balanced operating result before capital grants by 2022/2023 including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment and to build reserves of \$4 million over the remaining seven years of the long term financial plan (LTFP).***

C Chica left meeting 11:29 returned 11:31am

ARIC11.10/20 CARRIED

2019/2020 End of Financial Year Statements

The Committee have received these out-of-session for review and advice back to Council. They are to be presented to the November Ordinary Council Meeting and it was agreed that the independent members of ARIC are to be invited to attend that Council meeting and be available to answer any questions from Council. General Manager advised this will attract a sitting fee for this additional work including attendance at the Council meeting.

Report 1 Aged Care Prudential Compliance

MOTION Moved: M O'Connor / Seconded: T O'Connor

That the Audit, Risk and Improvement Committee note the report.

ARIC12.10/20

CARRIED

Report 8| Progress of Scheduled Internal Audit Engagements

The Chair asked all persons who are not members of ARIC, except for the Internal Auditor, to leave the room so that the Committee could discuss the progress of the internal program without staff and observers present.

MOTION Moved: M. O'Connor / Seconded: T. O'Connor

That the Audit Risk and Improvement Committee note the report summarising progress on the approved annual internal audit plan and note that the Committee was satisfied with the explanation given by Carlos Chika regarding the initial delays gaining approval for access to USC IT system.

ARIC13.10/20

CARRIED

10. Next Meeting

The next meeting is scheduled for as 9 February 2020 9:30am at Council Chambers, Uralla Shire Council.

11. Meeting Closed

The Chair declared the meeting closed at 12:45pm

The General Manager Performance Review Committee Charter

Purpose

The General Manager Performance Review Committee has been established following consideration of the Office of Local Government Guidelines for the Appointment and Oversight of General Managers. The focus of the Performance Review Committee is to monitor and review the General Manager's performance in accordance with the Office of Local Government, Standard Contract General Managers of Local Councils in New South Wales.

Scope

The Performance Review Committee has full delegation for the whole process of performance management, including discussions regarding performance, any actions that should be taken and the determination of the new annual performance agreement.

The day-to-day oversight of the General Manager is the responsibility of the Mayor. The Mayor also has a legislative role, in consultation with the councillors, to lead performance appraisals of the general manager.

The Performance Review Committee may make recommendations, however does not have decision making authority in relation to renewal of contract and salary adjustments above annual indexations provided for in the Standard Contract - General Managers of Local Councils in New South Wales.

Responsibilities and Functions

The responsibilities and functions of the Performance Review Committee are to:

- Conduct the performance reviews of the General Manager on an annual basis.
- Develop an agreed annual performance agreement. The performance agreement should contain but not be limited to key indicators that measure how well the General Manager has met expectations with respect to:
 - service delivery targets from the Council's Delivery Program and Operational Plan;
 - budget compliance; - organisational capability;
 - timeliness and accuracy of information and advice to Councillors;
 - timely implementation of council resolutions;
 - management of organisational risks;
 - implementation of both internal and external audit recommendations;
 - leadership.
- Report the findings and recommendations of those reviews to a Closed Session of Council, including salary adjustments above those outlined in the General Manager's Contract. This is not an opportunity to debate the results or re-enact the performance review of the General Manager.
- Report recommendations on contract renewal to a Closed Session of Council. Subsequently, the decision by Council to offer a new contract and a salary package should be reported to an open meeting of Council.

Performance management:

- Is an essential component of corporate governance, allowing a Council to monitor and respond to how the General Manager delivers against the goals and outcomes required by Council
- Engenders a mutual understanding of what is expected of the General Manager by Council
- Links the General Manager's personal performance objectives with Council's organisational goals as identified in Council's strategic and operational plans
- Should be a constructive and collaborative process between the parties
- Promotes communication and provides feedback on performance between the General Manager and Council
- Addresses the leadership qualities of the General Manager that are set out in the agreement

Composition of the Performance Review Committee

The Performance Review Committee is to be comprised of:

- Mayor
- Deputy Mayor
- One Councillor appointed by the Council
- One Councillor may be nominated by the General Manager (optional). The intent of the inclusion of the General Manager's appointment of a Councillor is to allow procedural fairness and balance on the Committee
- The Council and the General Manager may agree on the involvement of an external facilitator (optional) to assist with the process of performance review and the development of new performance agreements. This person is selected by agreement of the Performance Review Committee and the General Manager. The external facilitator is an active participant on the Performance Review Committee but will have no input or vote on the performance value achieved by the General Manager.

All Councillors will be provided with the opportunity to provide feedback to the Performance Review Committee on the General Manager's performance. An annual Closed Briefing Session will be provided for this feedback to occur, however feedback can be provided to the Mayor at any time during the year by appointment, outside of this Briefing Session.

Terms of Appointment

Committee Members	Appointment
Mayor	4 Years
Deputy Mayor	1 Year
Councillor appointed by the Council	1 Year
Councillor nominated by the General Manager	1 Year (optional)
External Facilitator	Term of Council (optional) by the General Manager (If there is a decision to appoint, the General Manager and the Performance Review Committee will select the Facilitator)

Obligations of Members

Members of the Performance Review Committee, in performing their duties, shall:

- Act honestly and in good faith;
- Participate in the work of the Performance Review Committee;
- Perform their duties in a manner that ensures public trust in the integrity, objectivity, and political impartiality;
- Exercise the care, diligence and skill that would be expected of a reasonable person;
- Comply with the Performance Review Committee Charter; and
- Comply with Council's Code of Conduct.

Meetings

The Performance Review Committee will assess the performance of the General Manager within the first six months of the General Manager's contract and annually thereafter. The Committee may also choose to undertake more frequent interim reviews of the General Manager's performance.

Meetings comprising the review are:

- Confidential Briefing Session for Councillors to provide feedback on the General Manager's performance and provide feedback for the development of the following year's Performance Agreement;
- Performance Review Committee to discuss and compile feedback on the General Manager's performance against the current Performance Agreement;
- Performance Review Committee meeting with the General Manager to provide feedback on performance against the current Performance Agreement. The agenda for this meeting would normally include:
 - Outlining the process of the meeting;
 - Discussing and reaching agreement on the rating that should be given against each objective;
 - Noting any significant issues which should be taken into account at the next Performance Agreement Review;
 - Identifying actions to be taken immediately to alleviate any specific problem areas, to enhance performance, to remove any barriers to achievement of performance, and agree on steps necessary to bring this about;
 - Dealing with any other issues which are performance-related and which the General Manager or the Committee see as warranting discussion.
 - Performance Review Committee meet with the General Manager to develop and agree on a new performance review agreement
- Facilitation of the process is the responsibility of the Mayor in consultation with the Manager HR and the External Facilitator to ensure the Committee knows of and applies contemporary performance review practices; and
- Meetings will be chaired by the Mayor. A quorum will consist of all members of the Performance Review Committee.

Reporting Minutes of meetings will be recorded through the following output documents:

- Performance Agreement (this document is the agreement by which the performance of the General Manager will be assessed against);
- Performance Review (this document is the assessment by the Performance Review Committee of the General Manager's performance); and

- Minutes of a Closed Session of Council recording the findings and recommendations of the annual performance review and recommendations for contract renewal and salary adjustments above those outlined in the General Manager's Contract.

The following will be reported to Council by the Performance Review Committee in Closed Session:

- The findings and recommendations of the performance review along with the new agreed performance agreement for the next review period. NOTE: This is not an opportunity to debate the results or re-enact the performance review of the General Manager.
- Any new performance agreement.

Evaluation and Review

A review of the Performance Review Committee will be undertaken within 12 months of a newly elected Council to ensure the purpose, membership and operation of the Committee is effective and to make appropriate changes.

Confidentiality

The performance management report of any Council staff member, including the General Manager, should not be released to the public and should be retained on the appropriate confidential Council employment file. Release of such personal information to other than the Performance Review Committee, the General Manager and the Councillors in confidence may be a breach of privacy legislation.

References

NSW Local Government Act 1993

Office of Local Government Standard Contract General Managers of Local Councils in NSW

Guidelines for the Appointment and Oversight of General Managers – Office of Local Government, July 2011

Code of Conduct Adopted by Council

Version control:

Version	Action	Date
0.1	Draft presented to 22 September 2020 Council meeting recommending endorsement.	17 Sep 2020
1.0	Endorsed by Council with the addition of a mid-year review under "Meetings".	22 Sep 2020
1.1	Presented to Council with ARIC recommended amendments	27 Oct 2020
2.0		

15. REPORTS TO COUNCIL



15.1 | Cash at Bank and Investments

Department: Finance
Prepared by: Chief Financial Officer
TRIM: UINT/20/09786
Attachments: Council's Investments as at 30 September, 2020
Schedule of loans as at 30 September, 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	4.2 An effective and efficient organisation.
Strategy:	4.2.2	4.2.2 Operate in a financially responsible and sustainable manner.
Activity:	4.2.2.1	Maintain and control financial system and improve long-term sustainability
Action:	4.2.2.1.5	Maximise return on investment within risk parameters provided by the USC Investments Policy.

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.

RECOMMENDATION:

That:

1. Council note the cash position as at 30 September, 2020 consisting of cash and overnight funds of \$1,560,901, term deposits of \$14,156,761 totalling \$15,717,662 of readily convertible funds.

2. Council note the loan position as at 30 September, 2020 totalling \$2,135,254.

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 \$14,156,761 spread over the next twelve months will receive a range of interest from .65% to 1.55% with an average rate of 1.16%. 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 30 September, 2020.

KEY ISSUES:

The official interest rate remains at 0.25% and despite significant government stimulus, there is still the possibility that the Reserve Bank may cut rates by a further 0.15%. The current low interest rates will continue to result in reduced investment returns over the coming year.

COUNCIL IMPLICATIONS:

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

The public presentation of this information and Council noting this report is an important part of Council's management of the risk of not maintaining compliance with the Minister's Orders regarding approved investment types and in-turn reduces the risk of future losses on investments.

7. Performance Measures

N/A

8. Project Management

N/A

	Uralla Shire Council			
	Investments at 30 September, 2020			
	Cash at Bank – Operating Accounts:			
	Institution	Account	Bank Statement	
	National Australia Bank	Main Account	\$386,149.26	
	National Australia Bank	Trust Account	\$31,226.33	
	Community Mutual	Bundarra RTC	\$25,988.97	
	Total		\$443,364.56	
	Business Investment (Cash Management) Account			
	Institution	Interest rate	Balance	
	Professional Funds	0.15% above RBA cash rate	\$1,117,535.94	
	Total		\$1,117,535.94	
Term Deposits:				
	Institution	Term	Interest rate	Maturity
				Balance
	ANZ	12 months	1.35%	10/10/2020
	Commonwealth Bank	9 months	1.13%	10/10/2020
	National Australia Bank	12 months	1.45%	14/10/2020
	Westpac Banking Corporation	12 months	1.48%	18/10/2020
	National Australia Bank	12 months	1.45%	21/11/2020
	Westpac Banking Corporation	10 months	1.38%	5/01/2021
	National Australia Bank	12 months	1.50%	19/01/2021
	National Australia Bank	9 months	1.05%	26/01/2021
	Bank of Queensland	7 months	1.55%	10/03/2021
	Bank of Queensland	12 months	1.40%	12/03/2021
	National Australia Bank	12 months	1.25%	1/04/2021
	National Australia Bank	12 months	1.20%	12/04/2021
	ANZ	9 months	0.70%	26/04/2021
	National Australia Bank	12 months	1.10%	21/05/2021
	Westpac Banking Corporation	12 months	0.95%	19/06/2021
	Commonwealth Bank	10 months	0.68%	21/07/2021
	Westpac Banking Corporation	12 months	0.85%	25/07/2021
	Westpac Banking Corporation	11 months	0.65%	25/08/2021
	ANZ	11 months	1.40%	30/08/2021
	Commonwealth Bank	12 months	0.71%	21/09/2021
	0	0	0.00%	0/01/1900
	Total			\$14,156,761.23

	Uralla Shire Council			
	Loans at 30 September, 2020			
Loans:				
Loan no.	Purpose		Balance	
165	MGH Property		\$42,340.99	
168	Community Centre		\$25,235.97	
176	Library Extensions		\$125,636.34	
177	Grace Munro Centre		\$100,539.90	
181	Creative Village Works		\$0.00	
186	Public Toilets Pioneer Park		\$0.00	
187	Undergrounding Power and Main Street Upgrade		\$115,625.51	
188	Paving and Power Undergrounding		\$30,092.70	
189	Bridge Construction		\$192,772.02	
190	Bridge construction & industrial land development		\$1,503,010.26	
Total			\$ 2,135,253.69	

15.2 | Report - Works Progress Report as at 30 September 2020



Department: Infrastructure & Development
Prepared by: *Manager Civil Infrastructure*
TRIM Reference: UINT/20/7471
Attachments: UINT/20/9509 - Works Program to 30 September 2020

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
Activity:	2.3.1.1	Deliver road and drainage maintenance services and capital works programs
Action:	2.3.1.1.1	Deliver sealed roads bitumen maintenance program in line with established service levels and intervention points - per Transport Asset Management Plan
	2.3.1.1.2	Deliver sealed roads capital renewal program - per Transport Asset Management Plan
	2.3.1.1.4	Deliver unsealed roads grading program in line with established service levels and intervention points - per Transport Asset Management Plan
	2.3.1.1.5	Deliver unsealed roads re-sheeting program in line with established service levels – per Transport Asset Management Plan

SUMMARY:

The purpose of this report is to inform Council of the works that have been completed or progressed in the previous month, and works being undertaken in the current month.

RECOMMENDATION:

That the report be received and noted for the works completed or progressed during September 2020, and works programmed for October 2020.

BACKGROUND:

Council is kept informed on the progress of maintenance and construction works within the Shire.

REPORT:

A. Works Undertaken in September 2020

1. Main Road Maintenance	
MR73 Thunderbolts Way	Patching
MR124 Bundarra Road	Patching
2. Sealed Roads Maintenance	
Uralla Streets	Patching
Arding Road	Patching
Hawthorne Road	Patching
Northeys Road	Patching

3. Unsealed Roads Maintenance Grading	
Bakers Creek Road	Graded
Bendemeer Road	Graded
Retreat Road	Graded
Balala Road	Graded
Danehurst Rod	Graded
Looanga Road	Graded
Lana Road	Graded
4. Construction	
Bingara Road	Commence base course construction
Thunderbolts Way (ch22 - 22.65km)	Commence construction
5. Bridge / Sign	
Town	Sign maintenance
Rural Roads	Sign maintenance
Regional Roads	Sign maintenance
Park Street (outside school)	Commence footpath replacement
6. Town and Parks	
Uralla	Recreational area maintenance, cemetery maintenance, clean gutters, mowing, sporting field maintenance, tree pruning.
Alma Park	Planting flowers

B. Works to be continued/undertaken in October 2020

1. Main Road Maintenance	
Bitumen patching	
Mowing	
2. Sealed Roads Maintenance	
Bitumen patching	
Bitumen sealing of Invergowrie footpath	
3. Unsealed Roads Maintenance	
Grading – Devoncourt Road, Green Gully Road, Rowena Road, Water Works Road, Salisbury Plains Road, Old Gostwyck Road	
4. Bridge/Sign	
Bridge maintenance	General maintenance
	Wonga Abutment improvement
Drainage maintenance	Hawthorn Drive and Northeys Road
5. Construction	
Bingara Road upgrade	Continue base course construction, bitumen sealing, safety barriers and erosion control
Thunderbolts Way (ch22 – 22.65km)	Stabilising and bitumen sealing
6. Town Area	
Maintenance	General maintenance and upkeeping

C. Roads To Recovery and Local Roads & Community Infrastructure Funding Program

The following projects are funded and undertaken in 2020-21:

1. Project: Kingstown Road rehabilitation (chainage 6.5km to 6.75km, 7.5km to 7.75km and 18km to 19km from intersection of Bridge Street).
Scope of works: Pavement widening, stabilising, additional base course, drainage improvement and bitumen sealing.
Funding: \$404,250
2. Project: Arding Road rehabilitation (2.25km to 3km from intersection of New England Highway).
Scope of works: Additional base course, stabilising, drainage improvement and bitumen sealing.
Funding: \$215,630
3. Project: Torryburn Road (11.5km to 11.75 and 12.25 to 12.5km from intersection of Thunderbolts Way).
Scope of works: Pavement widening, additional base course, stabilising, drainage improvement and bitumen sealing.
Funding: \$134,750
4. Retreat Road (8.18km to 10.18km from Kingstown Road intersection).
Scope of works: Upgrade from unsealed to sealed road and drainage improvement
Funding: \$400,000
5. Project: Maitland Street (King Street to Wood Street)
Scope of works: Asphalt overlay
Funding: \$82,775

KEY ISSUES:

NIL

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Weekly posts to Council's Facebook and internal weekly bulletin keep the community informed of progress
2. **Policy and Regulation**
Procurement Policy; Infrastructure Asset Management Policy; and other applicable Civil Infrastructure and Works policies of Council
Local Government Act (1993), Roads Act (1993), Work Health & Safety Act (2011), Environmental Planning & Assessment Act (1979) and Australian Standards
3. **Financial (LTFP)**
In accordance with budget
4. **Asset Management (AMS)**
In accordance with Asset Management Plan

5. Workforce (WMS)

Council staff and contractors

6. Legal and Risk Management

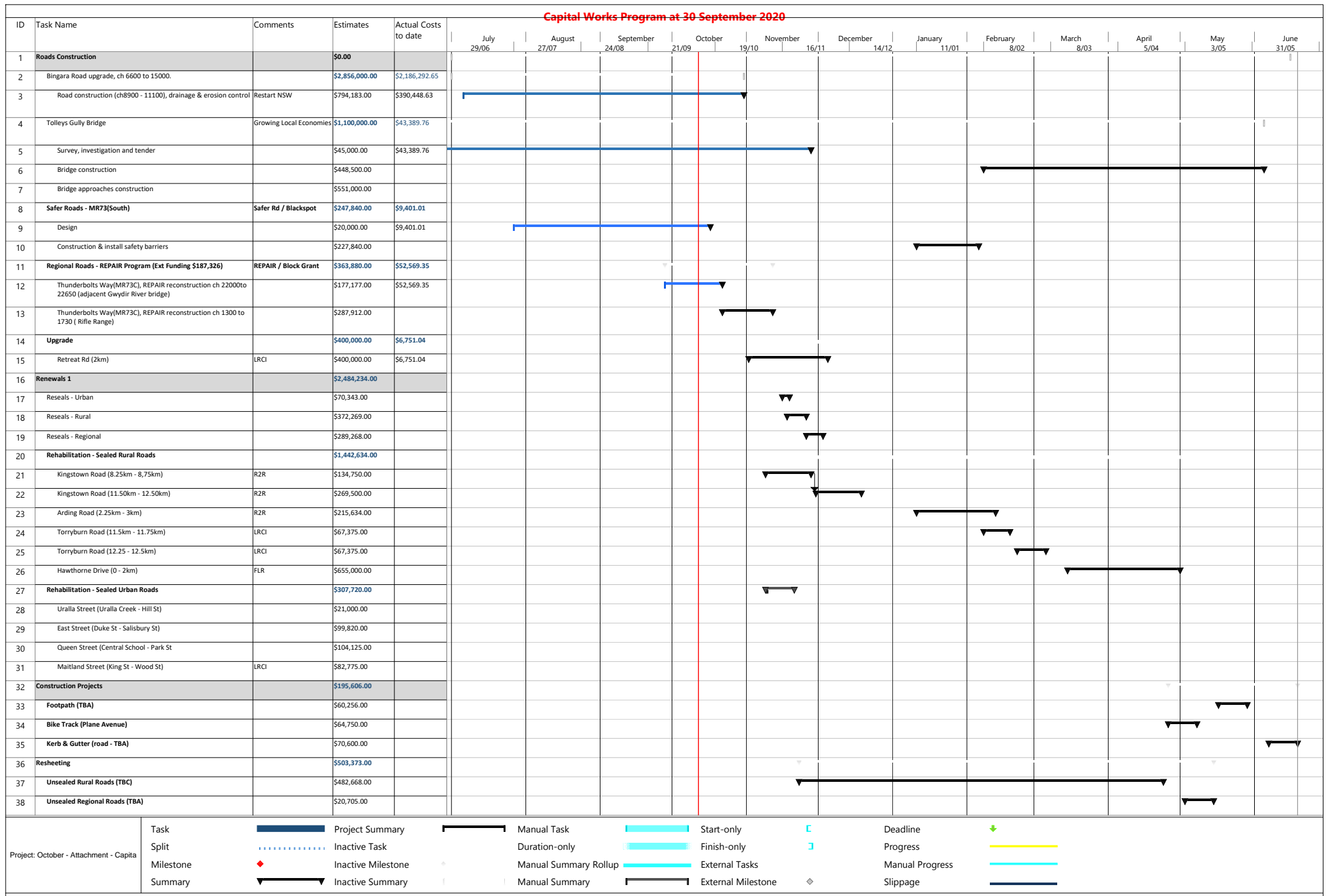
Maintaining Council assets to minimise legal and risk exposure

7. Performance Measures

Works completed to appropriate standards

8. Project Management

Works Manager, Overseer & Director Infrastructure & Development



15.3 | Report - DIVISION DECISION

DA-44-2018 Natural Burial Ground – 192 Dumaresq Road Saumarez Ponds

Department:	Infrastructure & Development
Prepared by:	<i>Manager of Development and Planning</i>
TRIM Reference:	UINT/20/9479
Attachments:	October – 1 Development Application Assessment Report 44/2018 October – 2 Submissions October – 3 Amended Site Layout Map October – 4 Statement of Environmental Effects October – 5 Hydrogeological Assessment October – 6 Hydrological Assessment October – 7 Technical submission

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial, and residential development
Activity:	2.1.4.1	Process building and development application
Action:	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:

Proposal:	Natural burial ground, shed, amenities, fencing and car park
Property description:	Lot 97 - DP 755811 - Assessment 8204
Applicant:	Kevin Hartley and Starfish Enterprises Network
Owner:	Raymond South and Jane Pickard
Zoning:	R5 Large Lot Residential
Date received:	24 July 2018
Public notification or exhibition:	Yes
Exhibition period:	30 July 2018 – 27 August 2018
Submissions:	Eighteen
Other approvals:	Nil

RECOMMENDATION:

That Council refuse the Development Application 44/2018 for a natural burial ground, amenities and car park at 192 Dumaresq Road, Saumarez Ponds (Lot 97 DP 755811) as:

- 1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 and Part 2.3 of Uralla Local Environmental Plan 2012, the proposed development fails to demonstrate its compliance with the objectives of the R5 Large Lot Residential zone in so far as minimising conflict between permissible land uses within the zone.*
- 2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, and Part 2 of State Environmental Planning Policy (Rural Lands) 2008, the proposed development fails to demonstrate the social or economic need for the facility and consequently the development does not balance the social, economic and environmental interests of the community.*
- 3. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate it satisfies Clause 66(2) of the Public Health Regulation 2012 which prohibits a person from burying a body in or on any land if to do so would make likely the contamination of drinking water supply or a domestic water supply.*
- 4. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate it overcomes the risk of contaminating both groundwater and the nearby Saumarez Creek as a consequence of the nature and location of the burial ground being on land subject to overland and sub-surface flooding.*
- 5. Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate that the site is suitable for the development.*
- 6. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate it would not present a risk to public health or that it would not result in an unreasonable burden on the maintenance of the facility by Uralla Shire Council or another public authority and consequently, the approval of the development would not be in the public interest*

BACKGROUND:

Development Application 44/2018 for natural burial ground, amenities and car park at 192 Dumaresq Road, Saumarez Ponds (Lot 97 DP 755811) was received on 24 July 2018. There followed numerous information requests from Council to the applicant, with the last of these being finalised on 7 July 2020.

Following further review of the data supplied, Geographic Information System measurements, and Department of Planning, Industry, and Environment (DPIE) hydroline spatial data, the applicants were advised that the proposed development appeared to be a controlled activity under the Water Management Act 2000, and concurrence from DPIE was required before Council could grant consent to the application. Despite numerous requests over three months to pay the required fee for concurrence evaluation, the applicants did not pay the fee.

On 9 October 2020, the applicants supplied an amended site plan showing that all of the proposed development was further than 40 metres from waterfront land and therefore, concurrence from DPIE is no longer required.

It is proposed to use 1.53 hectares of Banded Bee Farm as a natural burial ground for the internment of deceased persons, and for native tree planting.

The proposed development would require construction of:

- A small storage shed with solar power, a single all-access composting toilet and water tank;
- Perimeter fencing (also requires the removal of an existing fence);
- An entrance gate and vehicular access from Dumaresq Road, and
- Hardstand for car parking and pedestrian pathways to aid access (as required).

Initial native tree plantings would consist of a 12 metre wide buffer planting around the proposed development's perimeter, and plantings along the western and southern edges of the shed and car parking area.

Operational activities include:

- Burial ceremonies;
- Routine maintenance activities, and
- Tree planting and revegetation activities.

REPORT:

Eighteen submissions were received during the exhibition period. The substance of the submissions generally related to flooding, contamination, impacts on land values, perpetual management, noise and air pollution, need, visual amenity, traffic and bushfire risk.

KEY ISSUES:

Supporting information:

Natural Burial Guidelines: Information and Guidance Series for Australian Natural Burial Ground Pioneers (2016) is regularly referenced in the application. It should be noted that one of the applicants is a co-author of the guidelines, published around the time of the application preparation, therefore the guidelines cannot reasonably be considered an independent reference material suitable for assessment of the application.

Soil sampling: One of the applicants is shown undertaking the soil sampling in the reference material, therefore the data supplied cannot reasonably be considered independent sampling undertaken by a suitably qualified consultant.

Matters raised in the submissions received:

Flooding and water contamination: There is a significant amount of anecdotal evidence suggesting that overland floodwater inundates the site in a peak rainfall event. In this context, there is an unacceptable risk to contamination of Saumarez Creek which borders the site and is used for domestic water supply.

Perpetual management: Independent legal advice was sought regarding perpetual management under the proposed trust structure, and Council was advised: “In our view it is reasonable for the Council to be concerned about the perpetual maintenance of the proposed burial ground. There is currently no legal requirement for cemetery operators to set aside funds for the costs of future maintenance and there are legitimate concerns that liability for the maintenance of closed or abandoned private cemeteries could unwantedly shift to local councils”.

Impacts on land values: There was a number of neighbours who were concerned about the potential for a negative impact on land values should the application be approved. This is a contention rather than a demonstrable fact, and should not be considered in any assessment of the proposal.

Noise / air pollution and traffic impacts: The maximum average burial rate would be in the order of one per week, and there is no reason to believe that the impacts on traffic or noise /air pollution would be significant.

Need: Multiple submissions suggested a lack of need for a new cemetery in Uralla Shire, which is demonstrably true.

Visual amenity: As the above ground works are generally limited to an amenities block, access and a car park, impacts on visual amenity are not considered significant or unreasonable.

Bushfire risk: As the subject site is not within or near an identified bushfire prone area, it is not reasonable to suggest the proposed development will have a significant impact on bushfire risk.

CONCLUSION:

The proposed development presents as a risk to public health and the environment. The proposal also provides for a potential maintenance liability for council in the long term. In this context it is not considered in the public interest and a refusal is warranted.

COUNCIL IMPLICATIONS:

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

Due to the high number of submissions, it is reasonable to suggest sufficient consultation with nearby landowners was undertaken.

- 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

Public Health Act 2010

Public Health Regulation 2012

- 3. Financial (LTFP)**

Possible maintenance costs for council over the long term

- 4. Asset Management (AMS)**

Possible maintenance costs for council over the long term

- 5. Workforce (WMS)**

Nil

6. Legal and Risk Management

Council has received legal advice that there are legitimate concerns surrounding ongoing liability for maintenance of the burial ground.

7. Performance Measures

Nil

8. Project Management

Nil

Development Assessment Report

DA Number: DA-44-2018 Council: Uralla Shire Council
 Location: 192 Dumaresq Road SAUMAREZ PONDS
 Development Description: Natural burial ground, shed, amenities, fencing and car park
 Title Details: Lot: 97 DP: 755811

Property Details/History

	Checked	Comments
File History	No	Not relevant to this proposal.
Title Plan	Yes	No issues apparent.
Check Ownership	Yes	No issues apparent.

Application Type

Is this application an Integrated Development Application? No
 Is this application a Designated 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: R5 Large Lot Residential

List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	No	Objectives of R5 Large Lot Residential zone include ensuring that development in the area does not unreasonably increase the demand for public services or public facilities, and to minimise conflict between land uses within this zone and land uses within adjoining zones. The proposed land use of cemetery is permitted in zone R5 with development 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?

Yes

Chapter	Compliance	Comment
6 Access and Parking	Yes	The proposed development will require the provision of on-site car parking in accordance with AS 2890 (2009). Provision of car parks for people with disabilities shall be in accordance with AS 2890.6 (2009).

Is there a draft DCP which may affect this proposal?

No

Regional Environmental Plan

Direction 6: Deliver new industries of the future includes provisions for the development of green industries, which includes natural burials. Direction 16: Coordinate infrastructure delivery provides provisions for councils to identify appropriate sites and capacity to provide cemeteries. In this context, the proposal can be considered consistent with the New England North West Regional Plan.

State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

<u>List all relevant SEPPs</u>		
SEPP	Compliance	Comment
(Rural Lands) 2008	No	Clause 7(d) of the Rural Lands SEPP describes in planning for rural lands, to balance the social, economic and environmental interests of the community. Due to the lack of demonstrated social or economic need for such a facility, and the likely negative impact on water resources, it is reasonable to suggest this development has not balanced the social, economic or environmental interests of the community.
No 44—Koala Habitat Protection	Yes	As the land has an area greater than 1 hectare, it is subject to SEPP 44 – Koala Habitat Protection SEPP. Potential koala habitat is defined in the SEPP as areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component. A site inspection showed the subject land is mostly cleared and used for grazing. There is insufficient tree cover to reasonably suggest the land is potential koala habitat. In this context the proposal is consistent with the Koala Habitat Protection SEPP.

Subdivision

Is this application for subdivision?

No

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential environmental impacts?

Yes

	Impact	Comment
Economic	Possibly	The proposal has the potential to negatively impact nearby property values.
Water	Yes	Clause 66(2) of the Public Health Regulation 2012 states “A person must not bury a body in or on any land if to do so would make likely the contamination of a drinking water supply or a domestic water supply.” Due to the nature of the cemetery land use and the anecdotal evidence of historical flooding, the proposed development has a risk of contaminating both groundwater and the nearby Saumarez Creek. Surrounding landowners have expressed water contamination concerns as this creek is used for domestic water supply. Data supplied with the application states that the indicative permeability of the soils is up to 0.5m per day, which suggests that in a worst case scenario the decomposition plume from the graves could reach Saumarez Creek within six months.

Environmental Impacts – Heritage

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	No European heritage items, sites or places identified.
Aboriginal	No	No aboriginal heritage items, sites or places identified.

Is this land classified as containing an item of environmental heritage?

No

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected? Yes

Comment: Flood water to Saumarez Creek 100 around metres east.

Has a Flood Impact Assessment been completed for this proposal? Yes. The study indicated that parts of the site are below the 1%AEP level, however the interment areas are outside of the area shown on the modelling.

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

Contaminated Land

Section 4.15(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council? No

Is it a possibility this land may be contaminated? Yes

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

Has an Erosion and Soil Control Plan been submitted? No

Construction Assessment

Is a construction assessment required? No

Is a Construction Certificate Required? Yes

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 approval required? Yes

What the type of assessment/approval required? B1 and B4

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

Submission Maker	Issue
Mr & Mrs Light	<ul style="list-style-type: none"> - Increased traffic and unsuitable road infrastructure concerns. - Noise pollution from increased traffic. - Ground pollution from road tossers. - Risk to public safety with increased visitors. - Water contamination from amenities and septic system. - Increased bushfire risk. - Threat of weed seed transfer. - Flooding observed on site. - Water based erosion may expose bodies. - Possibility of attracting pest fauna. - Air pollution during earthworks. - No demonstrated need for new cemetery.
Mr Sullivan	<ul style="list-style-type: none"> - Flooding observed on site. - Water contamination from wet ground. - Unsuitable site. - End-of-life management concerns.
Mr & Mrs Stace	<ul style="list-style-type: none"> - No prior consultation. - Unsuitable road infrastructure. - Water contamination from flooding. - Flooding observed on site. - Unreasonable traffic generation. - Negative impact to land values. - End-of-life management concerns. - No demonstrated need for new cemetery.
Mr & Mrs Dugdale	<ul style="list-style-type: none"> - Negative impact to land values. - No prior consultation. - Flooding observed on site. - Water contamination from septic systems during flooding. - Increased risk of fire from visitors.
Mr & Mrs Green	<ul style="list-style-type: none"> - Possible contamination of domestic and stock use water. - Environmental risk to riparian zone and ephemeral stream. - Visual amenity concerns. - No prior consultation. - Flooding observed on site. - Missing Data (Bores). - Inaccurate and misleading data (distance to Uralla, downplayed Saumarez Creek, downplayed nearby farms, Bores, ephemeral stream from Ferris Lane, 1 in 100 year flood level, buffer land).

	<ul style="list-style-type: none"> - Negative impact to land values. - End-of-life management concerns. - No demonstrated need for new cemetery.
Mr & Mrs Derpsey	<ul style="list-style-type: none"> - Unsuitable land for development. - Water contamination from burials. - Inaccurate and misleading data. - Flooding observed on site. - Negative impact to land values. - Public health concerns from agriculture nearby burials. - Unreasonable traffic generation. - Body storage concerns. - Accountability of 'trust' concerns.
Ms Johnson	<ul style="list-style-type: none"> - Water contamination from burials. - No prior consultation. - Missing data (Department of Health information).
Mrs Monley	<ul style="list-style-type: none"> - Soil and water contamination from burials. - Land is a floodplain. - Other suitable sites. - No prior consultation.
Mr Wagner	<ul style="list-style-type: none"> - Unclear administration. - Misleading terminology (private to mean commercial). - No prior consultation. - No development timeline provided. - Unsatisfactory Environmental Impact Statement. - Unsatisfactory aboriginal heritage study. - No demonstrated need. - Unsatisfactory site plan. - Vague definitions for facilities - Due process was not followed correctly. - Unreliable supporting documents. - Development has already started. - Burial grounds in riparian zone of Saumarez Creek. - Flooding observed on site. - Incorrectly described existing facilities. - No access to site during rain events. - Visual amenity concerns. - Noise and air pollution during earthworks. - Misleading terminology ("revegetation" on a site without trees). - Bushfire risk from weed overgrowth. - Conflict between land use and zoning.

	<ul style="list-style-type: none"> - Negative impact of land values. - Incorrect description of existing structures. - Development will sterilise land. - Misleading merits ("Biodiversity" is weeds and pests). - Native flora to be plants not specified. - No prior consultation. - Misleading data (distance to Uralla & Armidale).
Mr & Mrs O'Connell	<ul style="list-style-type: none"> - Water contamination from burials. - Flooding observed on site. - Fire risk from unkempt grass. - Negative impact to land values. - No demonstrated need for new cemetery. - Insufficient merits. - Operation and end-of-life Management concerns. - No prior consultation. - Scope of application concerns.
Mrs Michel	<ul style="list-style-type: none"> - Invasion of existing land owners private lives. - Negative impact to land values.
Miss Sainsbury	<ul style="list-style-type: none"> - Flooding observed on site. - Water contamination from burials.
Mr Fisher and Ms Nicholson	<ul style="list-style-type: none"> - No prior consultation. - Flooding observed on site. - Inaccurate data (Distance to Uralla). - Misleading data (Downplayed Saumarez Creek, downplayed nearby farms). - Water contamination concerns.
Mr & Mrs Pines	<ul style="list-style-type: none"> - Flooding observed on site. - Water contamination from burials. - Negative impact to land values. - Uncomfortable living close to a cemetery. - Inaccurate data (Flood maps, bores). - No prior consultation. - Misleading data (downplayed nearby farms).
Mr & Mrs Ferris	<ul style="list-style-type: none"> - Flooding observed on site. - Cemetery is inconsistent with the surround rural residential zone. - Negative impact to land values.
Mr Williams	<ul style="list-style-type: none"> - Unsuitable land for development. - Flooding observed on site. - Soil samples concerns.

	<ul style="list-style-type: none"> - Water contamination. - Negative impact to land values. - Fire risk due to overgrowth. - Visual Amenity.
Dr Edwards	<ul style="list-style-type: none"> - Visual Amenity. - Flooding observed on site. - Water contamination. - Negative impact to land values.
Mr Birnie and Ms Lewis	<ul style="list-style-type: none"> - No demonstrated need for new cemetery. - Unreasonable traffic generation. - Rain erosion concerns. - Water contamination concerns. - End-of-life management concerns. - Koala sightings on site.

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

Is there any public health issues? Yes. Water contamination.

Are there any other public interest issues? Yes

Comment: 18 public submissions were received by Council during the notification period.

Site Suitability

Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this proposal? No

Comment: Due to the high number of submissions providing anecdotal evidence of site flooding it is reasonable to suggest this site is unsuitable for a cemetery.

Assessing Officer General Comment

ASSESSMENT – KEY ISSUES

Public Consultation

Due to the high number of submissions, it is reasonable to suggest sufficient consultation with nearby landowners was undertaken.

Flooding and Water Contamination

Most submissions provided anecdotal evidence of historical semi-regular flooding on the subject land. It has been noted in submissions that water originates from Munday's Lane and the lagoon on Ferris' Lane, and has been observed entering the subject site via the culvert and causeway on Ferris' Lane, then flowing across the proposed burial ground. Neighbours also provide anecdotal evidence that in the winter months the water table is shallow enough to cause soil collapse during excavation works, making trench or grave construction problematic. There is public concern regarding contamination of the soil, water table and creek from the proposed burial ground, and it is noted that both creek and ground water are used by both livestock and humans.

Should Council give consent to the application, and allow burial of up to 1100 bodies (or around 77 tonnes) on the site, it is reasonable to suggest there is a risk of leachate contaminating what is a domestic water supply. Supporting documentation states that the maximum permeability of the soil is 0.5m/per day, which in a worst case scenario would have leachate contaminating Saumarez Creek in under six months, given the internment area is within around 80 metres of the creek. It should also be noted that:

- The soil sampling appears to have been done by the applicant based on photographs supplied;
- Dr Robert Patterson conducted the soil analysis, and he has made a submission subsequent to the filing of the development application strongly objecting to the assumptions made based on his analysis. Further, he raises concerns around methodology, multiple errors of fact, and surface stormwater inundation of grave sites.

Reference is made in the application to the guidelines for natural burials, and it must be noted that these guidelines were in fact co-authored by one of the applicants. That being said, the guidelines state that base of all graves must be at least 1 metre above the highest fluctuations of natural water tables. The supplied flood study shows the one in one hundred year flood level (1% AEP) as bordering on the internment area.



Figure 1 – 1% AEP level

As the graves will be at least 1.4m deep, with another 1m required above the highest fluctuations of natural water tables, it appears that the bottom of the grave strata is 2.4m below a peak flood event and that the proposal is inconsistent with the guidelines.

The guidelines also state that no grave should be located with 200 metres of a drinking water well. Presumably this would apply to any domestic water supply, and as previously noted, Saumarez Creek is within 80 metres of an internment area.

While Council does not have relevant responsibilities under the Public Health Act 2010, it is worth noting that Clause 66 of the Public Health Regulation 2012 provides that a person must not bury a body in or on any land if to do so would make likely the contamination of a drinking water supply or a domestic water supply. The power of a consent authority relating to the regulation of land under the Environmental Planning and Assessment Act 1979 may give rise to a duty of care. As such, the Council may be liable in negligence for pollution as a result of the proposed development if it fails to take reasonable care in assessing the development application. Given that there is significant anecdotal evidence of surface stormwater flooding on the site, and the base of at least some of the graves will be significantly below the 1% AEP level, it seems likely that the decomposition plume would contaminate Saumarez Creek over time.

Noise and Air Pollution

With around 20 expected burials annually it is unreasonable to suggest air and noise pollution will be significant.

Lack of Need

Multiple submissions suggested a lack of need for a new cemetery in Uralla Shire, which is demonstrably true.

Traffic

Some submissions raised concerns regarding increased traffic volumes during operation of the cemetery, as well as the effect of slow processions from Armidale or Uralla on local traffic. With around 20 expected burials annually it is unreasonable to suggest the volume of traffic and effect on local traffic movements will be significant.

Management and Accountability

Submissions identified a lack of clearly defined accountability in the proposal, as well as the long term and end-of-life management of the site. As the proposal is commercial in nature, submissions expressed concerns the development will not continue to be managed at end-of-life or management would revert to Council.

Independent legal advice was sought regarding perpetual management under the proposed trust structure, and Council was advised: *"In our view it is reasonable for the Council to be concerned about the perpetual maintenance of the proposed burial ground. There is currently no legal requirement for cemetery operators to set aside funds for the costs of future maintenance and there are legitimate concerns that liability for the maintenance of closed or abandoned private cemeteries could unwantedly shift to local councils"*.

Land Values

There was a number of neighbours who were concerned of the potential for a negative impact on land values should the application be approved. This is a contention rather than a demonstrable fact, and should not be considered in any assessment of the proposal.

Bushfire

As the proposed development includes the planting of new flora on the subject site, some submissions indicated concern regarding the possibility of increased risk of bushfire through mismanagement and neglect. As the subject site is not within or near an identified bushfire prone area, it is not reasonable to suggest the proposed development will have a significant impact on bushfire risk.

Visual amenity

As the above ground works are generally limited to an amenities block, access and a car park, impacts on visual amenity are not considered significant or unreasonable.

Recommendation

The proposed development presents as a risk to public health and as a potential maintenance liability in the long term. In this context it is not considered in the public interest and a refusal is warranted.

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: 9.10.2020

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*.

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.

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 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.

5. 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.

6. 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.
7. Prior to the issue of a final certificate of completion, the applicant shall obtain approval from Council under the Local Government Act 1993 to operate the approved on-site sewage management system.
Note: Applications to operate an on-site sewage management system must be renewed every 1, 3 and 5 years (as applicable).
Reason: To ensure compliance with appropriate standards.
8. The cemetery is to be maintained in a satisfactory manner in perpetuity. Any future variations to the perpetual maintenance scheme trust deed are to be vetted by Council. Council's expenses in checking the documentation are to be reimbursed by the applicant.
Reason: To ensure appropriate management arrangements.
9. The trust deed is to detail:
 - a) All details of the structure, composition and functionality of the governance structures.
 - b) A draft trust deed which includes details of:
 - i. Establishment of the trust;
 - ii. The purposes, powers and functions of the trustee and the trust board;
 - iii. How the trust will continue in perpetuity; and
 - iv. The proposed restrictions on expenditure of trust funds sufficient to satisfy the Council that development will be maintained in perpetuity.
 - c) The proposed restriction/s on use or public positive covenant to be registered on title of the land
 - d) Proposed investment strategy for funds within the endowment fund sufficient to satisfy Council that the investment will be of a low risk in perpetuity..
 - e) Provision for the money in the endowment fund:
 - i. To accommodate for the costs of an internal audit to be carried out annually.
 - ii. To be used only for that purpose and for the purposes of maintaining the cemetery.
 - f) Proposed terms and conditions of sale between the applicant and the purchasers of internments.
 - g) A draft of the trust deed is to be supplied to the Council for its review and approval prior to the issue of an occupation certificate for the development.
 - h) A restrictive covenant on the land which prevents the relevant part of the land being used for any purpose other than the burial ground is to be registered in favour of Council.*Reason: To ensure appropriate management arrangements.*
10. An independent audit of the endowment fund is to be carried out annually at the applicant's cost. The auditor's report is to be provided to the Council on request by 31st August of each year.
Reason: To ensure appropriate financial oversight..
11. The maximum number of internments is 1100 (one thousand one hundred).
Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

12. Usage:

- a) The cemetery is to operate as a non-denominational cemetery.
- b) Consent is not granted nor implied to the use of the facility as a pet cemetery.
- c) Consent is not granted nor implied to the erection of a crematorium on the site.
- d) No approval is granted for the use of 'mortuary' as defined under the Uralla Local Environmental Plan 2012.

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

13. Seepage from adjoining graves or rainwater is not to be pumped out from opened grave sites and discharged into surface or groundwater sources, whether directly or indirectly. Such water is to be treated through the onsite sewage management system if designed to accept such or be tankered off site for disposal at an authorised disposal facility. Details of the proposed treatment are to be submitted for approval by Council prior to issue of a construction certificate.

Reason: To protect public health.

14. No embalming fluids are to be present in any burials.

Reason: To minimise soil contamination.

15. The site is to be maintained free of feral animals and animals whose burrowing or digging behaviours may interfere with burial plots.

Reason: To protect the integrity of the site.

16. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:

- (a) By piping onto a hardened surface and directed away from the building.
- (b) By piping 3.0 metres clear of any building to a rubble pit.
- (c) By piping to a rainwater tank and then via the overflow:
 - onto a hardened surface and directed away from the building, or
 - 3.0 metres clear of any building to a rubble pit.

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

17. 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.

18. The hours of the operation of the development are restricted to the following:

- a) General cemetery hours of operation are restricted to Monday to Sunday from 8.00am to 6.00pm;
- b) Funeral ceremonies and burial services conducted on the site are restricted to occur in the following am and pm periods;
 - i. AM Services: Are to be scheduled so that they commence no earlier than 9.30am and conclude by 11.30am.
 - ii. PM Services: Are to be scheduled so that they commence no earlier than 1.00pm and conclude by 3.00pm.

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

19. Funeral ceremonies and burial services are to be scheduled so that no more than two ceremonies or services occur each day. Funeral ceremonies and burial services are restricted to one AM and one PM ceremony / service each day.

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

20. A minimum of 20 car parks must be maintained for the development.

Reason: To ensure that car park spaces are maintained at the level proposed in the application, and at a level appropriate for the nature and scale of the development.

21. The off street car parking area is to be sealed and car parking bays clearly line-marked to comply with AS2890.1-2004 (Parking Facilities – Part 1: Off-street car parking).

Reason: To ensure off street parking is maintained in an appropriate manner.

22. Parking facilities, including one (1) disabled car parks, are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off-street Car Parking and Australian Standard 2890.6 – Off Street Parking for People with Disabilities.

Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.

23. 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. The development, including construction, shall not result in any contamination or any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land, or adjoining property.

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

24. 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

25. 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.

26. 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.

27. 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.

28. Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- (a) divert uncontaminated run-off around cleared or disturbed areas,
 - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - (c) prevent tracking of sediment by vehicles onto roads,
 - (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

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

ADVISORY NOTES - GENERAL

29. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
30. 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.
31. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
32. 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.
33. 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.

END

From: [REDACTED]
Sent: Sunday, 5 August 2018 8:43 PM
To: Council
Subject: TRIM: Application Number: DA-44-2018, New England Natural Burial Ground - Private Cemetery & Shed 192 Dumaresq Road, SAUMAREZ PONDS

Follow Up Flag: Follow up
Flag Status: Completed

HP TRIM Record Number: UI/18/2044

Uralla Shire Council
32 Salisbury Street
Uralla NSW 2358

5 August 2018

Mr & Mrs RA & VA Light, Mr Timothy Light & Miss Ellen Light
[REDACTED]

We the undersigned STRONGLY OBJECT to the proposed property development application number DA-44-2018 for a New England Natural Burial Ground – Private Cemetery & Shed at 192 Dumaresq Road SAUMAREZ PONDS for the following reasons:

- If there are to be 1100 natural burials over 20 - 40 years then that is **a lot of traffic volume** excluding the workers on site, the interned families and the contractors employed to carry out preparations and backfilling for the graves. This will create a **high risk of accidents** in the area, **noise pollution** along with **environmental pollution**. We also feel that the **road infrastructure is not suitable** for machinery and greater volumes of traffic. The road counters that collected data were used in 2016 since then there has been an increase in traffic along Dumaresq Road due to the rural residential area experiencing the building of more homes. Therefore the data relating to traffic volume is only a **guesstimate and invalid** as there has been **no evidence** of road counters since that time to give an accurate measurement of traffic volume.
- **Pollution** from road tossers is already experienced in the area and we are sure that it will increase with more traffic. We are **constantly** cleaning up the roadside around our property. We have already experienced pollution from the Banded Bee Farm plastic tree guards being blown on to and catching on our fence lines or collecting within **our property where we graze stud cattle, sheep and horses. We have to pick up this pollution so it does not cause a death in our livestock.**
- The **safety** of our homes, property and livestock will be jeopardized with the frequenting of strangers to the area.
- As part of the Uralla Shire we underwent an **audit of our septic systems** and their proximity to the underground water and waterways namely Saumarez Creek. We feel that the locating of amenities and septic systems will be far **too close to the Saumarez Creek**. We also feel that the burial ground on the flat land could **contaminate the underground water system. All this water we rely on for domestic and livestock water purposes.**

- The existing area has become a **natural fire hazard** with the paddocks being allowed to grow and not grazed off. Our other danger we worry about is the **threat** of wind-born or transfer by birds of weed seeds drifting to our property. We believe that the erection of no smoking signs will **not discourage** tossers throwing cigarettes out impacting on landholders nearby.
- The study for the area has been **completed in a time of drought** therefore this is **not a true** indication of the flora and fauna and water animals that inhabit the **Saumarez Creek** and surrounds. **The people owning the Banded Bee Farm have not experienced a flood.** Not a one in one hundred year flood but a normal flood with **great volumes** of water covering the area proposed for the burial site. In a flood the water comes from **Munday's Lane** and the lagoon on **Ferris' Lane**. When the lagoon overflows it traverses down **Ferris' Lane**, through the pipe under the road and across the causeway completely flooding the area where the graves would be. The water from **Munday's Lane** travels down **Dumaresq Road** on both sides, over the causeway again flooding the area where the graves would be. **This would then cause the bodies to be water-logged or even exposed by wash away and contaminate the waterways– how disrespectful to the bodies and their families. Property owners further along Saumarez Creek would have contaminated water or heaven forbid bodies or body parts floating down the creek.**
- We feel that **erosion from water flooding** the area and wind - blown soil is likely to expose bodies which will then allow vermin such as foxes digging around the bodies.
- There is a possibility of **asthma and allergies** being contacted by neighbouring property owners when earth works are being undertaken caused from dust emissions.
- Armidale and surrounding districts have Funeral Directors and cemeteries **specifically designated** for the said purpose of burials we feel that these ground should be used fully before establishing other burial sites.

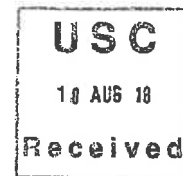
Richard, Vicki, Timothy and Ellen Light residing at 'Lagoona,' 191 Dumaresq Road, SAUMAREZ PONDS, for the past 32 years STRONGLY OBJECT to the proposed development application for the New England Natural Burial Ground – Saumarez Ponds.

We will be interested to know the outcome of the proposed development application.

Richard, Vicki, Timothy and Ellen Light



9th August 2018



The Manager,
Uralla Shire Council

Dear Sir,
RE: Application No. DA-44-2018
192 Dumaresq Rd, Saumarez Ponds
Natural Burial Ground

I would like to submit an objection to the above application on the following basis:

1. Site Suitability and
2. Long Term maintenance should approval be granted

1. Site Suitability

The applicant claims in the statement of Environmental Effects “the site presents no issues regarding soil, geography or ground or surface water”.

This statement appears to be based on the applicant’s observations over a short time only.

I have owned property nearby with similar topography since 2007 and can say without doubt my own property and other low lying ground in this area is poorly drained for long periods, particularly during winter.

The applicant has submitted photographs and carried out excavations during what is obviously a period of dry weather. From my experience during construction of my house on Mundays Lane it would be impossible to construct a grave during wet weather in winter months without water filling the grave.

On one occasion during my house construction I attempted to clear a trench of water using a pump, however ground (not surface) water consistently filled the trench in minutes.

Information contained in the “Natural Burial Grounds” guidelines clearly indicates the proposed site as unsuitable (pg. 7 Natural Constraints)

Guidelines presented with the application clearly indicate potential contamination associated with wet ground conditions.

My Recommendation:

Council requires a more detailed hydrological site investigation by qualified person rather than rely on what appear to be statements of opinion by the applicant.

2. Long Term Site Maintenance

I am assuming the proposal is a commercial enterprise aimed at generating a profit for the applicant. During the commercial life of the proposed cemetery it would obviously be well maintained, clean and tidy. The site is expected to be operational for 20-40 years.

On decommissioning the applicant advises quote "ongoing stewardship of the site will remain the responsibility of the NBGTNSW" Does stewardship mean maintenance?

What guarantee does Council have the site will not become a blackberry and rabbit infested jungle requiring constant expenditure of tax payers' money to control?

There does not appear to be any long term maintenance plan or funding guarantee for this purpose. The existence of a Trust does not guarantee the existence of funds.

My Recommendation:

If there are any doubts or uncertainty about long term maintenance the application should be declined by Council, rather than risk a short term commercial enterprise becoming a long term drain on Council and tax payers' resources.

Yours Faithfully,

A black rectangular box redacting the signature of M. Sullivan.

M. Sullivan

L.E. & J.A. Stace

Uralla Shire Council
32 Salisbury St
Uralla NSW 2358

9th August 2018

We would like to submit our objection to the proposed development application for the New England Natural Burial Ground & Private Cemetery at 192 Dumaresq Road, Saumarez Ponds.

Our reasons for our objection are:

We had no previous notice of this proposed development as stated in the written development application we received from the Council. The time given to us to consider the details of this application is very short and not enough time to consult with our neighbours as to what effects it may have on our area, ie Saumarez Ponds.

We feel that the increase in construction equipment may be disruptive to the ever increasing traffic on Dumaresq Road, and may be destructive on the road surface which is not designed for this equipment.

We are also concerned about pollution into the underground water system particularly considering the flatness of the land within this area. Also it appears to be in the direct line of the overflow of the dams and lagoon on the western side of the proposed cemetery. This area can become a flooded area quite easily following heavy rain all of which will then end up in Saumarez Creek.

If this proposal is allowed to proceed, and given the statistics of the number of burials that is expected, quite a number of slow moving funeral processions will have a dramatic effect on the regular users of the road. These processions may sometimes commence in the city of Armidale and/or Uralla and travel on busy roads. We feel that this may lead to accidents, especially turning at busy intersections and then into and out of the cemetery.

We also feel that this development may have an adverse effect on the selling prices of our properties in the future.

Finally, who will be responsible for, and who will look after the cemetery in 30-40 years time when the current owners may have moved on or even be interned in the cemetery.

Does the Armidale/Uralla area really need another cemetery?

We therefore object to this proposed development at Saumarez Ponds.

Signed: *Lindsey & Julie Stace*

From: [REDACTED]
Sent: Monday, 13 August 2018 1:09 PM
To: Council
Subject: TRIM: Objection to New England Burial Ground

Follow Up Flag: Follow up
Flag Status: Completed

HP TRIM Record Number: UI/18/2072

ATTENTION Matthew Clarkson

We are writing to object to the proposed property development application number DA-44-2018 for a new England burial ground at 192 Dumaresq Road, Saumarez Ponds.

We live at [REDACTED]

Our property adjoins the Banded Bee Farm across the Saumarez Creek and we feel it will detract from the value of the neighbouring properties.

We would also like to protest that we were not informed of this Development by the Uralla Shire or the Developers as was stated in their proposal.

This block is a known flood plain and unsuitable for development of this kind.

We have been interested in purchasing this property twice in the last 16 years and have been told by the Uralla Shire Council that there would be no Building Permits issued due to the flood plain. As a result we did not proceed with the purchase.

Why has the Policy changed – it is still a Flood Plain although we have had a succession of dry years.

The Table drains on the Dumaresq Road retain a lot of water for an extended period after rain which would be detrimental to a cemetery on the proposed site.

Location of amenities and a septic system will be close to Saumarez Creek and could contaminate the underground water system, especially in a wet year on a flood plain. We are downstream from the Cemetery site and use the Creek for stock water.

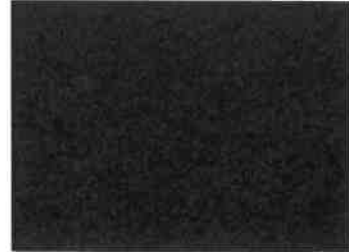
The management of the BBF has changed with new Owners which has created a much larger body of feed. With a greater number of people attending the Cemetery we feel there may also be a greater risk of fire.

We will be interested to know the result of our Objection and the Councils decision regarding this Development.

Yours Sincerely

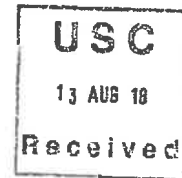
Kate and John Dugdale
[REDACTED]

G. C. & E. Green



10th August, 2018.

Mr. Matt Clarkson,
Manager Planning & Regulation,
Uralla Shire Council,
PO Box 106,
URALLA. 2358



Dear Mr. Clarkson,

Re: Application No. DA-44-2018

We refer to your correspondence of 30 July 2018, advising of Council's receipt of the above application for a proposed natural burial ground at Saumarez Ponds.

We lodge with Council our enclosed objection to this proposed activity and urge Uralla Shire Council to reject the application.

Yours faithfully,



Ellen Green.



Enc:

Geoffrey Charles Green. B.Sc.

OBJECTION

dated 10 August 2018

from

G. C. & E. GREEN

lodged with

URALLA SHIRE COUNCIL



in the matter of

Application No. DA-44-2018

Proposed Activity:	Natural Burial Ground – private cemetery and shed
Address:	192 Dumaresq Road, Saumarez Ponds
Applicant:	Mr Kevin Hartley, Starfish Enterprises Network Ltd

Reason for objection

1. Saumarez Creek's riparian zone, together with the ephemeral water way which traverses the proposed natural burial area, is unsuited for establishment of a natural burial ground.
2. The proposed burial site has risk of contaminating Saumarez Creek from which we and other property owners pump for domestic and stock watering.
3. The proposed establishment of shallow graves within the riparian zone and ephemeral tributary of Saumarez Creek, in our opinion, is inappropriate and would pose an environmental risk to this area.
4. We do not want a burial ground becoming the focal view point from our home.
5. Inaccuracies which we have identified within the proposal cause us to doubt the veracity of the proposal:
 - 1) The proposal states that all neighbours have been consulted. This is incorrect. We have not been consulted. Some neighbouring property owners, with whom we have spoken, stated they had not been consulted.
 - 2) The proposal has not identified the ephemeral water way which traverses the proposed burial site. This water way draws its flow from the properties west of Dumaresq Road and south of Ferris Lane. On the attached maps this water way is identified along Ferris Lane, crossing Dumaresq Road on a concrete causeway and proceeding via a natural swale, across the proposed site and a further portion of Banded Bee Farm before joining Saumarez Creek. During heavy rain and times of flood, this water way carries a very large volume of water away from Dumaresq Road and flow rates are high. Any attempt to stop this water flowing across the proposed burial site would push the water back onto Dumaresq Road and would very possibly compromise the road surface between Ferris Lane and the Saumarez Ponds bridge.
 - 3) The proposal lists nearby bores. It does not list our bore which is possibly the closet bore to the proposed burial ground.
 - 4) On page 41 the proposal states the proposed burial site "is situated within 10 km of two of the major centres in the New England high country (Uralla and Armidale)". While within 10 km from Armidale's boundary and only slightly more to Armidale Post Office, the proposed site is about double this distance from Uralla. Also on page 41 the proposal states "presents no issues as regards soils, geography or ground or surface water" conveniently ignoring any impact from the water way discussed in 2) above. Further, on page 18 the proposal refers to Saumarez Creek as "An ephemeral stream" in what appears to be a blatant attempt to trivialize one of the region's important permanent water resources. Obvious discrepancies such as this draw into question the rest of the "facts" stated in the document which in some cases are harder to check particularly in the short time given to us to formulate our objections.

- 5) The proposal states (page 16) "neighbouring properties adjacent to the proposed development are hobby farms which predominantly run sheep". This is incorrect and would again appear to be an attempt to trivialize the issue. Our property is not a hobby farm. We run both sheep and cattle as a mixed grazing enterprise. Other neighbouring properties run sheep, cattle, horses and some cropping is carried out nearby.
6. The proposed burial ground has potential to reduce the resale value of neighbouring properties as some possible buyers may not want a cemetery as a neighbour. This will downgrade Saumarez Ponds as a desirable, rural residential area.
7. The proposal's legal structure as stated, sounds to us, too complicated to be viable in perpetuity. In the event of insolvency, the financial responsibility for the project will undoubtedly revert to Uralla Shire Council and thereby, ultimately to the ratepayers.
8. On page 43 of the submission there is a table listing 9 essential criteria for a natural burial site and the statement "The proposed site met all 9 essential criteria" is made. We dispute the accuracy of this statement and believe that if the criteria were truthfully assessed the site would be deemed unsuitable.
 - 1) For Criteria No.1 it is stated that a "Census of all bores within a 2 km radius" was carried out. We know of three registered bores within about 600 metres of the site which are not shown on the map on page 44.
 - 2) For Criteria No. 2 it is stated "Able to confirm there is no presence of rock shelves, perched water tables, springs or ephemeral water flows", completely ignoring the ephemeral water way across the site at the end of Ferris Lane.
 - 3) Criteria No. 4 states "The site is above 1 in 100 year flood levels". On pages 41 and 42, however, it is stated that there are no historical flood records for Saumarez Creek and the 1 in 100 year flood level used is an estimate. The fact that this flood level is then used to define the boundary of the burial site with absolutely no buffer appears to us to be a high risk. A buffer of say 5 metres above the estimated 1 in 100 year flood level would, in our opinion, be much more reasonable.
 - 4) Criteria No. 5 states "There is space within the site for buffer zones around the burial area to ensure adequate distances from creeks, streams, dams, bores, beaches and storm water drains". Whether we define the ephemeral stream running across the site as a "stream" or "storm water drain", the proposal still fails this criteria.
9. Historically, a local cemetery exists on one of the nearby older properties. This cemetery is located on a rise in the middle of a paddock. It does not have flow to Saumarez Creek. When established, this cemetery fulfilled a geographic need when the distance from Armidale was significant in terms of horse drawn transport. Today the need for scattered local cemeteries does not exist. We believe the Council run facilities in Uralla and Armidale are the most appropriate.

Effect proposal would have on submission maker

1. We own three grazing properties with frontage to Saumarez Creek. We pump water for domestic and stock watering from the creek for each of these properties. One pumping location is upstream from the proposed burial ground, one is adjacent to the site while the third is down stream from the site. For us, the proposal has risk of contaminating Saumarez Creek and thus the water upon which we rely.
2. The proposed burial ground will be in direct line of vision from two of our properties, on both of which we have a home; one we live in and the other a potential rental property. The psychological and visual amenity of these properties will be compromised.
3. As stated in "objection point 6", the proposed burial ground has potential to reduce the resale value of our property. We also own houses on our properties which are either rented, or have the potential to be rented. Prospective tenants may be unwilling to live in such proximity to a cemetery, thereby restricting our return from these houses.
4. Forty two years ago, we bought land bordering Saumarez Creek. Our choice for purchase was influenced by the rural nature of the area. We have always been considerate of our neighbours and have not introduced practices which are out of keeping to the area. We expect the same reciprocation from others.



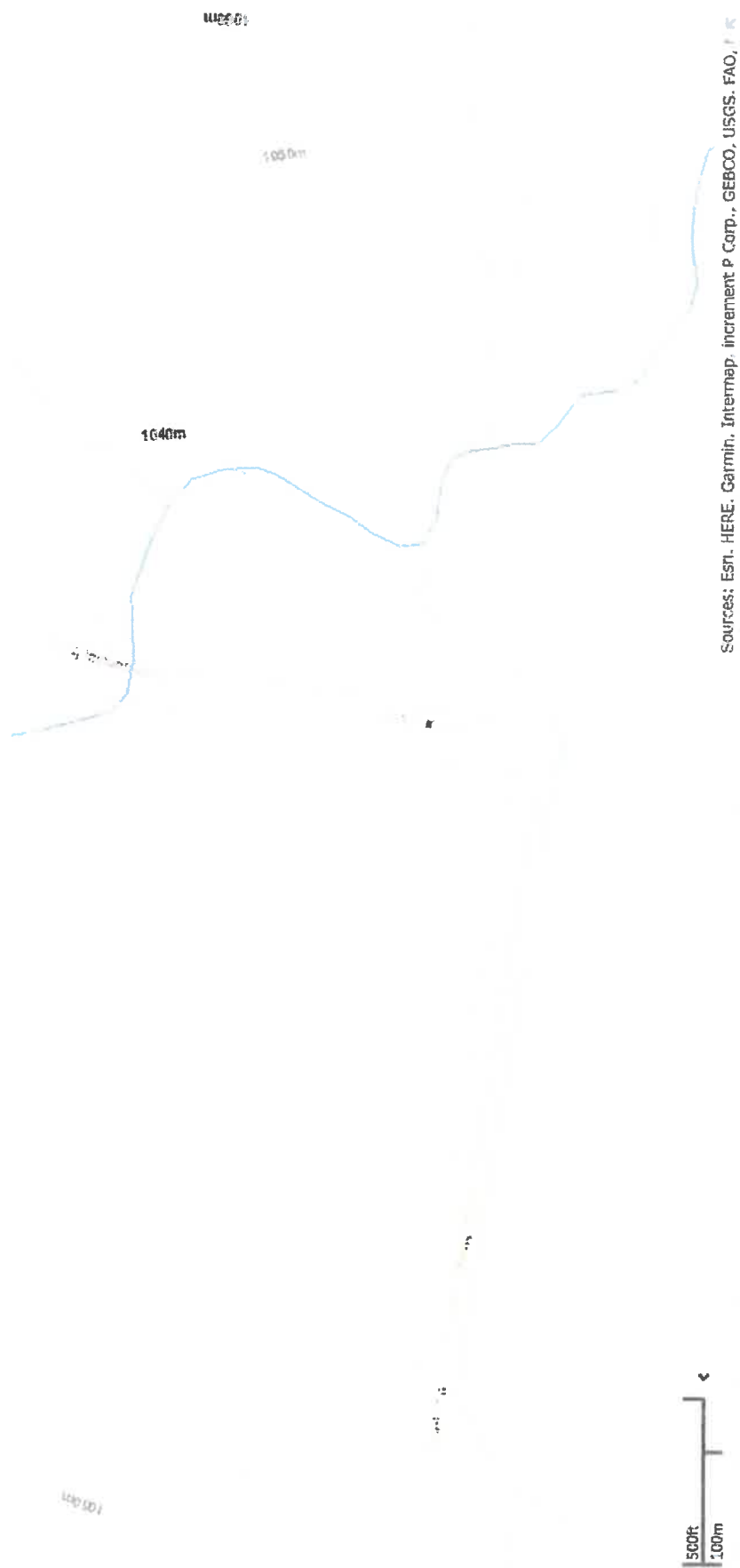
Signed: Ellen Green.



Signed: Geoffrey Charles Green. B.Sc.



Attachment to;
 Objection from GCA E Green
 Re: Application No. DA-44-2018

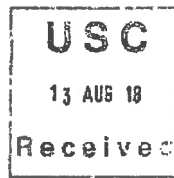


Attachment to:
 Objection from GCvE Green
 Re: Application No. DA-44-2018

Uralla Shire Council
32 Salisbury Street
URALLA NSW 2358

12 August 2018

Mr. and Mrs. David Dempsey



We the undersigned **STRONGLY OBJECT** to the proposed property development application No. DA-44-2018 for a New England Burial Ground – Private Cemetery and Shed at 192 Dumaresq Road SAUMAREZ PONDS. The reasons are noted below:

1. We understand from neighbours who have previously had an interest in purchasing 192 Dumaresq Road with the aim of erecting a building, Uralla Council has rejected the application due to the fact that this block was a designated flood plain, and therefore unsuitable for any residence. We note that Ms. Pickard has already erected buildings on the site. It would seem that one rule applies to Ms. Pickard and another rule to the former applicants. We note that in the application, the photographs did **NOT** show these buildings. Conversely, if Ms. Pickard has erected buildings on the block without Uralla Council's approval would there then be a possibility that if the proposal was granted guidelines may not be followed?
2. According to Clause 66(1)(c) of the *Public Health Regulation 2012* Clause 66(2) states "A person must not bury a body in or on any land if to do so would make likely the contamination of a drinking water supply or a domestic water supply". Clearly in circumstances of drought and at other times adjacent landholders have used Saumarez Creek for washing clothes, showering and other domestic purposes. There is also a danger that underground water would be contaminated.
3. In the development application it was stated that adjacent landholders were mainly hobby farmers. This is a false claim, three of the adjacent landholder run sheep and cattle (one as a stud). They are all business enterprises.
4. In consultation with an adjacent landholder we studied topographical maps which clearly indicates a depression in the block towards the creek and we ourselves have noted that in a time of excessive rainfall water lies over the block and it can be seen draining into the waterway. The lagoon on Ferris' Lane in times of heavy rainfall overflows, and contributes to the flooding on Ms. Piccard's block, exactly where the graves sites will be. Clearly, contaminants from human remains could therefore drain into the creek.
5. We are also concerned regarding the drop in land values. Individuals who relocate out of town DO NOT wish to live near a burial ground. To us the idea is ridiculous; the Armidale Council and Uralla Council provide cemeteries in town, and these are properly managed and maintained.

2.

6. If as stated, Ms. Pickard wants the block to be used for permaculture it would seem at odds with any normal agriculturalist that it would be counterproductive to have human remains near the growing of food. Surely issues such as food hygiene are paramount.

7. Dumaresq Road is not equipped to deal with the proposed amount of traffic, this would add a significant cost to Council regarding road maintenance and we are sure landholders do **NOT** wish to reside near in a high traffic area. This is only one of the reasons individuals live out of town.

8. It would appear that the block has no mains power supply connected to the buildings. In the case of inclement weather such as high temperatures and heavy rainfall, it remains problematic as to how the deceased would be stored/managed.

9. According to the proposal, the ongoing care and maintenance of the burial site would be in the hands of a "trust". This would seem to be a very "loose" arrangement for the ongoing care of such delicate and emotive issues as the continuing management of passed loved ones.

In conclusion, Prue and David Dempsey residing at [REDACTED] **strongest possible terms** to the development of the New England Burial Ground – Saumarez Ponds.

Yours Faithfully,

Prue and David Dempsey

[REDACTED]

14 August, 2018

Michael Pearce
Mayor
Uralla Shire Council
PO Box 106
Uralla NSW 2358

RE: Application Number DA-44-2018

Proposed Activity: Natural Burial Ground – Private Cemetery and Shed

Address: 192 Dumaresq Road, Saumarez Ponds

Applicant: Mr Kevin Hartley, Starfish Enterprises Network Ltd

Name: Ms Kath Johnson, [REDACTED]
[REDACTED]

Dear Sir,

I am writing to lodge an objection to the referenced Development Application above (DA-44-2018) proposing a Natural Burial Ground near Saumarez Creek.

I am the property manager of [REDACTED] which has been family land for two generations. Owners of this land are [REDACTED]

Reasons for my objection to this proposed application are as follows:

1. The environment is 100% pristine. I strongly object to running the risk of ruining this for me and for future generations for a money making venture by placing this venture near a waterhole. My stock all drink from Saumarez Creek and could potentially be consuming harmful bacteria. It is not 100% guaranteed that contamination will not ever happen based on the information provided. This could potentially affect the health of my stock directly or in the very least they could be "carriers" of harmful bacteria which is then transported to the Armidale Livestock Saleyards and consumed by humans who ultimately buy my product. I primarily breed for vealer sales. The true extent of the potential environment impact is basically unknown based on the information provided in the above mentioned Development Application.
2. There is no Department of Health information available. This is a crucial missing piece of information in my view.

3. The waterhole owned by my family is spring fed and never dries up – even in a drought. I object strongly to running the risk of this water being contaminated.
4. I am unhappy with the handling of this application by Uralla Shire Council. Even though the Local Government Act is “silent” on enforced communication re this type of application between neighbouring councils I would have thought it to be “common sense” and “courteous” to communicate with landholders nearby across the creek even if they were in a different Council. The Land and Environment Court has some views on this too.

I am hopeful that consideration will also be given to whether the wrong decision will create a risk to health or other nuisance (eg. traffic and noise), or cause reasonable offence to others regarding the location of the proposed development. I look forward to being notified in writing of the outcome of the Uralla Shire Council decision regarding this matter.

Yours sincerely,

Kath Johnson



14 August, 2018

Michael Pearce

Mayor - Uralla Shire Council

PO Box 106

Uralla NSW 2358

RE: Application Number DA-44-2018

Proposed Activity: Natural Burial Ground – Private Cemetery and Shed

Address: 192 Dumaresq Road, Saumarez Ponds

Applicant: Mr Kevin Hartley, Starfish Enterprises Network Ltd

Name: Mrs Denise Monley, [REDACTED]
[REDACTED]

Dear Sir,

I am writing to lodge an objection to the referenced Development Application above (DA-44-2018) proposing a Natural Burial Ground near Saumarez Creek.

I am the property owner of [REDACTED] which has been family land for two generations. My late husband (Peter Monley) and I have owned this land for many years. I and all other landholders along Saumarez Creek depend on this clean water supply for our livestock and would be appalled if it became contaminated because of a flawed decision of local government.

Reasons for my objection to this proposed application are as follows:

1. It is a well known fact that decomposition of human remains in the earth generates leachate and decomposition products, that if permitted to enter aquifers or extend far from the grave site have the potential to cause ecological harm to living humans, wildlife, farm stock, and the wider ecological environment;
2. Putting this development on a flood plain close to Saumarez Creek is putting public health in real danger and should NOT be considered for approval by Local Government who are responsible for protecting public health;
3. Surely there are more suitable places for such a development within the Uralla Shire;
4. This proposed development sits so close to the boundary with Armidale Regional Council yet when I approached them nobody had any information regarding this proposed development. I expect more collaboration between two adjacent local government bodies which would hopefully lead to better decisions for all ratepayers, particularly in this instance, as I only found out about this proposed development "on the grapevine".

Thank you for consideration of my concerns. I look forward to being notified of the outcome of this decision.

Yours sincerely,

Denise Monley



Copy to:

General Manager: council@uralla.nsw.gov.au

Mayor Michael Pearce: mayor@uralla.nsw.gov.au

Councillor Kevin Ward: kward@uralla.nsw.gov.au

Councillor Robert Bell: rbell@uralla.nsw.gov.au

Councillor Isabel Strutt: istrutt@uralla.nsw.gov.au

Councillor Tara Toomey: ttoomey@uralla.nsw.gov.au

Councillor Bob Crouch: rcrouch@uralla.nsw.gov.au

Councillor Natasha Ledger: nledger@urally.nsw.gov.au

Councillor Mark Dusting: mkdusting@uralla.nsw.gov.au

Councillor Levi Sampson: lsampson@uralla.nsw.gov.au



This is the view from my house and overlooks the proposed Burial Site

Objection to Application DA-44-2018

Proposed activity is Natural Burial Ground – Private Cemetery and shed

Address 192 Dumaresq Road , Saumarez Ponds

The applicant is not the owner of the land but the director of a charitable organisation , Mr Kevin Hartley for Starfish enterprises. However, he is a stakeholder as the lessee of the land (which is stated in Appendix B).No director of a commercial operation is mentioned as being the developer or a stakeholder , nor is there reference to a registered or licensed Funeral Director or a suitably qualified Manager being appointed to oversee administration of the development .

Summary of Serious omissions for which I have Objections

The term 'private ' in the proposal refers to private commercial enterprise not 'private' as in the owner of the land being buried on the land. This is a seriously misleading and deliberately worded attempt to mislead the readers and public into believing that this in not a commercial enterprise. It is also an attempt to falsely use Acts and Legislation where the term 'private ' has an entirely different context and set of governing laws and guidelines for implementation.

No reference is made for whom the proposal is being developed or who are the stakeholders . Has the property already been incorporated as part of Starfish enterprises? Only reference is in Appendix B items 3 and 4.This is the first reference to the names of the persons involved. THIS IS IN TINY PRINT and the relationship is described as a 'memorandum of understanding". This needs to be clarified. The disclaimer on page 19 is incorrect because Kevin Hartley is the stakeholder mentioned in Appendix B.

No consultation with neighbours. I demand that Uralla Council requests written copies of formal communication with affected land holders. (Of course they did not seek this because the land is leased to Starfish enterprises and the resident on the property is not entirely responsible for the development of a Private cemetery). The stakeholder presenting this proposal is Kevin Hartley. The entire application is not accurately stating the stakeholders or their designated roles in the development or operation of the proposed Private Burial Ground.

No time of start of development or start of funerals or development is stated.

No independent or correctly developed Environmental Impact statement for this specified development is included.

No independent or correctly developed land capability assessment to determine suitability for 1100 graves on this proposed site is included.

No independent or correctly researched Aboriginal Sacred or Significant site check on this land is included.

No feasibility study to determine the need , proposed success of the venture is included.

No detailed property development plan to show where the 1100 graves will be arranged or located on the property, or the size of the car park , or the actual width of the entrance , or how the entrance will be displayed are included. No plan to list how many native plants will be grown or where or what type is included. No plan to show where the “shed “ will be located on the property is included .No plan of fencing or type of fencing is included. No plan of how the graves will be marked or the distance between them is included.

The only described feature of the development is “a 600 l rainwater tank , an off-grid solar panel and a 3x3m disabled bathroom with a composting toilet”. Every other feature is vague and poorly researched and deliberately obtusely described so that changes to this proposal may be substituted in future,

Private is a term used for a massive commercial operation and is a deliberately misused name. There is nothing “private “ about a commercial operation . Indeed, there will be full public view of graves and funerals and funeral processions from a busy road through a Rural Residential area. This is not a 'private ' operation. The cost of funerals / graves / burials and the anticipated income from this enterprise is not mentioned.

Due processes have not been sequenced properly in this application. There are vague references to what may be done if the proposal is accepted. These processes should have been followed before the proposal was presented – I refer to Environmental Impact Statements , Land capability statements , development plans for the property , consultation with neighbours , heritage searches and feasibility studies.

As with property burials of landholders – does every burial need Uralla Council and adjoining neighbour Approval ? Who will be responsible for documenting and keeping information about the burials? Reference the misquote of Uralla LEP on page 14.

Most of the supporting Appendices include information copied and pasted from what appear to be reputable sources BUT LACK DATES , TIMES, GPS REFERENCES, AND ARE POORLY COPIED FROM “IMAGES” TO BE DELIBERATELY HARD TO READ. FICTITIOUS AND LIABELOIS REFERENCES ARE USED TO MAKE THE PROPOSAL APPEAR PROFESSIONAL AND CREDABLE. I specifically refer to page 45 where the information for pit 5 does not fit because it has been added as an edit . Also page 44 has the heading edited in and does not fit correctly in the document , the bores listed include on our property which we are unaware of except for when we applied for a bore license with the NSW Government and include a red colour being edited in . Where has this information been sourced and what does it refer to ? The map used on page 7 is poorly copied from a non-referenced site and is

deliberately small and hard to read. The shed plan page 32 has been edited with the date not matching the rest of the style and font of the document. This suggests discrepancies in presentation and accuracy and causes doubt about the veracity of the development proposal.

Objection criteria

1. What is a natural burial ground ? There is nothing natural about burying a corpse and planting a tree over the remains in broad daylight beside a public road in a residential area. Which religion , culture or ethnic group do these burials support? I believe that this form of burial serves no cultural purpose.
2. The development has already started BEFORE the application was developed . There is a very ugly lot of used milk cartons in the paddock which is supposed to be the 12 m buffer . These are being watered from the Saumarez creek. The sub-standard dwelling is already being lived in. The photograph taken 19/08/2018 shows the existing buildings on the property. There are 2 sheds , a brick building (funeral Parlour ???) a mudbrick building and several green houses.



3. The burial grounds will be in the riparian zone of the Saumarez creek. This area is very wet in a wet season with continual flow of water across the area of proposed burial site which is usually below the water table of Saumarez Lagoon. Please note where the water is flowing in this photograph. It is in the crossing and all the way over the paddock to the creek.



4. The shed is the dwelling where the resident lives . The funeral parlour is not a shed. The residential area described as a shed consists of a shed , a brick structure and a mud-brick structure . The development is for a shed and this is an incorrect description of the funeral parlour. Please see my photographic view of the development of buildings at 192 Dumaresq road.



5. The fencing has already been constructed but is not of sufficient height or suitable design to be either stock or vermin (particularly foxes) proof.
6. The access is not able to withstand the drainage from Saumarez Ponds during a rain event even during a severe drought. The present resident has not been there long enough to witness bogged tractors on the access track and as such is unable to make a realistic judgement of the access required for more than 1 vehicle per week.

7. Optional activities such as grave preparation will cause distress to Jill Wagner who has the proposed burial ground as her view. The resident at the proposed site does not have a clear view of the whole paddock. Please see my photographic view of the proposed burial ground.
8. There will be distressing views of graves being dug and bodies being buried .
9. There will be noise pollution and air pollution from machinery used in grave digging , burials and maintenance (mowing and brush cutting) and funeral processions and tree planting and revegetation. The machinery will need to be large. What time of day will the graves be dug and when will the funerals be held?
10. The site has been naturally bare of trees for hundreds of years so revegetation is a phrase being used to get subsidies to plant trees and is a misquote of environmental rehabilitation.
11. The paddocks are already overgrown with noxious weeds (blackberries) and long pasture grasses and pose a severe bushfire hazard which will become more intense when the area is "saved" for so-called Natural Burials (in accordance with which culture or which religion or which ethnic group).
12. From page 6 please clarify what constitutes a "decendent" AND what is meant by the term "future discreet development applications "? Does this open the suggestion for a mortuary AND funeral home and note the reference to cremation in a statement about future development.
13. This is not a proposal for rezoning of the land from rural residential to BURIAL GROUND but a DEVELOPMENT OF A BURIAL SHED and burial ground . This is a conflict of use for RURAL RESIDENTIAL which is for LIVING PERSONS. Does this mean that the land can be sold off in the near future , leaving bodies to be relocated at COUNCIL EXPENSE ?
14. The land value of the entire area will devalue . Our property will lose ALL RESALE value .

Please note the photograph which shows that our view will be entirely of this "developed environment.

15. .page 8 is a "stretch of the truth . There is a residential shed , a brick building, a mudbrick structure and several greenhouses already on the development site (please observe this in the photograph taken from my house used in objection 4).
16. What does the term footprint refer to ? This burial site will create a sensitive area of land for milenia.
17. The food farm described on page 8 is only viable when irrigated from Saumarez creek. It is not a commercial venture as yet (after several years of haphazard development) and should not influence the proposal.
18. The listed merits on page 8 are a little exaggerated 1.53 ha of blackberries , weeds and bushfire fuel do not increase biodiversity (except for rabbits , kangaroos and foxes) and 20cm drought affected spindly seedlings are not helping fauna biodiversity (except providing a seedbank for noxious weeds (blackberries , thistles , burrs , sweet briar) for years to come.
19. Page 8 refers to CREMATION . This is the first reference to the future discreet developments and IS NOT PART OF THE DEVELOPMENT PROPOSAL.
20. The supposed merits have no valid references.
21. The proposed building already exists – THIS IS NOT A DEVELOPMENT APPLICATION BUT A JUSTIFICATION OF SUBSTANDARD DWELLINGS already in existence.
22. The method of moving bodies is totally unrealistic – do they mean wheelbarrow ?
23. Fencing is not correctly specified – what construction and material will be used . Please clarify what a straight section is supposed to be . Materials need to be specified . As does construction type (plain wire , netting , colorbond , brick OR sticks propped together (as already exists at the shed used as a dwelling).
24. Exactly what native plants will be grown (this needs to be specified because it could mean any type of plant from any habitat?) The native plants need to be the same as those already growing in this area and include acacias not found in many local areas and no wattles because there are few in this location.
25. 1100 graves are a lot of burials . Over what period of time is this to occur? This is 1 burial per day for three and a bit years.
26. 1100 graves should constitute a REZONE , not a development of an existing structure. My objection is that this is not a development but should be considered a REZONE proposal with due and correct development applications.

27. I object to the noise of machinery and equipment which will be used . There is insufficient information supplied – how big is a small tractor ? What is meant by etc?
28. This is to be a permanent cemetery. OBJECTION IS TO THE DEVALUATION OF THE RESIDENTIAL LAND in this entire area. OBJECTION is to the lack of regard given to the value of our property and the lack of compensation for loss of value, and inability to sell in future.
29. None of the NES claims are substantiated. There is no Environmental Impact Statement from a person qualified to verify the impact. Objection is that factors a. to h on page 14 are incorrect and all will have a high impact on the environment. There is no reference to local Aboriginal lands and significant sites, the area is a wetland. OBJECTION is to the use of World and National heritage terms. Objection is to the lack of references and factual information .
30. OBJECTION is to the lack of references and research and factual evidence throughout the 60 pages of this submission. Abbreviations and acronyms are used to make the application appear to be well presented and well thought out. Discrepancies in presentation (fonts, colours , formats, blurred images)and inaccuracies cause doubt relative to the veracity of the proposal.
31. State legislations on pages 15 and 16 are not correctly quoted . The names are correct but not the wording of the acts nor the implications of the acts . There is no reference to a Qualified and independent Audit of any of these misquoted Acts. This section is a list of vague reference which are unsubstantiated .
32. Consultation is a total lie in reference to neighbours. No person spoke to Jill Wagner about this proposal , I do not have a written consultation . Nor is there even an email or facebook consultation . Who is the land owner of BBF ? I have not objected because I have not communicated with the owner of BBF about this private cemetery or proposed development. I demand that Uralla Council ask for transcripts of communication with affected neighbours .
33. The existing environment and impact assessment on pages 17 to 24 is not an Environmental Impact Statement . This is a deliberate misquote to make the heading and lengthy statements appear valid. Objection is to the misquoting of information to deliberately mislead the reader and for the document to appear to be thoroughly researched and correctly written and to address all issues.OBJECTION is that there is no verification of any of these statements – just a vague description of what might possibly look realistic .
34. Objection a reference is made of table 4 for environmental controls and mitigation on pages 27 to 29 . The responsibility is the UNSPECIFIED project manager. I object because there is no reference to THE PROJECT MANAGER OR SITE SUPERVISOR being suitably qualified to be responsible for this GENERIC information supplied by EarthFunerals. This appears to be a download from an internet site which could be for any where in the world.
35. Objection – risk assessment matrix on page 25 is not specified as being for anything – not specific to this development .This section is again misquoted and not correctly referenced (where is the matrix from that is being used to identify potential impacts for a fictitious summary of controls and residual risk). NO REFERENCES. NO FACTUAL INFORMATION . NO PROFESSIONAL INPUT FROM ANY PERSON QUALIFIED TO ASSESS RISKS . NO ENVIRONMENTAL ASSESSMENTS TO SUBSTANTIATE SUPPOSED RISKS.
36. Objection to shed plan Appendix A. No reference to when the shed will be built except for the inserted information on the first page . I object because this appears to be the plans for the shed being used as a dwelling. Quote is already invalid because inserted date was 18/07/2018 and is only valid until 14 days from this and subject to site inspection.
37. Objection to the legal framework mentioned in appendix B. The legal arrangement is referred to as a"memorandum of understanding " . and in this case , Kevin Hartley has a vested interest
38. Objection to item 4 Appendix B page 34 . The term 'private ' is deliberately misconstrued and is falsely used to indicate that burials at the site are 'private ' not part of a commercial enterprise.
39. Objection . Starfish is the principal stakeholder. Kevin Hartley will negotiate agreements after the development proposal is approved. He is a lessee of the property , not the owner.
40. Objection to the term of the burial site – currently described as in perpetuity for the proposer who is not the owner of the land but is the proposer of the development. A trust account will be developed for the burial site .This need sto be clearly explained and stated .
41. Objection to the suitability and site data collection. NO QUALIFIED PERSON HAS MADE THIS SUBMISSION. Every item on page 41 is taken from an unreferenced source.

*The site is not within 10 k of either Armidale or Uralla

*R5 is for a private cemetery for the landholder on their private land in accordance with Uralla Council regulations not for a commercial enterprise

*no EIS has been developed – all these statements are unsubstantiated

*no reference to a qualified person practitioner is made – just inflammatory and verbose descriptions- no facts

*the reference to the 100 year flood is irrelevant – this is a water course and wet land where water flows over the surface because the soil is below the water table. Please refer to the photograph of a mild flood.

*A single site is described – needs to be over entire area

*Appendix B page 45 has no landmarks and could have been anywhere in the world also shows nothing clearly — no dates , no grid references , no identified results/findings , not even clear photographs and page 47 has no grid references or indication of where the photograph is taken or any indication of it's validity.

42. Objection page 48 – there is no reference of where the soil sample was collected only a date of delivery to Dr Robert Patterson who did not collect the samples and does not know where they came from.
43. Objection to Appendix D pages 49-50– this is a generic guideline of a project which has copyright restrictions and is NOT SPECIFIC TO THIS DEVELOPMENT.
44. Objection to Appendix E. The nominated area is not listed but appears to have been replaced by a map from a different website .
45. Objection to supposed species listed on pages 51-54 and the plants listed on pages 57-58– These species are not found in this area . The list has been copied and pasted from an Unnamed resource – eg the Murray cod do not live in Saumarez creek , nor do we get sandpipers or swift parrots and the list goes on to include snow gums and water milfoil.
46. Objection to appendix F . The map is stated as being for general purposes only because it has no grid references .
47. Objection to appendix F – the date is 2016 and is totally irrelevant to a CORPSE and outdated for the development proposal.

From: [REDACTED]
Sent: Wednesday, 22 August 2018 2:05 PM
To: Council
Subject: TRIM: Application No. DA-44-2018 Natural Burial Ground Private Cemetery and Shed

Follow Up Flag: Follow up
Flag Status: Completed

HP TRIM Record Number: UI/18/2137

We wish to advise that we object to the above application on the following grounds:

1. Possible contamination of Saumarez Creek.

We have grave fears that the location of the proposed burial ground would lead to possible contamination of Saumarez Creek. The subject area is located in an area that in the past has been inundated by flood waters that have beached the banks of Saumarez Creek and we have real fears that such strong running turbulent water could expose the body remains with them possibly being washed into the creek and surrounds. Such exposure could also result in animal destruction and distribution of body remains. The spread of flood waters is also evidenced by the construction of a new bridge some years ago by Uralla Shire Council. Approx. 10 years ago we were compelled to undergo an audit of our sewerage system because of fear that it could possibly lead to contamination of Saumarez Creek and this burial ground is located much closer to the creek.

2. Fire Hazard

Grass on the area that adjoins our block has not been grazed or slashed since the current owners took occupancy and it is now dense and higher than the boundary fence.

3. Property Value

The land in which the cemetery is proposed is prime agricultural floodplain land and capable of now and in the future to intense agricultural production. I envisage that in the future the establishment of such a cemetery would deter potential producers from purchasing this land and this would depreciate the value of this property and possibly those adjoining landholders.

4. Cemetery Precinct

I fail to see the need for a cemetery precinct (which is completely out of character with the surrounds) in a predominately rural area when such a precinct exists in both Armidale (10km away) and Uralla (some 20km) - perhaps consideration should be given to obtaining land adjoining the Uralla cemetery for such a proposal as the progressive Uralla Council is always keen to promote new enterprises.

5. Merits of the Project

Advantages mentioned in the application are minuscule and could be achieved by planting trees on the block as they have already done.

6. Site Management

We have grave doubts as to the management of the site into the future. The applicant has mentioned the creation of a trust (NGBTNSW) to manage the day to

day activities and operate an endowment fund for the ongoing maintenance of the facility. This may be adequate whilst the applicant and his supporters are full of enthusiasm for the project, but what happens when they go and others interested in the proposed development become hard to find to take on the responsibilities and duties of trustees - this could become one big white elephant.

7.Consultation

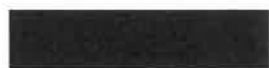
The applicant has stated "between March and April 2016 the landowners of BBF consulted with nearby neighbours . No objections were stated". We have no recollection of such consultation - we have never met or spoken to the landowners since they took occupancy of the property.

8.Purpose

It is also noted with concern in the "purpose" section of the Annexure A - Agreed in Principles Terms and Conditions there is mention of "possible build on the property a mortuary and funeral operation centre, multi purpose function and meeting area and other public amenities " which would afford the opportunity for a much larger commercial enterprise than the one described in the application.

It would be appreciated if these concerns could be placed before Council.

B & S O'Connell



Sent from my iPad

Mrs S. Michel



20-8-18

Uxalla Dairé Council,

In response to your letter dated
9-8-2018 for proposal of Natural Burial Ground at
192 Dumaney Rd Dumaney Ponds.

I find this proposal to be an
invasion on peoples private lives in the neighbourhood
and also believe it will drop the value of properties
in the area.

Therefore, I am not in agreement
with this proposal.

Yours faithfully

Suzanne Michel.

24/08/16.

ATT. MANAGER OF PLANNING
& REGULATION.
URALLA SHIRE COUNCIL
PO. BOX 106 - URALLA 2350.

2350.

DEAR MR. CLARISON,

RECENTLY I HAVE RECD ABOUT
A PROPOSED "BURIAL GROUND" BESIDE THE
DUMERESQ CREEK - ON DUMERESQ ROAD. IT BELIEVES
BELIEF THAT YOU ARE CONSIDERING SUCH A
DEVELOPMENT ON AN EPHEMERAL FLOOD PLAIN
HAVING LIVED NEAR BY FOR
46 YEARS - I HAVE OBSERVED WATER RUNNING
ACROSS THE PROPOSED AREA IN WET TIMES. SURELY
YOU REALISE THE POTENTIAL FOR CONTAMINATION
OF THE DUMERESQ CREEK - SUCH WOULD AFFECT
THE MANY PEOPLE FURTHER DOWN THE CREEK.

I WONDER WHAT THE PREVIOUS
OWNER OF THIS LAND WOULD THINK - HAVEN'T I KNOWN
HER WELL, SHE WOULD HAVE BEEN ^(AGAINST) VEHEMENTLY AGAINST
IT. JUST AS I AM!

USC

24 AUG 16

ceived

OBJECTION

dated 26 August 2018

from

Wayne Fisher and Penelope Nicholson


lodged with

URALLA SHIRE COUNCIL

in the matter of

Application No. DA-44-2018

Proposed Activity:	Natural Burial Ground – private cemetery and shed
Address:	192 Dumaresq Road, Saumarez Ponds
Applicant:	Mr Kevin Hartley, Starfish Enterprises Network Ltd

Reasons for objection

1. Whilst we do not object to the concept of a natural burial ground, we do object to this proposed location. Saumarez Creek's riparian zone, together with the ephemeral water way which traverses the proposed natural burial area, is unsuited for a natural burial ground.
2. We are concerned by a number of inaccuracies within the proposal:
 - 1) The proposal states that all neighbours have been consulted. This is incorrect. We have not been consulted. Neighbouring property owners, with whom we have spoken, state they have not been consulted. While we do not share a boundary with Banded Bee Farm we are close by with our property on Dumaresq Road and we would have expected some form of communication about the proposal given its potential impact in this area.
 - 2) The proposal has not identified the ephemeral water way which traverses the proposed burial site. This water way draws its flow from the properties west of Dumaresq Road and south of Ferris Lane. During heavy rain and times of flood, this water way carries a very large volume of water away from Dumaresq Road and flow rates are high. Any attempt to stop this water flowing across the proposed burial site would push the water back onto Dumaresq Road and would very possibly compromise the road surface between Ferris Lane and the Saumarez Ponds bridge. This bridge is signposted with a warning '*Do not proceed when water is over road*'. This sign was erected due to very fast flowing water from Saumarez Creek flooding Dumaresq Road.
 - 3) On page 41 the proposal states the proposed burial site '*is situated within 10 km of two of the major centres in the New England high country (Uralla and Armidale)*'. While within 10 km of Armidale, the proposed site is about double this distance from Uralla. Also on page 41 the proposal states '*presents no issues as regards soils, geography or ground or surface water*' conveniently ignoring any impact from the water way discussed in 2) above.
 - 4) On page 18 the proposal refers to Saumarez Creek as '*An ephemeral stream*' in what appears to be a blatant attempt to trivialize one of the region's important permanent water resources.
 - 5) On page 16 the proposal states '*neighbouring properties adjacent to the proposed development are hobby farms which predominantly run sheep*'. This is specious, incorrect and would appear to be an attempt to trivialize the issue. For example, our neighbour's property is not a hobby farm. They run both sheep and cattle as a mixed grazing enterprise. Other neighbouring properties run sheep, cattle, horses and some cropping is carried out nearby.

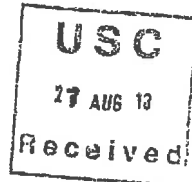
Effect proposal would have on submission maker

1. Our primary concern and hence objection to this proposal is that toxic leachate from decomposing bodies will enter the aquifer from which we (as do our neighbours) draw water for domestic and stock purposes.

2. The proposed burial site has risk of contaminating Saumarez Creek from which neighbouring property owners pump for domestic and stock watering. The proposed establishment of shallow graves within the riparian zone and ephemeral tributary of Saumarez Creek, in our opinion, is inappropriate and would pose an environmental risk to this area resulting from decomposing corpses held in shrouds and cardboard coffins.
3. On page 43 of the submission there is a table listing 9 essential criteria for a natural burial site and the statement '*The proposed site met all 9 essential criteria*' is made. We dispute the accuracy of this statement and believe that if the criteria were truthfully assessed the site would be deemed unsuitable.
 - 1) For Criteria No.1 it is stated that a '*Census of all bores within a 2 km radius*' was carried out. We know of three registered bores, including our bore, within about 600 metres of the site which are not shown on the map on page 44.
 - 2) For Criteria No. 2 it is stated '*Able to confirm there is no presence of rock shelves, perched water tables, springs or ephemeral water flows*', completely ignoring the ephemeral water way across the site at the end of Ferris Lane.
 - 3) Criteria No. 5 states '*There is space within the site for buffer zones around the burial area to ensure adequate distances from creeks, streams, dams, bores, beaches and storm water drains*'. Whether we define the ephemeral stream running across the site as a "stream" or "storm water drain", the proposal still fails this criteria.
4. Historically, a local cemetery exists on one of the nearby older properties. This cemetery is located on a rise in the middle of a paddock. It does not have flow to Saumarez Creek. Cemeteries are established on a hillside so that the gravesites are not in danger of inundation by flooding/overlying water.

Wayne Fisher & Penelope Nicholson
26 August 2018

KJ and MJ Pines



13th August, 2018.

Mr. Matt Clarkson,
Manager Planning & Regulation,
Uralla Shire Council,
PO Box 106,
URALLA. 2358

Dear Mr. Clarkson,

Re: Application No. DA-44-2018

We refer to the above application for a proposed natural burial ground at Saumarez Ponds.

We lodge with Council our enclosed objection to this proposed activity and urge Uralla Shire Council to reject the application.

Yours faithfully,



Ken Pines

Enc:

**OBJECTION TO PROPOSED DEVELOPMENT
NATURAL BURIAL GROUND**

**Banded Bee Farm
192 Dumaresq Road
Saumarez Ponds, Armidale NSW**

Application No. DA-44-2018

13th August 2018

**Objection by:
K J and M J Pines**



Details of persons making this objection

Kenneth James Pines and Marjorie Jayne Pines are the owners of, and reside on, the property [REDACTED] This property of sixty hectares has been used for more than twenty years for the breeding of beef cattle. The Dumaresq Road boundary of this property is less than one kilometre from the proposed development of a natural burial ground.

Reasons for objection

- 1 The site of proposed development is totally inappropriate for the activity as the area is prone to inundation and could result in contamination of local waterways.
2. The proposed activity is likely to have a detrimental impact on property values, amenity and lifestyle of other residents in that area.
3. The development application is inaccurate in detail and substance.
4. The proposed site / development does not meet the standards set out in the document, Information and Guidance for Australian Natural Burial Ground Pioneers, attached to the proponent's application as supporting information.

Supporting information for objection

1. Inundation of the proposed burial site – The site may be flooded by water overrunning the banks of Saumarez Creek OR by water from the western side of Dumaresq Road flowing towards the creek. During major rainfall events, water rushes down from the large catchment on the western side of the road, fills the table drains then flow across lower spots on the road to drain into the creek, through the proposed burial site. We have witnessed flows of water, sometimes more than 30 metres wide, on a number of occasions during the 20 plus years that we have lived in the area.

The data relating to flood heights in Saumarez Creek seems to be based more on guesswork and hearsay than facts. With climate change generating extreme weather events and new developments in the area changing the movement of water across the landscape, it is not possible to conclude that flood levels would not reach a height that would impact on the burial site.

I believe that the risk of contamination of Saumarez Creek and neighboring properties is high if this site is approved as a burial ground. There are many other potential sites within the shire where this type of development would not pose a contamination risk to any waterway.

2. Detrimental Impact on neighboring properties – The establishment of a burial ground in this area would impact on many neighbouring landholders. It would reduce the sale value of nearby properties as many potential buyers would not wish to live within close proximity to a cemetery. Some residents would feel uneasy being near the site and would be uncomfortable undertaking normal agricultural activities, which can generate dust and noise, when funerals are in progress.
3. The development application is inaccurate in detail and substance – The application contains a number of errors and omissions in relation to:
 - Data and maps relating to flooding – data is inaccurate and some drainage lines have been omitted from the proponent's maps.
 - Census of bores is incomplete – a number of bores in close proximity to the site were not included.
 - Consultation with neighbours – many neighbours were totally unaware of the proposed development until very recently and had not been consulted.

- A number of the neighbouring property owners are serious primary producers and not just "hobby farmerers" as stated in the application.

4. Development does not meet the standards set out in the document, Information and Guidance for Australian Natural Burial Ground Pioneers – This document was supplied by the proponent as supporting information but their proposal does not meet a number of the key recommendations. The document states:
- "the presence of flooding or high water table would make the site unsuitable". This site is prone to flooding therefore unsuitable.
 - "areas of less than 2 hectares may not be worth the effort of establishment" – this proposal is for an area of less than 2 hectares.
 - "the consent of all adjoining neighbours is ideal, in most circumstances, the consent of the greater majority of them will be necessary to proceed" – this proposal does not have the consent of the majority of neighbours and no effort has been made to obtain that consent.
 - There are quite a number of other points in this proposal that do not comply with the recommendations set out in this guide.

For the above reasons, I object to the proposal to establish a Natural Burial Ground at the Banded Bee Farm, 192 Dumaresq Road, Saumarez Ponds, Armidale NSW and urge Uralla Shire Council to reject the proposal.

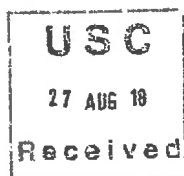
Yours faithfully



Ken Pines
For KJ and MJ Pines



T. J. & P. Ferris



24th August, 2018.

Mr. Matt Clarkson,
Manager Planning & Regulation,
Uralla Shire Council,
PO Box 106,
URALLA. 2358

Dear Mr. Clarkson,

Re: Application No. DA-44-2018

Proposed Activity:	Natural Burial Ground – private cemetery and shed
Address:	192 Dumaresq Road, Saumarez Ponds
Applicant:	Mr Kevin Hartley, Starfish Enterprises Network Ltd

We wish to lodge with Council our objection to the above Development Application.

Reason for objection

1. We believe that the banks of Saumarez Creek are a totally inappropriate site for a cemetery and further this particular block is a very wet section of the creek's riparian zone and subject to flooding across the proposed burial site. We have lived in the Saumarez Ponds area for all our lives and have seen numerous floods where vast amounts of water flow from the south and west of the site, cross Dumaresq Road on the causeway at the end of Ferris Lane and then flood across the proposed site and down to join Saumarez Creek.
2. We do not believe that a private cemetery is a development in keeping with the rural residential nature of the Saumarez Ponds area and will lead to making the area less attractive to incoming residents.

Effect the proposal would have on submission maker

While our property does not directly adjoin the proposed site, and our access to Saumarez Creek is upstream, we believe the proposed development will have a marked effect on real estate prices in the area, thus considerably reducing the value of our own property.

Yours faithfully,



Mr B E Williams

The General Manager
Uralla Shire Council
PO Box 106
Uralla NSW 2358

24th August 2018

Dear Andrew

DA - 44 – 2018 192 Dumaresq Rd Saumarez Ponds

I write with reference to the above Development Application and wish to register my strong objection to it proceeding. I have owned my property at [REDACTED] since 2005 and as such, border the said property on the eastern side.

When I initially bought my property adjoining this proposed cemetery, I was extremely keen to purchase this said area but was informed it was on a floodplain and I would not be granted a building permit. It distresses me that this has been obviously overturned. As nothing has changed in this regard, I hence struggle to understand why this application is even being considered.

I would also like to question the credibility of soil samples delivered to Dr Patterson for analysis. I would like to know if he was actually present during the gathering of these said samples from the excavation pit.

During heavy rain, this area and surrounds are water logged for long durations. This puts not only our waterways at risk of pollution but also our underground water supply which is utilised by many on a daily basis.

To believe that this proposed enterprise would not devalue one's land price would be naive. I have worked tirelessly my entire life and I do not appreciate 'come by night' businesses devaluing my property. As a previous trustee of a country cemetery, I have seen how dilapidated and uncared for these sites can quickly become, not to mention potential fire hazards. There is always an excitement around such things initially but I genuinely worry this may be short lived. I believe this type of industry to be better administered by a Shire Council to ensure ongoing upkeep.

In summary, I find the results of testing to be questionable, the floodplain issue to be unresolved and the threat of contamination to our waterways unquestionable. As such, I again ask that you please register my overwhelming opposition to this Development Application.

Yours Sincerely

A large black rectangular redaction box covering the signature area.

Baden Williams

A small black rectangular redaction box covering the contact information.

Dr Helen Edwards



Dear Mr Matt Clarkson,

RE: Development Application No. DA-44-2018, 192 Dumaresq Road, Saumarez Ponds

I am writing to you with objection to the proposed Natural Burial Ground – Private Cemetery and Shed proposed at 192 Dumaresq Road, Saumarez Ponds. I am the landholder at [REDACTED]

[REDACTED] This block includes a section of Saumarez Creek downstream from the proposed.

The proposed development site is in a direct line of sight from the home located on my property. This home is utilised as an investment and is currently tenanted. My view is to have this home tenanted indefinitely. My concern is that should the proposed development proceed it is highly probable that this will not only reduce the value of my property, but also diminish the opportunities for future tenants and associated income from the property.

Section 5.2 Water Resources fails to address how water travels across the site particularly in times of rain fall. The location of gravel parking areas are likely to assist in the transfer of water across site toward Saumarez creek. There is no reference or acknowledgement of the risks identified in Table 3 or contaminates as stated in Appendix D: Natural Burial Guidelines. Our property utilises water from Saumarez creek for livestock, poultry and food resources. Both adults and small children consume these food resources.

I am very strongly opposed to the development as described. I feel that the potentials risks of contamination and full environment impacts have not been adequately assessed.

Yours faithfully,

Dr Helen Edwards

Monday 27th August 2018.

Re application No. DA-44-2018

Address 192 Dumaresq Rd, SAUMAREZ PONDS

Jaclyn and Jasper Birnie



Reasons for objection regarding the submission for a Natural Burial Ground as above.

1.4 Project Justification and Consideration of Alternatives

- Sited research was conducted in New Zealand in 2013. There has been no evidence produced of a preference or a need for a natural burial ground in the Armidale/Uralla communities.

2.1 Infrastructure

- Public entrance from Dumaresq Road. No specifications provided. A single lane driveway will lead to congestion on Dumaresq Road as funeral vehicles, an estimated 3-20 vehicles as stated in the report, will be forced to queue along a 100km/hr zoned road a major road safety risk.

2.4 Operation and Management

- There has been no evidence provided that there is a local community wishing to have a natural burial.
- An estimated attendance at each funeral is between 10 and 50 persons travelling to the proposed development in between 3 and 20 vehicles per event. Dumaresq Road cannot accommodate 20 vehicles turning into a single driveway. The queue would be extremely dangerous for other motorists.
- Grave visitations are likely to be irregular, occasional single vehicle visits occurring in daylight hours only. There is no evidence to support how often people visit grave sites. This statement is not based on fact and is very vague.
- There is no public transport available for people to come out to the proposed site. This proposed site excludes the portion of the population that does not have access to private transport. This has not been addressed in the proposal.

3.2.8 SEEP No. 44 – Koala Habitat Protection

- There was no time frame given for the koala or koala habitat observation. Last year, we saw a koala on Marble Hill Road. There may not have been a sufficient time frame allowed for investigation of the local koala habitats.

5.1 Land Resources and Containment

5.1.2 Impact Assessment

- Revegetation activities are a long term plan. Short term, “rain erosion of exposed soil could result in minor localised sedimentation.” There is no solution or method of containment proposed for this.

5.2 Water Resources

5.2.2 Impact Assessment

- It is not good enough to state that “the proposed system is unlikely to have impact on regional groundwater resources and systems.” The local community does not need to gamble with our important groundwater. An “unlikely” definition does nothing to reassure us that extensive research has been done into this.

5.9 Traffic

I am concerned that the buildup of cars along Dumaresq Road to access the single driveway into the proposed site will pose a danger to other motorists travelling up to 100km/hour.

The report has identified up to 20 vehicles per burial.

5.12 Socio-economic considerations

- “the site will continue to provide a public space for locals to visit their deceased loved ones.”
- There is no public transport available to this site. This excludes members of the population.
- There is no investigation into the numbers of people who visit burial grounds.
- The numbers provided in this report are guesses only with no evidence provided.

5.13 Cumulative impacts

- It is unlikely to have a significant cumulative impact if the mitigation measures are implemented.
- There is no guarantee that all the measures will be implemented and to what effect. There is no information provided about who will hold people accountable for implementing these measures or what can be done if these measures are not implemented correctly.

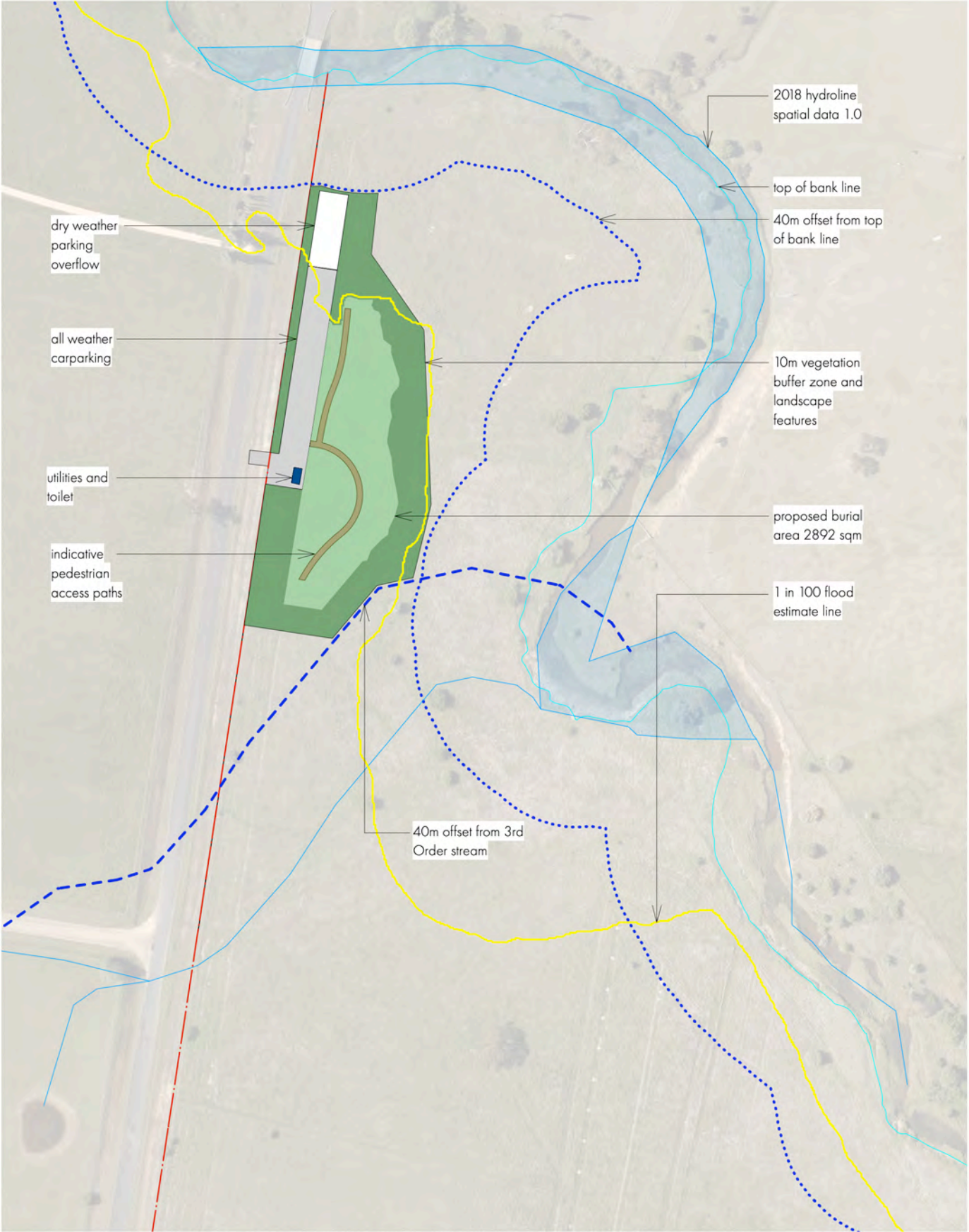
Annexure A Agreed In-Principle Terms and Conditions

PURPOSE

The parties which to create a permanent relationship in order to:

- Possibly build on the Property a mortuary and funeral operations centre, a multi-purpose function and meeting area and other public amenities as agreed...”

We understand that this is not forming part of this development proposal. We would be very concerned about the potential for these developments to be considered in the future to be build on the proposed site.



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Notes

Dimensions in millimetres
Use numerical dimensions only
Verify all dimensions on site
Do not scale
If discrepancy exists notify architect

Rev	Date	Description	
B	07/01/19	For Information	
C	12/02/19	For Information	
D	03/09/20	For Information	
E	23/09/20	For Information	

Project Address
192 Dumaresq Road, Saumarez Ponds, NSW 2350

for
Business Paper 27 October 2020 Ordinary Meeting
Earth Funerals

Project Name
New England Natural Burial Ground

Drawing
102

Proposed Burial Layout

Scale
1:2000 @ A3

Issue
24/9/20

OTHER ARCHITECTS PTY LTD
G Mortlock NSW ARB 9875

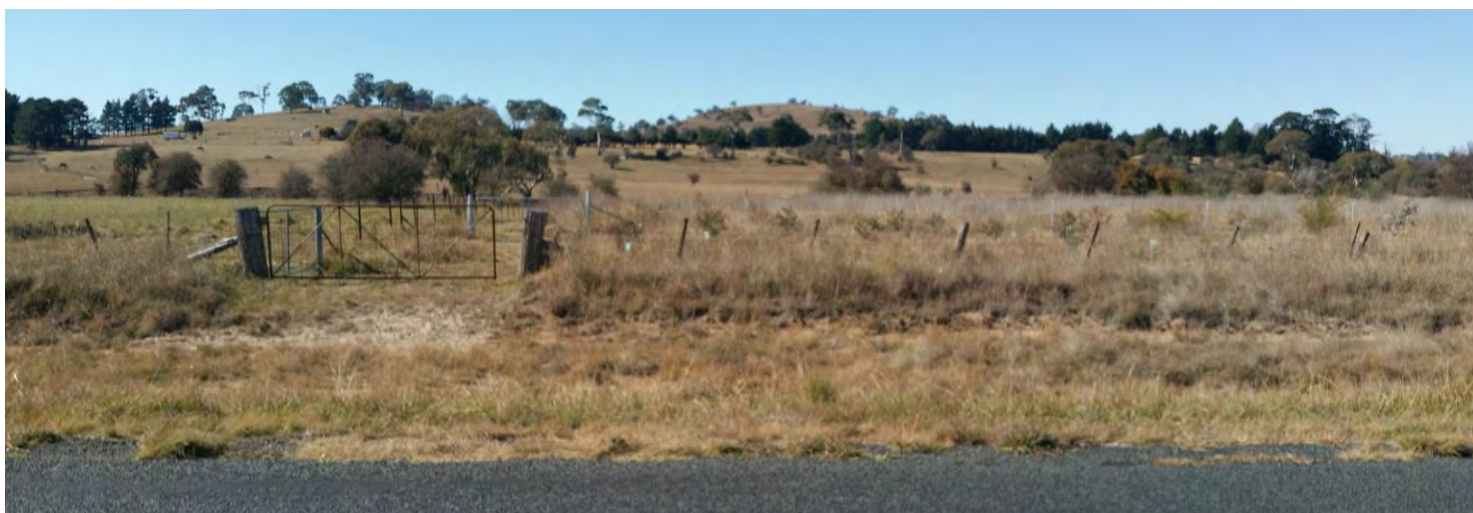


New England Natural Burial Ground - Saumarez Ponds

Statement of Environmental Effects

Prepared for
Starfish Enterprises Network Ltd and Kevin Hartley

July 2018



DOCUMENT TRACKING

Item	Detail
Project Name	New England Natural Burial Ground Statement of Environmental Effects
Project Number	16ARM 5503
Project Manager	Robert Cawley 02 8081 2689 92 Taylor Street, Armidale, NSW 2350
Prepared by	Robert Cawley, Eliza Biggs, and Matt Elsley.
Reviewed by	Robert Cawley, Linden Burch
Approved by	Peter Hancock
Status	DRAFT
Version Number	V4
Last saved on	23 July 2018
Cover photo	View looking south from the proposed development's entrance (Matt Elsley, 24 th May 2018); View of the proposed development's entrance (Eliza Biggs, 18 th May 2018).

This report should be cited as 'Eco Logical Australia. (2018). *New England Natural Burial Ground Statement of Environmental Effects*. Prepared for Starfish Enterprises Network Ltd and Kevin Hartley.'

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This document has been prepared by Eco Logical Australia Pty Ltd with input from HWL Ebsworth Lawyers.

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Template 29/9/2015

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Abbreviations

Abbreviation	Description
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
BBF	Banded Bee Farm: Lot 97 in DP 755811 (192 Dumaresq Road, Saumarez Ponds, 2350)
BC Act	<i>NSW Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
CoP	Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales
ELA	Eco Logical Australia Pty Ltd
EPA	NSW Environment Protection Agency
EP&A Act	<i>NSW Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
LEP	Local Environmental Plan
LGA	Local Government Area
MNES	Matters of National Environmental Significance
NGBT	Natural Burial Ground Trust of NSW
NPW Act	<i>NSW National Park and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
RSWMP	Regional Strategic Weed Management Plan
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement
SHR	NSW State Heritage Register
USC	Uralla Shire Council

1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of the Project Director, Mr Kevin Hartley and the registered charity, Starfish Enterprises Network Ltd, to form part of a Development Application (DA) for a proposed Natural Burial Ground/Cemetery on private land within Uralla Shire Local Government Area (LGA). As part of this assessment, ELA have undertaken due diligence ecological and archaeological field surveys and assessments of the proposed development.

1.1 Project Description and Background

The proposed development is to use 1.53 ha of Banded Bee Farm (BBF) as a Natural Burial Ground for the burial of deceased persons and native tree planting for ecosystem rehabilitation. The proposed burial ground is to be used exclusively for burials of a 'natural' style defined by The Australian Natural Burial Project (ANBP - www.australiannaturalburialproject.org) as;

Return of human remains as directly as possible to the earth, while adhering to all legal, cultural and practical requirements. Non-embalmed remains are contained within a minimal-resource, bio-degradable coffin or shroud, and buried at the minimum legal depth to promote natural decomposition.

The proposed development requires the construction of:

- a small storage shed with solar powered lighting, incorporating a single all-access composting toilet and water tank;
- perimeter fencing to separate the burial ground from the balance of the property, and for stock exclusion (also requires the removal of an existing fence);
- an entrance gate and vehicular access from Dumaresq Road; and
- gravel/solid-standing for car parking and pedestrian pathways to aid access (as required).

Initial native tree plantings will consist of a 12 m wide buffer planting around the proposed development's perimeter, and, plantings along the western and southern edges of the shed and car parking area.

Operational activities shall include:

- Grave preparation;
- Burial ceremonies, including burial of human bodies;
- Routine site maintenance activities; and
- Tree planting and revegetation activities.

NB: Establishment and operation of mortuary and funeral staging facilities do not form part of this development proposal. Necessary facilities will be located remote from the proposed burial ground, and will form the subject of future discreet development applications. For clarity, the proposed site will be used only for the ultimate disposition of decedents by way of burial.

1.2 Project Location

The proposed development is situated within the northern paddocks of BBF: Lot 97 in DP 755811 (192 Dumaresq Road, Saumarez Ponds, NSW 2350). BBF is located approximately 8 km west-north-west from Armidale and 18 km north-north-east from Uralla (**Figure 1**).



Figure 1: Proposed Development Location

1.3 Existing Conditions

The proposed development footprint is located within Uralla Shire LGA in the R5 Large Lot Residential land zone and comprises an area of 1.53 ha. The only built structures currently existing within the proposed development footprint are fences surrounding the western, northern and southern borders, and preliminary rehabilitation plantings undertaken by the landholders.

BBF is bounded to the west by Dumaresq Rd, to the north and east by Saumarez Creek and to the south by a shared fence line with the neighbouring property. BBF has a total property area of 17.2 ha and is divided into several paddocks by serviceable agricultural fencing. The current owners acquired the property with the intention of undertaking extensive re-vegetation and remediation works, comprising a return to native vegetation of around 50% of the total area, and the establishment of a showcase 'food farm' enterprise employing permaculture principles.

1.4 Project Justification and Consideration of Alternatives

A 'do nothing' approach was not considered a viable option as this would forgo the benefits of the project.

Merits of the project:

The proposed development has high environmental merit; it aims to significantly increase the native floral biodiversity and fauna habitat of the area. It will also decrease the carbon output when compared with traditional burials and cremations. In Australia, funeral industry preferences and cemetery costs have led to cremation replacing burial as the primary disposal method for approximately 70% of metropolitan dwellers, and an increasing number of rural residents (CCNSW). Industrialised cremation consumes fossil fuels and releases CO² and other toxic emissions to dehydrate and render what is a 100% bio-degradable body (ANBP, 2017). The low cost of cremation is in large part only possible by way of being subsidised by the natural environment (ANBP, 2017). By providing a natural burial ground that will plant trees as part of the burial process, this proposal will encourage a more carbon neutral process of dealing with deaths in the adjoining community.

This proposal has positive benefits on a regional scale, providing a model for future natural burials organisations around the country, thereby improving Australia's carbon output and environment at minimal public cost. There is a growing public interest and preference for sustainable funeral practices and natural burial options. Research conducted in New Zealand has found some one-in-five to one-in-three people would prefer to choose a natural and sustainable funeral and burial (Law Commission, 2013).

2 Scope of Works

2.1 Infrastructure

This project will consist of the following elements:

Storage and Amenities Shed:

The proposed site of the new storage and amenities shed is immediately south of the proposed entrance (off Dumaresq Rd) setback 11 m from the property boundary. Site layout, elevations and indicative quote are attached in **Appendix A**. Building specifications include:

- A steel and COLORBOND® (or timber clad) utilities building on a ground level concrete slab of approximately 27 m³ (3 m x 9 m) with awnings over access points including a disabled entryway;
- Associated with the building will be a rainwater tank (approximately 600 L, or greater depending upon final catchment area) to provide a gravity fed, cold, non-potable water supply for handwashing etc., off-grid solar panels and low-energy light fixtures to provide energy in accordance with ecologically sustainable design principles; and,
- An approximate 3 m x 3 m area set aside for a disabled access bathroom, incorporating a single all-access Clivus Multrum composting toilet of appropriate capacity (set into a water proof service sump incorporated in the slab).

Car Parking and Pathways:

A gravel car parking area, including accessible parks, will be constructed north of the storage and amenities shed to accommodate visitors and volunteers (**Figure 2**). The following construction specifications are proposed:

- Stable, firm and slip-resistant gravel paths will be laid out to allow access to graves during the operation of the private burial ground (**Figure 3**). These will be maintained at operational for a minimum of 10 years after the burial ground has reached capacity and is decommissioned.
- The driveway will be upgraded for all-weather access.
- Transport vehicles will enter the burial ground to an area adjacent the parking area. A non-motorised wheeled carriage will move coffins along permanent gravel pathways to a position adjacent to the individual grave, from there the body would be carried to the grave by pall bearers.

Fencing:

- An existing internal fence line will be removed.
- A proposed post and wire fence line consisting of seven straight sections will be constructed enclosing an average 12 m buffer zone planting area.
- Internal access gates between paddocks are to be incorporated as required.
- Public entrance and gate from Dumaresq Road.

Planting:

There will be a 12 m native planting buffer around the proposed development footprint's perimeter (**Figure 2**). Native plantings will be along the western and southern edges of the storage shed and carpark. There will be also plantings near and adjacent to graves subsequent to interments.

Graves:

The proposed development will accommodate up to 1100 natural burials, over an expected 20 to 40 year period. Graves will be dug by appropriately qualified contractors as needed, to an average depth of 1.5 m allowing for a minimum of 1 m of soil above the body or top of the coffin. All individual burial sites will be surveyed and mapped prior to the commencement of operation. There will be a permanent metal ground level 'micro-plaque' carrying the incumbent's name and date of death at the head of each grave.

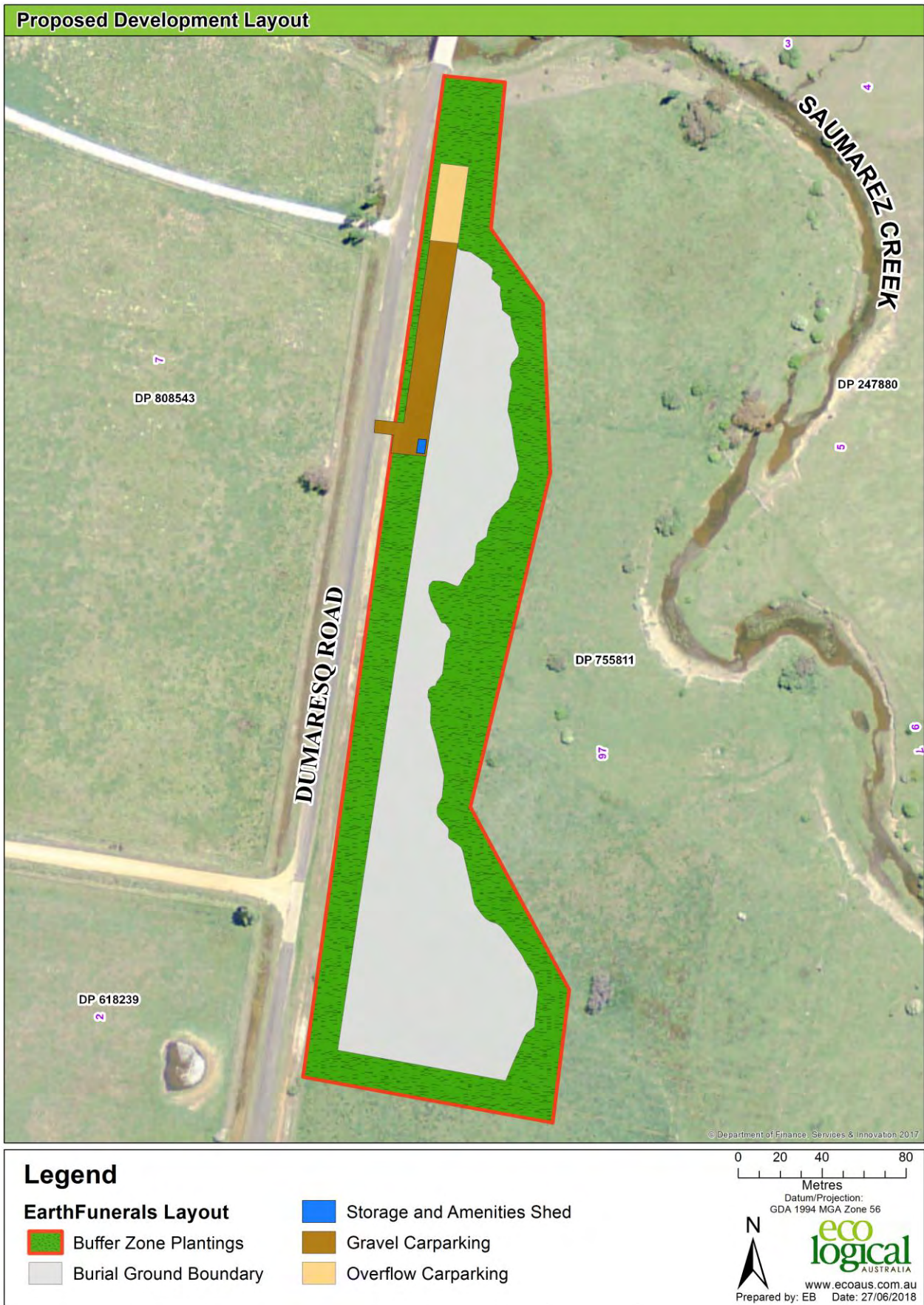


Figure 2: Proposed Development Layout

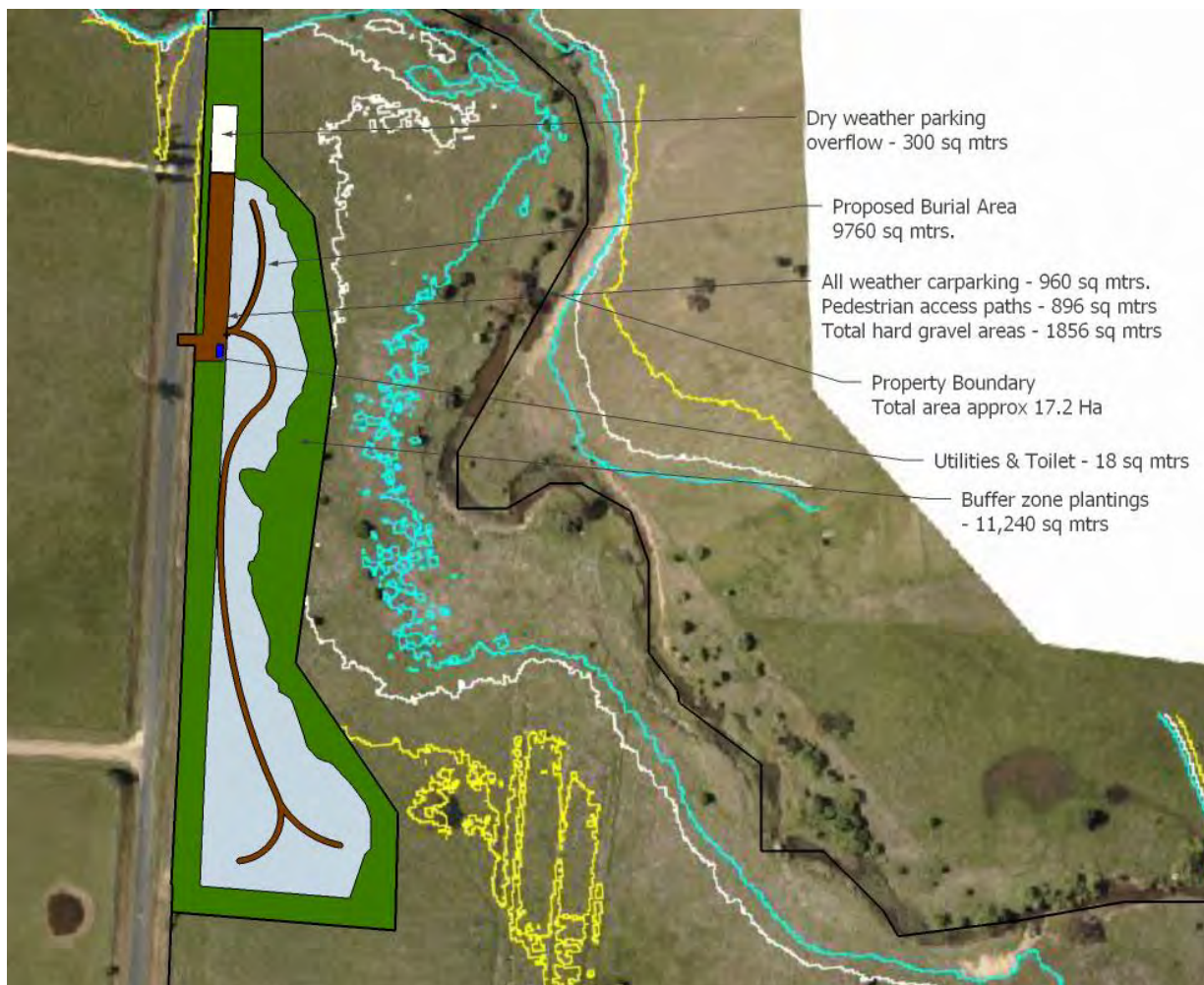


Figure 3: Indicative layout map showing flood contours, provided by Kevin Hartley.

2.2 Machinery and Equipment

Works will be undertaken predominantly using machinery such as:

- Light vehicles;
- Mid-sized (trailable) excavation equipment to dig graves as required (contractor); and
- Agricultural equipment (small tractor, ride-on lawnmower/slasher, brush cutter, etc).

2.3 Access and Ancillary Works

All access to the proposed development will be via Dumaresq Road.

2.4 Operation and Management

The proposed activity is that of a private natural burial ground (cemetery) for a community of individuals wishing to have a natural burial. The primary focus of the charitable enterprise is to make natural-style burials an accessible option at a cost comparative to, or less than, cremation, while financing revegetation and natural remediation works. Subject to approval, development would proceed in the following order:

- Finalise legal structures and agreements establishing the secure tenure and perpetual management of the proposed facility. Refer 2.5 below and **Appendix A – Legal Framework**
- Secure philanthropic funding for the start-up of the charitable enterprise;
- Survey, mapping (CAD & landscape design) and individual burial site layout;
- Build the access roads, car parking gravel paths and utilities/toilet shed;
- Progress overall landscape development, stabilisation and revegetation, including the planting of buffer zones with deep-rooting, locally adapted, native vegetation – especially trees; and then
- Finalise the organisation's administration of the private burial ground (cemetery) in accordance with relevant legislation.
- Establish separate (off-site) mortuary and operations facilities.

A combination of paid and volunteer staff will operate the facility, with a maximum of four staff on standby at any one time. The natural burial site (cemetery) will be operated by at least one qualified personnel supported by trained volunteers that shall attend the proposed development sporadically to prepare for and undertake a burial. This shall take approximately 4-6 hrs and is expected to occur on average once every two to three weeks.

Approximately 200 deaths occur within the immediate region each year. Facility usage estimations are based upon a modelled uptake by 10% of families (200 deaths * 10% = 20 burials, and 52 weeks / 20 burials = 1 burial on average every 2.6 weeks).

Onsite activities will include:

- Grave location and preparation - digging
- Transfer of the deceased from hearse to graveside
- Actual burial process followed by backfill and settling
- Grave marking & location recording post-burial
- Interment of cremated remains
- Tree planting around the grave site and elsewhere within the development footprint
- Funeral-related and non-funeral related visitations

Deliveries of deceased persons will occur prior to, or at the time of, the burial service. Estimated attendance at each funeral is between 10 and 50 persons travelling to the proposed development in between 3 and 20 vehicles per event. Attendance at funerals is based upon practical industry experience.

Grave visitations are likely to be irregular, occasional single vehicle visits occurring in daylight hours only.

Deliveries of equipment or supplies to the proposed development would be very occasional.

2.5 Site Tenure, Design & Decommissioning

Subject to development approval, the land owners and developers have agreed to secure the burial area within BBF, in perpetuity, using Restrictions of Use, and a caveatable Management Agreement registered to the property title. Further, a perpetual, charitable trust (the Natural Burial Ground Trust of NSW (NGBTNSW)) will be created to hold access title, manage day to day activities and operate an endowment fund for the on-going maintenance of the facility. In the first instance Starfish Enterprises Network Ltd will be appointed the Trustee of the Trust. Every burial will contribute to the corpus of endowment fund. For avoidance of doubt, in the event the title of the property changes hands, the tenure and status of the burial ground will remain under the Management of the Trust.

The design principles for the development and operation of the natural burial ground seek to create a functional facility with the lowest possible maintenance requirements. This is achieved by eschewing traditional headstones and typical cemetery infrastructure, the restoration of the site using local native flora, and the promotion of a low-impact burial style that compliments the ethos of a natural burial space. While individual burials at the site will be perpetual in nature, and the site itself will be preserved in perpetuity, functionally the natural burial ground will have a known and finite operational life. During the 'active' operation of the site (while burials are occurring) on-site facility and maintenance levels will be matched to need.

When the natural burial site is fully occupied (circa 20 to 40 years based on current estimates) it will be decommissioned, and maintenance regimes adjusted to reflect a 'passive' operational status. For instance, the site will remain accessible for visitation, but the carpark area may be reduced in size and the burial areas over-planted with native vegetation. Ongoing stewardship of the site, including the storage and amenities shed, will remain the responsibility of the NGBTNSW.

3 Permissibility and Statutory Context

Uralla Local Environment Plan 2012 (Uralla LEP)

The site is zoned R5 Large Lot Residential in accordance with the Uralla LEP. Cemeteries are permitted with consent in this zone. Furthermore, the proposed development does not conflict with the objectives of the R5 zone.

3.1 Commonwealth legislation

3.1.1 Environment Protection & Biodiversity Conservation Act 1999 (EPBC Act)

Under the environmental assessment provisions of the EPBC Act, the following matters of NES and impacts on Commonwealth land are required to be considered to assist in determining whether the project should be referred to the Australian Government Department of the Environment and Energy. Potential impacts upon Matters of National Environmental Significance (MNES) have been assessed for this project and no significant impact on matters of MNES is proposed (**Section 5.3**). **Table 1** addresses the matters of NES for the project.

Table 1: Matters of NES

Factor	Likely impact
<p><i>a. Any impact on a World Heritage property?</i> The proposal would not impact any World Heritage property</p>	Nil
<p><i>b. Any impact on a National Heritage place?</i> The proposal would not impact any National Heritage place</p>	Nil
<p><i>c. Any impact on a wetland of international importance?</i> The proposal would not impact any wetland of international importance</p>	Nil
<p><i>d. Any impact on a listed threatened species or communities?</i> Flora and Fauna assessments undertaken to support this REF indicate that the proposal would not impact any EPBC listed threatened species and communities.</p>	Unlikely
<p><i>e. Any impacts on listed migratory species?</i> The proposal would not impact any Commonwealth-listed migratory species</p>	Unlikely
<p><i>f. Any impact on a Commonwealth marine area?</i> The proposal would not impact any Commonwealth marine area</p>	Nil
<p><i>g. Does the proposal involve a nuclear action (including uranium mining)?</i> The proposal does not involve a nuclear action</p>	Nil
<p><i>h. Additionally, any impact (direct or indirect) on Commonwealth land?</i> No Commonwealth land would be impacted by the proposal</p>	Nil

3.2 State Legislation

3.2.1 *Environmental Planning and Assessment Act 1979 (EP&A Act)*

The EP&A Act provides a framework for the overall environmental planning and assessment of proposals. This report addresses the requirements of clause 228 of the *Environmental Planning and Assessment Regulation 2000*.

3.2.2 *Biodiversity Conservation Act 2016 (BC Act)*

Impacts to species, populations, or endangered communities listed under the BC Act must be assessed using the assessment of significance under Section 5A of the EP&A Act. If a significant impact is likely to result, a BAM or Species Impact Statement (SIS) shall be required. Potential impacts to threatened species and communities listed under the BC Act are addressed in **Section 5.35.3**.

3.2.3 *National Parks and Wildlife Act 1974 (NPW Act)*

Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (AHIP) is required under Part 6 of the NPW Act. An Aboriginal Heritage Due Diligence Assessment to determine any potential impacts to Aboriginal objects or places is provided in **Section 5.4**. The assessment found the proposed development will not impact on known Aboriginal objects or places, and concludes there is a very low likelihood that artefacts/sites will be discovered during development.

3.2.4 *Roads Act 1993*

Access for the proposed development will be via an existing gate located within the road reserve of Dumaresq Road, a local road for which USC is the roads authority. Under section 138, additional consultation with RMS. The access upgrade will be designed according to USC's engineering standards requirements.

3.2.5 *Heritage Act 1977*

Historic Heritage Assessment was undertaken to determine any potential impacts of the proposed development on Non-Aboriginal heritage (**Section 0**). The proposed development does not involve an item or place listed on the NSW State Heritage Register. Approval of works on the site is therefore not required under section 57 of the Heritage Act.

3.2.6 *Protection of the Environment Operations Act 1997 (POEO ACT)*

Any work potentially resulting in pollution must comply with the POEO Act. No licences have been identified as being required including the need for an Environmental Protection Licence (EPL) as a scheduled activity under Schedule 1 of the Act.

3.2.7 *Biosecurity Act 2015*

Part 3 of the Biosecurity Act applies a general biosecurity duty for any person who deals with biosecurity matter or a carrier to prevent, eliminate or minimise any biosecurity risk they may pose. Under section 23 of the Act, a person who fails to discharge a biosecurity duty is guilty of an offence.

Whilst the Act provides for all biosecurity risks, implementation of the Act for weeds is supported by Regional Strategic Weed Management Plans (RSWMP) developed for each region in NSW. Appendix 1 of each RSWMP identifies the priority weeds for control at a regional scale. However, landowners and managers must take appropriate actions to reduce the impact of problem weed species regardless of whether they are listed in Appendix 1 of the RSWMP or not as the general biosecurity duty applies to these species.

Several weed species listed in the Appendix 1 of the Northern Tablelands RSWMP were identified within the proposed development footprint and are detailed in **Section 5.3**.

3.2.8 SEPP No. 44 - Koala Habitat Protection

Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat. The policy provides the state-wide approach needed to enable appropriate development to continue, while ensuring there is ongoing protection of koalas and their habitat. No koalas or koala habitat were recorded in the proposed development footprint.

4 Consultation

The land owners of BBF have consented to donating their land for the proposed development (**Appendix A**)

Consultation with Uralla Shire Council has been undertaken sporadically over the last 2 years, including a presentation to Council Members on 19th December 2017, and most recently on 17th May 2018.

The neighbouring properties adjacent to proposed development are hobby farms which predominantly run sheep. Between March and April 2016, the land owners of BBF consulted with nearby neighbours. No objections to the proposed development were stated.

Future consultation should provide a number to call with any concerns or complaints.

5 Existing environment and impact assessment

5.1 Land Resources and Contamination

5.1.1 *Existing Environment*

Landform and soils

The study area (the proposed development footprint and surrounding area) is relatively flat except for the creek gully outside the proposed development footprint, which has been designed to be fully accommodated above the 1 in 100 year flood contour. The proposed development footprint has soil types identified as Medium Clay and Clay Loam (**Appendix B**).

Land Use

The proposed development footprint has previously been cleared, for stock grazing purposes. The development site is zoned as R5 in the Uralla Shire LEP (2012). Similar land types and classification are commonly available in the vicinity of the proposed development.

Contamination

A review of the NSW EPA Contaminated Land Record (NSW EPA, 2018) did not reveal any known contaminated land or potential contamination risk within the proposed development footprint. No obvious indication of gross contamination (i.e. staining, odours or distressed vegetation) was noted on the soil surface during the field survey. It is considered unlikely that gross contamination exists within the proposed development footprint.

5.1.2 *Impact Assessment*

Construction

Construction of the proposed development's infrastructure (carparking and storage and amenities shed, etc) will require limited localised excavation, vehicle access and other general construction activities. Such activities are not considered likely to significantly impact on the land resources associated with the site, if managed in accordance with the general mitigation strategies provided in **Section 6**.

Operation

Burial pits of depths between 1.3 m (best practice for burials, see **Appendix C**) and 1.8 m will be excavated, a deceased body (prepared, transported and contained in accordance with relevant legislation) laid inside, and then backfilled and the area subsequently revegetated. Rain erosion of exposed soil could result in minor localised sedimentation.

Following burial, the land will be actively rehabilitated through revegetation activities undertaken throughout the lifespan of the proposed development further reducing the risk of soil erosion and sedimentation in the long-term.

5.2 Water Resources

5.2.1 Existing Environment

Surface water

The proposed development footprint is located within the Saumarez Creek catchment within the greater Macleay River catchment. An ephemeral stream, Saumarez Creek generally flows in a south-easterly direction towards its junction with Sailsbury Waters. The aquatic habitat in the general study area is degraded from catchment clearing and development, as well as impacts to bank stability due to agricultural activities.

Shallow Groundwater

A series of five excavations revealed uniform, alluvial soils, and there was no indication of active permanent or ephemeral water storage or flow in any of the five excavation pits (maximum excavation depth was 2600 mm). Revealed soil profiles reflect data drawn from a review of drillers' logs accessed during the Bore Census. The drillers' logs report surface soil depths of up to 2 m and underlying clay strata at depths from 2 to 10.7 m over varying forms of rock strata (**Appendix B**).

5.2.2 Impact Assessment

The likely causes of any potential impacts from the proposed development to aquatic ecological values arise from spills from contaminants and fuels, and stormwater runoff with a sediment load.

- The risk of a chemical spill is very low as BBF adheres to strict permaculture standards which do not permit the use of pesticides and other agricultural chemicals on site. It is understood that the proposed development will adhere to these requirements. Chemicals such as fuel and petrol will be used during the construction works, however the risk of a chemical spill is low if the mitigation measures specified in **Section 6** are implemented.
- Given the depth of water tables and analysis of soil profiles from drillers' logs, the proposed development is unlikely to have impact on regional groundwater resources and systems.
- The natural burials are not expected to impact on nearby waterways. There are no proposed burials below the 100 year flood event level.

There is currently no permanent water supply in the area, so a water tank to the equivalent of around 600 to 2000 L will be installed to ensure a non-potable water supply.

General mitigation strategies for the protection of surface water are specified in **Section 6**.

5.3 Biodiversity

5.3.1 Existing Environment

The proposed development footprint has been historically cleared and used for mixed farming purposes. The resultant grassland vegetation is dominated by a range of exotic grasses, including *Dactylis glomerata*, *Paspalum dilatatum* and *Phalaris aquatica*.

The grassland is slashed from time to time, but more often in a piecemeal fashion to accommodate new plantings etc. As a general principle, the owners slash and disturb the ground as little as possible. The most significant vegetation near the proposed development comprises a few scattered hawthorn trees (*Crataegus monogyna*, a species of concern under the NTRSWMP), three small blackberry bushes (*Rubus fruticosus* aggregate, WONS, NSW Noxious weed class 4, Regional Priority Weed under the NTRSWMP), and a small snow gum remnant along the river, of roughly 4 m². Additional native trees

have been planted by the owners outside the proposed burial ground site. The owners are applying various non-chemical weed control strategies.

Searches of the EPBC Act Protected Matters database (DotEE, 2018) (**Appendix D**) and the Atlas of Wildlife (OEH, 2018) were conducted for threatened flora, fauna and ecological communities (centred on the study area with a 5 km buffer applied). These revealed eight threatened flora species, 30 threatened and/or migratory animals and three threatened ecological communities listed under the EPBC Act and BC Act as having the potential to occur within a 5 km radius of the study area.

No threatened species or ecological communities listed under the BC Act, NSW *Fisheries Management Act 1995* (FM Act) and/or the EPBC Act were observed during the field survey or considered likely to occur within the proposed development footprint. Accordingly, no threatened ecological community or species will be impacted negatively from the proposed development.

5.3.2 Impact Assessment

This proposal is likely to have a positive impact on the biodiversity of the site. The site currently has low ecological value due to historical clearing and the native vegetation remnants are very small (4 m²). The site is therefore ideal to revegetate with native vegetation. It is also expected that this will lead to increased habitat and foraging opportunity for native fauna site.

This development seeks to avoid negative impacts to existing trees and other natural features. A grassed area of 960 m² will be cleared to construct the carpark and shed.

Operation of the Burial Ground will have a net positive impact on the natural features of the site by facilitating native tree growth via plantings from the Armidale Tree Group, who will plant over the graves with native flora as well as along the borders of the private land burial site.

This will be achieved by the following measures:

- Where possible, existing remnant trees on site will be retained;
- Extensive phytoremediation is proposed along the entire length of Saumarez Creek within the property boundary which will enhance the existing surface water on site and reduce any potential downstream impacts;
- Establishing a car parking area may require the stripping of grasses prior to laydown of gravel or similar material;
- Revegetation and natural remediation works undertaken during the lifespan of the proposed development will aim to enhance the currently degraded vegetation on site; and
- Both the flood and perimeter buffer planting zones will be subject to extensive revegetation using native flora specifically suitable for the task. Phytoremediation techniques will substantially reduce any potential impacts from site activities.

Mitigation measures to minimise biodiversity impacts are provided in **Section 6**.

5.4 Aboriginal Heritage

5.4.1 Existing Environment

This assessment has been conducted in accordance the due diligence Code of Practice as set out in the OEH *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (hereafter referred to as 'CoP') (DECCW, 2010).

This due diligence process aims to determine whether Aboriginal objects will be harmed by the proposed development, as required under Part 6 of the NPW Act. The CoP sets out the reasonable and practicable steps which individuals and organisations need to take in order to:

- Identify whether or not Aboriginal objects are, or are likely to be, present in an area
- Determine whether or not their activities are likely to harm Aboriginal objects (if present)
- Determine whether an Aboriginal Heritage Impact Permit (AHIP) from the OEH or further assessment is required.

The aims of this Aboriginal archaeological due diligence assessment are to:

- Undertake a search of the Aboriginal Heritage Information Management System (AHIMS) register maintained by the OEH to establish if there are any previously recorded Aboriginal objects or places within the study area
- Undertake a search of the NSW State Heritage Inventory, the Australian Heritage Database, and the Uralla LEP 2012 Schedule 5 (Environmental Heritage) in order to determine if there are any sites of Aboriginal significance or sensitivity located within the study area
- Undertake a desktop review of relevant previous archaeological assessments to understand the local archaeological context and assist in predicting the likely occurrence of unrecorded archaeological sites or objects.

Previously Recorded Aboriginal sites

Heritage Database Searches

Searches of the Australian Heritage Database, and SHR, Roads and Maritime Section 170 register and the Uralla LEP 2012 utilising the terms “Saumarez Ponds” and “Uralla” were conducted on the 25th June 2018 to determine if any places of Aboriginal significance are located within proximity to the study area. No items of Aboriginal significance were identified during the heritage database searches.

A search of the AHIMS database was conducted 27th June 2018. The search criteria used was Lot: 97, DP: DP755811 with a 50 m buffer (**Appendix E**). No recorded sites were identified during this search and none were recorded within the study area.

5.4.2 Impact Assessment

A desktop study of the area of proposed development was conducted to determine the likelihood of previously unrecorded Aboriginal artefacts or areas of Aboriginal archaeological sensitivity being present. The area of proposed development is not located within 200 m below or above a cliff face, within 20 m of or in a cave, rock shelter, on a ridgetop, headland or in a cave mouth. The proposed development footprint is located within 200 m of waters - Saumarez Creek a tributary of Sailsbury waters.

A site inspection of the study area conducted by ELA on 24th May 2018 found that the site was highly disturbed leading to a very low potential for the preservation of intact Aboriginal archaeological sites and no further Aboriginal sites, items or potential archaeological deposits were identified during the field survey. All areas of soil exposure were inspected resulting in the identification of no Aboriginal objects.

Neither an AHIP nor further assessments are warranted for this site. Mitigation measures have been provided to manage the incidental discovery of Aboriginal archaeological items or remains in **Section 6**.

5.5 Historic Heritage

5.5.1 Existing Environment

A desktop assessment of historical heritage was carried out to establish if there are any known places or items of historical heritage significance or potential areas containing archaeological relics in, or near, BBF.

A search of the following databases was conducted on 25th June 2018 to identify any places or items of historical significance or relics within the project area:

- Australian Heritage Database (AHD)
- NSW State Heritage Register (SHR)
- Office of Environment & Heritage
- Uralla LEP 2012 (Schedule 5).

Four items of local significance were identified in the Uralla LEP 2012 and SHR in proximity to the proposed development footprint (**Table 2, Figure 4**).

Table 2: Historical heritage items within 5 kilometres of the proposed development footprint.

Item	Name	Heritage Listing	Heritage Significance	~ Distance from study area (m)
SHR No: 01132	Dumaresq Railway station group.	State Heritage Register	Dumaresq is one of a significant group of late nineteenth century railway buildings located along a section of the Northern Line between Armidale and the Queensland border. The station building is a good representative example of a late Victorian station building constructed in NSW in the 1880s. It displays symmetry and some restrained decorative features and is closely linked to the early development of Dumaresq and surrounding districts.	3025 m North 537 Dumaresq Rd, Dumaresq, NSW.
Place ID: 179	Cemetery Ground on Deeping Grove Station	Uralla LEP 2012	Deeping Grove Station burial ground is a small private family cemetery for the early pioneering families of the Invergowrie and Saumarez Ponds. The diversity of headstones represents the workmanship of several stonemasons. It has landmark, historical association, aesthetic, social and representative significance.	986 m West 178 Ferris Lane, Saumarez Ponds, NSW.
Place ID: 232	Beehive Well on Deeping Grove Station	Uralla LEP 2012	The beehive well is still intact and a rare surviving example of a brick water well built in the shape of a beehive for added strength. It is historically related to the small scale subsistence farming that developed in the Invergowrie and Saumarez Ponds area. 'Deeping Grove' Station was a farm established by Thomas Frazier in c1856. The beehive well has landmark, historical association, archaeological, social, rarity and representative significance.	986 m West 178 Ferris Lane, Saumarez Ponds, NSW.
Place ID: 360	St Nicholas Church of England	Register of the National Estate.	Dr Gilbert, who renovated it in 1973-74, believes it is likely the oldest church standing in the district. It has been described as one of the outstanding timber churches in Australia. Recent efforts to restore it have revived its use.	825m South Invergowrie Rd, Saumarez Ponds, NSW

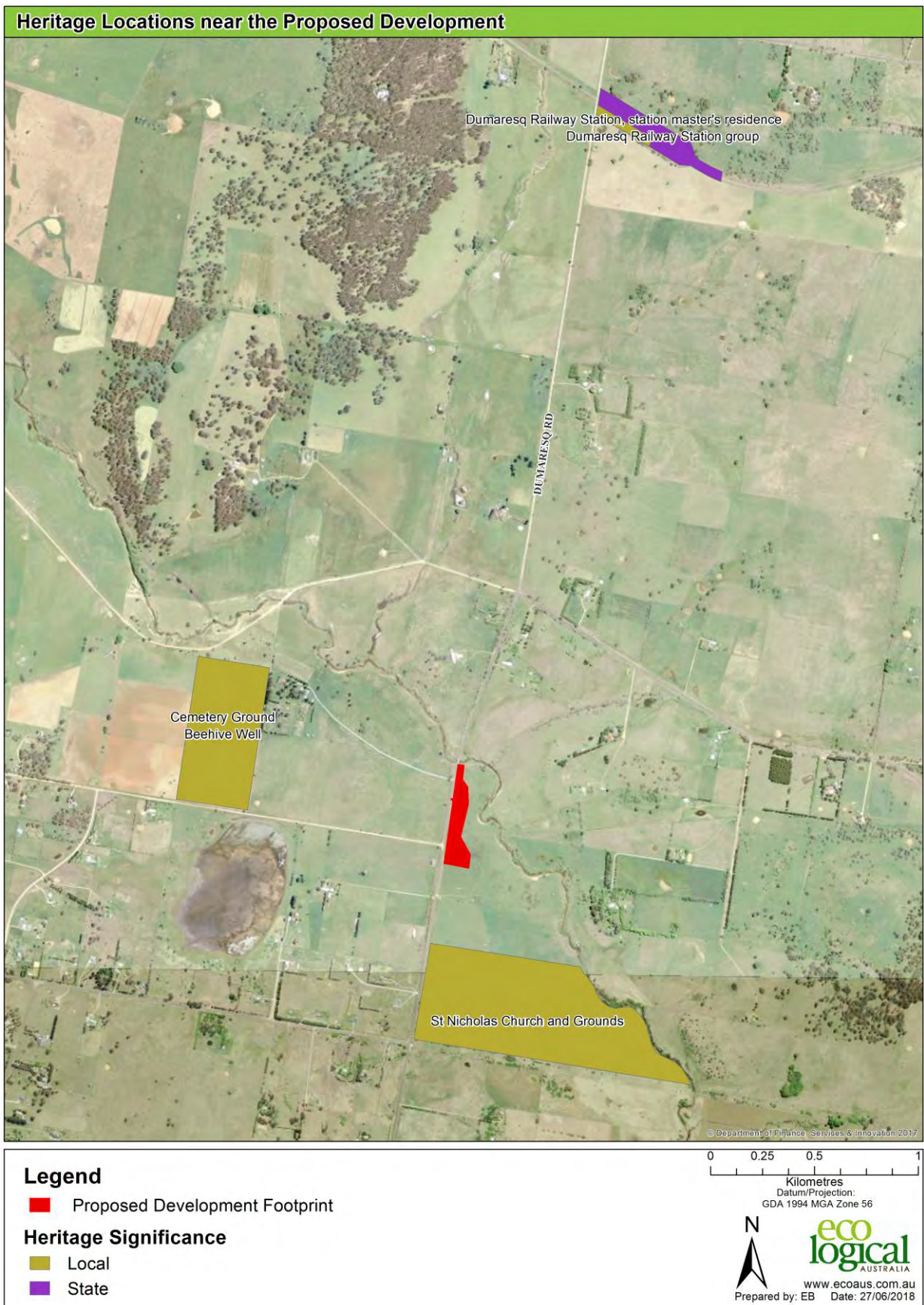


Figure 4: Locally listed historical items in the SHR and Uralla LEP 2012.

5.5.2 Impact Assessment

Given the nature of the proposed works and the distance to the historic places, it has been assessed that the proposed works will have no impacts upon these and therefore a Statement of Heritage Impact is not required. As there are no listed heritage items in proximity to the proposed works, there appears to be no historical heritage constraints for the proposed Private Burial Ground.

Should an unexpected Historical Relic be identified during construction, work in the immediate vicinity of the find is to stop and the area must be fenced off with suitable markers (star pickets, flagging, or barrier mesh). An archaeologist should be engaged to determine the significance of the find, and if required, determine the notification, consultation, and approval requirements.

Specific mitigation measures to manage the accidental discovery of historic heritage items are detailed in **Section 6**.

5.6 Noise and Vibration

The closest rural residential receiver is approximately 140 m south from the proposed development footprint and involved in the project. Existing noise sources in the general vicinity include agriculture, current vehicle movements and general residential activities.

Limited noise is expected to be generated by the site with no excess noise or loud equipment beyond normal agricultural equipment that is consistent with current on-site and adjacent land-use activities. Low level traffic noise will be generated by funeral parties and visitors wishing to pay respects. Overall the noise impacts are anticipated to be minimal.

5.7 Air Quality

The current air quality within BBF is likely to be good, typical of rural areas in NSW. Contrary to some expectations regarding burial grounds, odours are minimal and would not affect the community. The proposed works have the potential to increase dust emissions from soil disturbance and earth works. However, these will be temporary in nature. Proper management should include the regular monitoring of work areas and stockpiles for dust generation and where necessary covering loads or suppressing with water. With proper management, air quality impacts are considered negligible.

5.8 Waste and Resource Management

There are currently no buildings within the proposed development footprint so all building materials will be brought onto the site. COLORBOND® will be the largest material used to create the shed. A composting toilet will be installed to break down human waste onsite. Soil and debris from excavations will be used to refill the graves with any excess being spread over the ground. General waste will be managed and the responsibility of the contractors undertaking the works. No other waste streams have been identified.

5.9 Traffic

The section of Dumaresq road that runs alongside the proposed development footprint is a dual lane, local bitumen road. A new driveway from the road into the site will be created as part of the proposal.

An estimated 3 to 20 visitor vehicles and up to three staff vehicles are expected to attend at each funeral. The proposed gravel car parking area provides 960 m² and a grass overflow parking reserve of 300 m² is projected to provide adequate parking for funeral events. Refer to 2.4 above.

Traffic Count Reports for Dumaresq Road provided by USC (see **Appendix F**), suggests an average of 423 traffic movements per day, or 154,395 annually. Using the vehicle estimates provided at 2.4 and 5.9 above, assuming median of 12 vehicles per funeral and counting both arrivals and departures, the proposed development may contribute approximately 480 additional traffic movements per annum, an increase of 0.3%.

5.10 Visual Amenity

BBF sits between flat paddocks to its western and southern side and two hills to the north and east. The non-obtrusive works are proposing to improve the natural environment with trees and the storage and amenities shed. The proposed development footprint's perimeter buffer zone will be planted out with native trees. Native species will be planted along the western and southern edges of the storage shed and carpark. The northern and eastern edges will face the private land burial ground. The impacts are positive and therefore no additional mitigation measures are proposed.

5.11 Bushfire

The proposed development is not located on bushfire prone land (RFS, 2018). To reduce the potential of ignitions, "No smoking" signage will be erected and guidelines for the use of agricultural equipment over long grass will be adhered to. The carpark will serve as an Evacuation point in case of fire.

5.12 Socio-economic Considerations

This project will have direct and indirect social and economic benefits for the local area. The proposal provides a cost-comparable alternative to existing cremation services and an alternative to traditional burials within a cemetery plot.

Operational and rehabilitation activities will provide opportunities for local contractors and volunteers.

Once fully established the site will continue to provide a public space for locals to visit their deceased loved ones, enjoy the New England environment and appreciate a space of peace and reflection at their leisure.

5.13 Cumulative impacts

The proposed development will involve changing the existing land use from agriculture to a cemetery, comprising of environmental rehabilitation activities. As such, it is unlikely to have significant cumulative impacts if the mitigation measures detailed in **Section 6** are implemented.

6 Mitigation Measures

1. Environmental Controls and Residual Risks

Following consideration of the proposed construction and operational safeguards, controls and mitigation measures to be implemented by EarthFunerals as part of the project design, **Table 3** is used to reassess the risks associated with each of the potential impacts identified in **Section 4**.

Table 3: Risk assessment matrix

Consequence:	MINOR: Minimal environmental impact / community concern, or Short term duration.	MODERATE: Moderate environmental impact, community concern or complaints, or duration of more than one month.	MAJOR: Major adverse environmental/ community impact, breach of legislation, or notable impacts to sensitive areas/receivers, extended duration.
Likelihood:			
LIKELY: in most cases	Medium	High	High
POSSIBLE: at some time	Low	Medium	High
UNLIKELY to ever occur	Low	Low	Medium

A summary of the environmental controls and residual risks of the proposed project are outlined in **Table 4**.

Table 4: Summary of environmental controls and residual risk

Factor	Impact	Impact Risk (prior to mitigation measures)	Safeguards/Mitigation Measures	Responsibility	Residual Risk
Land Resources and Contamination					
Soil erosion and sedimentation	Increased erosion due to heavy rain during construction or vehicle movements leading to runoff with a sediment load.	Low	<ul style="list-style-type: none"> The area of disturbance should be limited to the smallest practicable footprint possible. Progressive rehabilitation of disturbed areas should be undertaken, including restoration to their natural shape at the completion of works. Inspect erosion controls regularly (daily during work days) and after rainfall. Fix damaged controls immediately. Schedule the work outside of predicted heavy rain periods. Divert surface runoff away from stockpiles and erodible material. 	Site Supervisor Project Manager	Low
Soil contamination	Incidental discovery of soil contamination Pollution of soil from chemical spills (e.g. fuel or oil from machinery).	Low	<ul style="list-style-type: none"> If contaminated soils are uncovered during the works, all works within the vicinity of the find must cease immediately and the Project Manager be notified immediately. For any excess spoil where potentially contaminating activities have been identified on site this material will be tested and classified prior to leaving site. For any excess spoil material classified as contaminated, disposal of this material will be at an appropriately licensed landfill in accordance with the EPA (2014) Waste Classification Guidelines. Store all chemicals (e.g. fuel, oil) in appropriate bunding/storage systems within the approved storage facility. Ensure appropriate spill kits are present on site and carried with equipment. 	Project Manager Site Supervisor	Low
Water					
Water quality	Sediment input into local waterways	Low	<ul style="list-style-type: none"> Implement the erosion and sedimentation control measures outlined above in 'Soil and Erosion'. 	Site Supervisor	Low

Factor	Impact	Impact Risk (prior to mitigation measures)	Safeguards/Mitigation Measures	Responsibility	Residual Risk
	Pollution of ground or surface water from chemical spills (e.g. fuel or oil).		<ul style="list-style-type: none"> Store all chemicals (e.g. fuel, oil) offsite and if required to be stored onsite, chemicals should be stored in appropriate bunding/storage systems away from waterways and only for short periods. Ensure appropriate spill kits present on site and carried with the equipment Ensure all machinery and equipment is in good working order. Weather forecasts will be checked daily to ensure that work is not carried out before or during high rainfall or during high tide. Re-establishment of groundcover as soon as practicable post soil disturbance. 		
Flora and Fauna					
Weed and pathogen spread	Spread of weeds and pathogens	Medium	<p>Where necessary the following biosecurity measures should be applied:</p> <ul style="list-style-type: none"> All machinery and vehicles brought on site would be free of any soil, seed or plant material. Restrict vehicle and personal access from areas of known priority weed infestation. Declared priority weeds should be managed according to the requirements stipulated by the Biosecurity Act. Evidence of compliance with biosecurity requirements should be documented, e.g. a Vehicle wash down register. 	Project Manager Site Supervisor	Low
Heritage					
Harm to Aboriginal Objects or Sites	Unknown object locations or new discoveries	Medium	<ul style="list-style-type: none"> All contractors undertaking works on site should be briefed on the protection of Aboriginal heritage objects under the NPW Act and the penalties for damage to these items, including a provision for stop work procedures should suspected Aboriginal artefacts be uncovered during works. 	Project Manager	Low

Factor	Impact	Impact Risk (prior to mitigation measures)	Safeguards/Mitigation Measures	Responsibility	Residual Risk
			<ul style="list-style-type: none"> Aboriginal objects are protected under the NPW Act regardless if they are registered on AHIMS or not. If suspected Aboriginal objects, such as stone artefacts are located during future works, works must cease in the affected area and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, the OEHS must be notified under s89A of the NPW Act. Appropriate management and avoidance or approval under a section 90 AHIP must be sought if Aboriginal objects are to be moved or harmed. In the extremely unlikely event that human remains are found, works should immediately cease and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the OEHS may also be contacted to assist in determining appropriate management. 		
Harm to historic heritage items	Unknown object locations or new discoveries	Low	<ul style="list-style-type: none"> A heritage induction should be presented to workers before construction begins. In accordance with Section 146 of the Heritage Act, if an archaeological relic (such as a deposit or artefact) is uncovered during works, work must cease in the affected area and a qualified archaeologist contacted to assess the find. For further information see the Heritage Council of NSW, or the Heritage Division under delegation regarding assessment and approvals. 	Project Manager	Low
Air Quality					
Cumulative impacts of GHG	Emissions from machinery	Low	<ul style="list-style-type: none"> Minimise use of machinery for required activity only. Ensure all plant and equipment used for the project are maintained regularly and operated in a proper and efficient manner. 	Site Supervisor	Low
Dust generation	Increased dust emissions due to soil disturbance	Low	<ul style="list-style-type: none"> Monitor work areas and any stockpiles for dust generation and cover/spray to suppress if required. 	Site Supervisor	Low

Factor	Impact	Impact Risk (prior to mitigation measures)	Safeguards/Mitigation Measures	Responsibility	Residual Risk
Waste Management and Minimisation					
Waste	Inappropriate disposal of waste	Low	<ul style="list-style-type: none"> All waste must be removed from the site on completion of the works. If soil disposal is required, follow the EPA (2014) waste disposal guidelines. Construction staff are to be briefed on their responsibility for removal of their own general waste. For any excess spoil where potentially contaminating activities have been identified on site this material will be tested and classified prior to leaving site. For any excess spoil material classified as contaminated, disposal of this material will be at an appropriately licensed landfill in accordance with the EPA (2014) Waste Classification Guidelines. 	Site Supervisor	Low

7 Conclusion

ELA has undertaken an assessment of the potential environmental impacts as part of the proposed development of a natural burial ground at 195 Dumaresq Road, Saumarez Ponds. The Proposed Development is subject to consideration by USC under Part 4 of the EP&A Act. This SEE addresses the statutory requirements relating to, and the potential environmental impacts from, the proposed project.

This SEE has concluded that significant impacts on any factors of the environment resulting from the abovementioned proposed development are unlikely if the mitigation measures detailed in **Section 6** are implemented.

It is recommended that a Construction Environmental Management Plan is prepared that summarises all the relevant mitigation measures from this SEE. The CEMP will guide the construction works and will be used as part of the site induction to familiarise all workers with the site sensitivities.

References

- ANBP. (2017). *Which is better for the environment, traditional burial, natural burial or cremation?* Retrieved from <https://www.australiannaturalburialproject.org/faq>
- Cemeteries and Crematoria NSW (CCNSW). (2017). *Cemeteries and Crematoria NSW 2015-16 Activity Report*. Retrieved from https://www.industry.nsw.gov.au/_data/assets/pdf_file/0017/143405/CCNSW-activity-report-2015-16.pdf
- Department of Environment, Climate Change and Water (DECCW). (2010). *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*. Hurstville, NSW.
- Department of the Environment and Energy (DotEE). (2018a). *Protected Matters Search Tool*. [online]. Available at: <http://www.environment.gov.au/epbc/protected-matters-search-tool> [Accessed 15 January 2018]
- Department of the Environment & Energy (DotEE) (2018b). *Species Profiles and Threats Database*. [online]. Available: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>. [Accessed 7 February 2018].
- Environment Protection Authority (EPA). (2014). *Waste Classification Guidelines Part 1: Classifying waste*. Available at: <http://www.epa.nsw.gov.au/resources/wasteregulation/140796-classify-waste.pdf>
- Law Commission. (2013). *The legal framework for burial and cremation in New Zealand: a first principles review*. Wellington, New Zealand (issues paper 34).
- North West Local Land Services (NW LLS). (2017). *North West Regional Strategic Weed Management Plan 2017-2022*.
- Office of Environment and Heritage (OEH). (2016). *Brigalow Belt South Bioregion*. Available at: <http://www.environment.nsw.gov.au/bioregions/BrigalowBeltSouthBioregion.htm> [Accessed 30 January 2018]
- Office of Environment and Heritage (OEH) (2018a). *BioNet Atlas of NSW Wildlife* Available at: http://www.environment.nsw.gov.au/AtlasApp/UI_modules/TSCM/Default.aspx [Accessed 15 January 2018].
- Office of Environment and Heritage NSW (OEH) (2018b). *Threatened Species profiles*. [online]. Available at: <http://www.environment.nsw.gov.au/threatenedspeciesapp/profiles.aspx>. [Accessed 7 February 2018].
- RFS. (2018). *Check if you're in bush fire prone land*. Retrieved from <https://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area/planning-for-bush-fire-protection/bush-fire-prone-land/check-bfpl> [Accessed 25 June 2018].

Appendix A : Storage and Amenities Shed



PONZ Armidale Pty Ltd t/a
Shed Boss Armidale
284 Mann St
Armidale NSW 2350
P.02 6771 1486 / F.02 6771 5449
ABN 57 403 431 958
Licence No 249106C

Proposed Project for Jane Pickard

Home:	192 Dumaresq Rd Saumarez Ponds NSW 2350	Project:	3227-Pickard
Postal:	192 Dumaresq Rd Saumarez Ponds NSW 2350	Date:	18-Jul-2018
Email:	jane.eleanor.pickard@gmail.com	Prepared:	Todd JACOBS
		Mob:	0413725386

Thank you for allowing us the opportunity to confirm the following specifications.
This quote is subject to a site inspection and is valid for 14 days from print date.

SITE Address			
Street	192 Dumaresq Rd	Property Owner	Pickard
Location	Saumarez Ponds NSW 2350		
SITE Specification			
Terrain Category	TC 2.5	Wind Region of Australia	A
Topography	Flat	Site Wind Speed	39 m/s
Shielding	No Shielding		
Importance Level	2	Internal Pressure Coefficient	+0.70 Or -0.65
Building Class	10a	Soil Type	Type M

Domestic	Project 3227	DETAILS
SPECIFICATION:		Kit
Kit Size	6123L x 6000W x 2400H	Construction
Apex/Pitch	3187/15°	Slab (Level Site)
Roof Clad/Colour	MonoClad 0.42BMT/Pale Eucalypt	Slab Depth: 100mm
Wall Clad/Colour	MonoClad 0.42BMT/Paperbark	
Trim Colour	Pale Eucalypt	KIT WEIGHT: 1128 Kg
Gutter Type/Colour	Square/Pale Eucalypt	Estimate (Steel only)
ROLLER DOORS:		
BND Special R1F (2200h2400w D/O)	Qty: 1/Pale Eucalypt	
Opening Only (No RAD)	Qty: 2	
WINDOWS & DOORS:		
600x900 Bathroom Window w/screen	Qty: 2	
INCLUSIONS:		
Roof Insulation	Yes/FOAM CELL Shed Liner 4mm 1	
Roof Mesh	Yes	
Vermin Flashing	Yes	
Painted Screws:	Yes	

COMPLETE PROJECT SUMMARY

Project: 3227 (Domestic)
Standard Delivery
Standard Engineering Fee

QUOTED PRICE

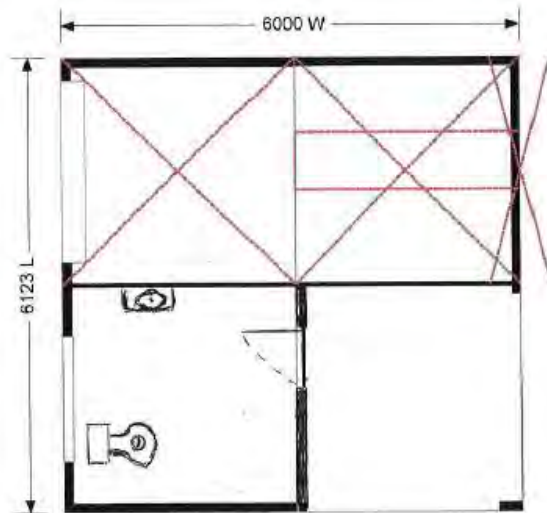
Master Project Total Price (ex GST)	\$ 18,115
GST Value	\$ 1,812
Total Project (incl GST)	\$ 19,927

Plan Sheet

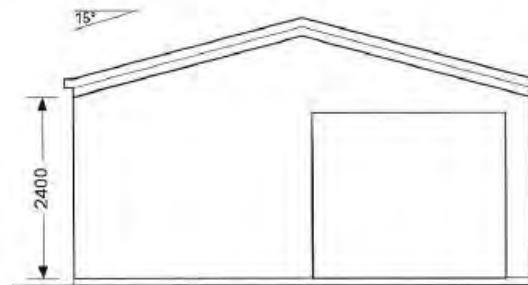
Customer Jane Pickard
Site Address 192 Dumaresq Rd
Suburb Saumarez Ponds NSW 2350

Project 3227-Pickard
Lot on Plan
Wind Speed 39 m/s

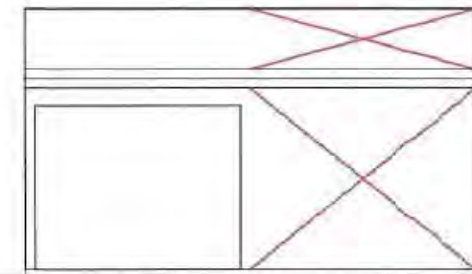
These drawings are to be read in conjunction
with Shed Boss standard structural detail drawings.
Use figured dimensions only.
Note! Drawing is NOT TO SCALE



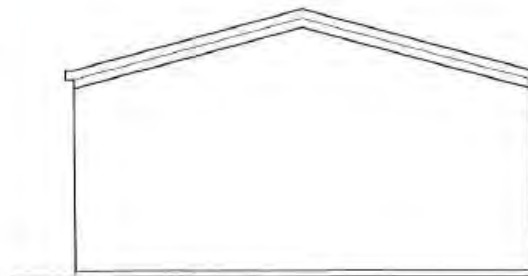
FLOOR PLAN



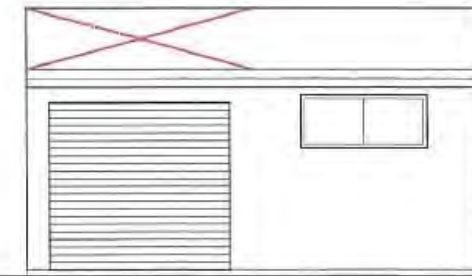
1. FRONT ELEVATION



2. RIGHT ELEVATION



3. REAR ELEVATION



4. LEFT ELEVATION

Appendix B : Legal Framework



Overview: Proposed Legal Structure

Item 1 Starfish

Starfish Enterprises Network Limited ACN 150 552 962 (Starfish) is a registered charity whose purpose is to create and support genuine rural and regional sustainability.

Starfish has established a strong reputation for delivering high quality sustainability services and for creating and implementing pioneering sustainability initiatives.

Starfish has led and formally contributed to more than 200 sustainability projects. Starfish recently leased for 25 years, 100ha of Crown land and a former town common at Bingara, to establish a research and education facility demonstrating a wide range of regenerative farming methods with particular focus on soil carbon sequestration or carbon farming.

Item 2 Banded Bee Farm

Jane Pickard and Ray South (Owners) own farmland known as 'Banded Bee Farm' at 192 Dumaresq Road, Saumarez Ponds (being Lot 97 in Deposited Plan 755811).

Banded Bee Farm is a regenerative agricultural project based on permaculture principles and design. The long-term vision for the regeneration of Banded Bee Farm is the creation of a commercially viable 'food farm' employing permaculture principles. Part of the vision for the farm is to rehabilitate the native habitat of around half the site in a way which includes scope for shelter-belts, agroforestry and light grazing. This aspect of the vision is aligned with the rehabilitation principles inherent in the proposed private burial site used for natural burials.

Item 3 Memorandum of Understanding

In 2016, Starfish and the Owners entered into a Memorandum of Understanding to establish part of Banded Bee Farm as a natural burial site with associated facilities in a way which complements and is mutually workable for each of the Owners and Starfish (Project).

Starfish plan to direct the surplus revenue from the Project to fund re-vegetation projects. These areas will be considered as memorial groves so their long-term security is important both socially and environmentally.

Item 4 Legal Services

Starfish has engaged HWL Ebsworth to provide legal advice in relation to the Project.

Initially, HWL Ebsworth provided advice regarding the application of the Uralla Local Governmental Plan 2012, the Public Health Regulation 2012, NSW Health Department's Guideline Summary Guidance on Burying a body on private land, and the Cemeteries & Crematoria Act 2013 as regards the proposed private burial site at Banded Bee Farm.

HWL Ebsworth then prepared an Establishment and Master Trust Deed Poll under which Starfish authorised the establishment of the Project to be known as 'Australian Natural Burial Grounds' for the purpose of:

Adelaide
Brisbane
Canberra
Darwin
Hobart
Melbourne
Norwest
Perth
Sydney

- promoting the ethos of genuine natural burial processes that benefit people, local ecosystems, the wider community and the biosphere; and
- offering a practical, and ecologically and socially sustainable, funeral services.

Starfish then requested advice from HWL Ebsworth as to how Starfish can best secure long-term tenure over part of Banded Bee Farm whereby Starfish will have exclusive possession of the designated portion. HWL Ebsworth recommended that Starfish should obtain a long-term lease over the designated portion with such Lease being registered on the Owner's title. However, under the *Conveyancing Act 1919*, a lease of part of land for more than 5 years requires registration of a survey plan of subdivision which creates the leased area as a separate lot with separate title. HWL Ebsworth advised Starfish that having regard to the provisions of the Uralla Local Environmental Plan 2012, regarding zoning and subdivision, that it is highly unlikely that Uralla Council would approve such subdivision because of the Council's minimum lot area requirements.

Starfish then sought further advice from HWL Ebsworth regarding alternatives to secure long-term tenure of the designated portion. The following alternatives were considered:

- a lease of the whole of the Owner's land with a sublease back to the Owners for part of the land (including the existing dwelling); or
- a long term licence.

However, these alternatives were considered unacceptable because a lease of the whole of the land may impact on the Owner's rights, and the nature of a licence is only a right of non exclusive occupation and use which cannot be registered against the title of the land.

Following further discussions between the parties, Starfish and the Owners recently entered into a binding Deed of Agreement under which the parties have agreed that, subject to Starfish obtaining approval of a Development Application to develop and use part of the land to provide a sustainable funeral service and a natural burial ground:

- the parties will in good faith negotiate the terms and conditions of:
 - a Management Agreement; and
 - a Restriction on Use,
 based on the Agreed In-Principle Terms and Conditions below; and
- if required as a condition of development consent, the Owners will grant to the Council a registered Positive Covenant whereby the Owners and their successors in title agree to maintain the approved burial ground at all times.

The Owners have agreed that the Restriction on Use will be registered on the title of the Owner's land and that Starfish may also maintain a Caveat against the title recording the Owner's obligations and Starfish's rights under the Management Agreement.

Annexure A Agreed In-Principle Terms and Conditions

PREAMBLE

The growing appreciation of the need for positive action to preserve the natural value inherent in specific lands, and certain ecological environments, has led to the development of various means designed to afford permanent conservation status. This document embodies both legal and practical mechanisms to protect the natural, and rejuvenated, environments to which it is applied.

Legally, these Agreed In-Principle Terms and Conditions will form part of an enduring management agreement between the parties referred to below (**Management Agreement**), a registered Restriction on Use and a Caveat granted by the Owners to and for the benefit of the Promoter.

This document sets out generally the scope and purpose and the specific rights and responsibilities of the parties. Once executed, the Management Agreement, the Restriction on Use and the Caveat will permanently apply to the property known as "Banded Bee Farm" (**Property**) thereby affording enduring protection, in accordance with these Agreed In-Principle Terms & Conditions, regardless of future ownership.

Practically, the use of part of the Property as a burial ground for human remains, provides a second, discreet layer of protection in the form of a combined legal, social and moral compact requiring the preservation of site.

THE PARTIES

Starfish Enterprises Network Limited ACN 150 552 962 trading as Starfish Initiatives of "Tumblegum", 16 Adina Road, Invergowrie NSW Australia 2350, (**the Promoter**)

AND

Ms Jane Pickard and Mr Raymond South (**the Owners**), joint owners of the Property.

PURPOSE

The parties wish to create a permanent relationship in order to:

- establish an enduring legal arrangement that enshrines the Property as a natural reserve, thereby protecting it, and the flora and fauna on it, from any forms of development or use, other than those specifically stated in this document; and,
- provide for the establishment, and continuing management, of a private cemetery on the Property (**the Burial Area**). Unless the parties agree otherwise, the Burial Area is that part of the Property indicated on the attached site map marked in green;
- possibly build on the Property a mortuary and funeral operations centre, a multi-purpose function and meeting area and other public amenities as agreed between the Parties from time to time (**the Facility**); and

- provide for funding and/or assistance to achieve the revegetation of up to 40% of the Property with native flora.

TERMS

1. The Management Agreement, the Restriction on Use and the Caveat will be in perpetuity.
2. No rent or other consideration will be payable by the Promoter to the Owners under the Management Agreement or the Restriction on Use.
3. Apart from the rights of access and use granted to the Promoter in accordance with the Management Agreement, the Owners will retain full legal title, access and personal use of the Property. During the Owners' lifetimes, they remain responsible for all aspects of the financial upkeep of the Property, other than those responsibilities expressly stated herein and accepted by the Promoter.
4. The Management Agreement will acknowledge that the Promoter has a charge and caveatable interest over the Property and that the Owner will not seek any withdrawal or lapsing of the Caveat.
5. For clarity, the Owners will grant the Promoter and/or its appointed nominees enduring access to, and use of the Property, solely for the purposes stipulated in this document, and so that the Promoter can perform the duties and responsibilities accepted under this document.
6. The Promoter acknowledges its role as the long-term custodian of the Property; and,
 - (a) accepts the express responsibility of maintaining the agreed areas of the Property as a legally functioning private cemetery and burial place;
 - (b) accepts the express responsibility to take all actions possible and deemed necessary to ensure the continued protection of the flora and fauna and natural elements of the Property;
 - (c) a Restriction on Use will be registered on the title of the Property to restrict use of the Burial Area as a natural burial ground and ensure that the Property is not sub-divided, cleared, used for industrial purposes, or for any other purposes that might detrimentally affect the natural amenity of the Property or use of the Burial Area as a natural burial site (**Restriction on Use**).
 - (d) the Restriction on Use may only be:
 - (i) released by the Promoter; or
 - (ii) varied with the written consent of the Promoter;
 - (e) the Caveat (which can only be withdrawn by Starfish) will be registered on the title of the Property;

- (f) for clarity, nothing will prevent the Owners from using or developing any part of the property, other than those areas specifically set-aside for the Burial Area & the Facility, in any way they see fit during their lifetimes; and
 - (g) in the event of the death of the Owners and/or the sale or transfer of ownership of the Property, accepts the continuing responsibility, to take all actions possible and deemed necessary to ensure the continued protection of the flora and fauna and natural elements of the Property.
- 7. The Promoter will establish and maintain a Trust Account to provide funds to the maintenance requirements of the Burial Area. A deposit will be made to the Trust Account in respect of every burial carried out at the Burial Area, with the amount of such deposits determined from time to time by the Promoter or its appointed nominees.
 - 8. The Promoter will enact guidelines and/or standards and/or codes of practice associated with the operation of the Burial Area, and the use of, and access to, the Facility by appointed nominees of the Promoter and the public. At all times, and as far as is reasonably possible, the rights of the Owners with regard to respect and quiet enjoyment of their property will be held paramount.
 - 9. The Owners may, from time to time, make use of the resources of the Facility. Such uses might include access to electrical energy, use of toilets and amenities, use of the meeting areas for various educational activities related to environmental sustainability and permaculture, or any other reasonable use so long as that use does not hinder the conduct of funeral related activity. The co-ordination of any shared use of the Facility will be arranged between the Parties from time to time, but it is acknowledged that the scheduling of funeral related activities will be held paramount.
 - 10. In the event that the Owners desire to transfer title of the Property to the Promoter during their lifetime, or bequeath the Property to the Promoter upon their death, the Promoter would be obliged by acceptance of such bequest to retain ownership (neither sell nor otherwise dispose of the Property) and to continue to carry out and uphold the duties and responsibilities declared herein.
 - 11. The parties will in good faith negotiate all of the final terms and conditions of the Management Agreement, the Restriction on Use and the Caveat based on the above.

Appendix C : Site Data Compilation

**Site Data Compilation
for the
New England Natural Burial Ground Project**

**Proposed Site:
Banded Bee Farm, 192 Dumaresq Road,
Saumarez Ponds 2350**

Compiled by Kevin Hartley - May 2018

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General Suitability as a Private Cemetery Site:

BBF is generally well suited for the proposed development because it;

- is situated within 10 km of two of the major centres in the New England high country (Uralla and Armidale)
- can be accessed from both Armidale and Uralla via various sealed roads
- is zoned R5, allowing, with approval, for operation of a private cemetery
- is positioned on a straight section of Dumaresq Road with clear vision from both approaches
- has reasonably level topography and the potential for an access point separate to, and at a considerable distance from dwellings on the property
- has two dwellings on the property occupied by interested parties, thus providing a caretaker presence
- presents no issues as regards soils, geography or ground or surface water
- would benefit from revegetation
- is located within a major target revegetation zone identified by project collaborators, Armidale Tree Group as the Saumarez Creek Wildlife Corridor

Site Data:

Process

A data collection process was undertaken between 2016-2018, and comprised;

- An exploratory desk-top review of the site, its zoning, location, setting and implications for development.
- Several general site visits including;
 - a 0.5 day site inspection and shallow surface investigation on June 16th, 2016 – general investigation.
 - a 0.5 day site inspection and shallow surface investigation on June 26th 2017 – final site.
 - Detailed discussion with Mr Jim Wagner (Engineer – USC) on 19 April, 2016 regarding levels of flooding of Saumarez Creek, and 1 in 100 year flood estimates determined during the construction of the bridge at the Armidale/Uralla boundary on Dumaresq Road.

Site Description

The property is bounded to the West by Dumaresq Road, to the North and East by Saumarez Creek and to the South by a shared fence line with the neighbouring property. BBF is divided into several paddocks by serviceable agricultural fencing. It is virtually cleared of original vegetation, and has been used for mixed farming purposes. The proposed burial ground area is land-locked within BBF to the North, South and East and separated from the Western boundary fence (parallel to Dumaresq Rd) by a 15 metre revegetated buffer zone, i.e proposed burial area does not contact any boundary.

Refer to site map at Appendix B.

Groundwater

- A bore census was made of 77 functional, registered bores within approximately 4 km of the site boundaries – Department of Primary Industries groundwater data base (<http://allwaterdata.water.nsw.gov.au/water.stm>).
- Depths to Water Bearing Zones (WBZ's) ranged from 4.9 m to 84.4 m with an average depth of 23.4 m, and a mode of 15 m.
- There were 9 bores within 1 km of the boundaries of BBF, all approved for either 'stock' and/or 'domestic' usage. See Appendix A. Depths to Water Bearing Zones (WBZ's) ranged from 8.2 m to 37m with an average depth of 20.9 m.
- Standing Water Levels (SWL's) were 2.1 - 21.34 m below ground level.

Shallow Surface Investigation and Soil Analysis

Approximately 453mm of rain fell in the 6 months prior to the shallow surface evaluation in June 2017.

A series of 5 test pits confirmed an average soil depth > 2,300mm, (see Appendix B for Location of Test Pits map). Excavations revealed uniform, alluvial soils. No rock formations were encountered. There was no indication of active permanent or ephemeral water storage or flow in any inspection pit down to a maximum excavation level of 2600mm. Revealed soil profiles reflect data drawn from Drillers' logs (accessed for the Bore Census) reporting surface soil depths of up to 2 metres and underlying clay strata at depths from 2 to 10.7 metres over varying forms of rock strata.

Soil samples from all pits were of a similar clay loam nature, becoming progressively lighter from the southern end of the site to the northern end (i.e. Pit #4 to Pit #5). Samples from Pits #4 and #5, being representative of the soils across the proposed site, and were submitted for formal analysis, and identified as Medium Clay and Clay Loam (See Appendix C).

Flood Water

Mr Jim Wagner, an engineer with USC confirmed that;

- Historical flood records for Saumarez Creek at Saumarez Ponds are not available
- A flood risk assessment was conducted by USC prior to the construction of the bridge over Saumarez Creek on Dumaresq Road nearby the proposed site.
- The upper surface of the bridge deck represents the 1% exceedance probability flood event (1 in 100 year flood event).

LIDAR survey data was used to generate a contour map of the site using the bridge deck as a datum. The proposed burial area has been situated above the 1% exceedance probability flood event level.

Summary

The key aims of the process were to;

- identify potential risks for contamination of potable ground water.
- identify the 1% exceedance probability flood levels of Saumarez Creek.
- determine the soil type, depth of soil profile and suitability for the burial of human remains.

The following checklist and notes are from Guidelines published by Australian Natural Burial Project (ANBP).

The proposed site met all 9 essential criteria.

Criteria		Yes	No
Ground water	No. 1: The highest fluctuations of natural water tables are at least 1 m below the anticipated base of graves. Seasonal variability of water table levels has been taken into account. Supporting Materials: Census of all bores within a 2 km radius: Bureau of Meteorology records:	Yes	
	No. 2: Able to confirm there is no presence of rock shelves, perched water tables, springs or ephemeral water flows Supporting Materials: Records of Shallow Soil investigation:	Yes	
	No. 3: Able to confirm there are no drinking water wells within 200 metres of the site Supporting Materials: Census of all bores within a 2 km radius:	Yes	
Surface Water	No. 4: The site is above 1 in 100 year flood levels Supporting Materials: Existing data and/or survey information:	Yes	
	No. 5: There is space within the site for buffer zones around the burial area to ensure adequate distances from creeks, streams, dams, bores, beaches and storm water drains. Supporting Materials: Site maps, plans and/or survey information. Refer Appendix B.	Yes	
	No. 6: If necessary, provision can be made to ensure that precipitation water can be directed away from burial sites and/or into buffer zones Supporting Materials: Site maps, plans and/or survey information:	Yes	
Soils	No. 7: Able to confirm suitability of soils. i.e. not coarse gravelly, high permeability soils Supporting Materials: Existing information or description of local soil characteristics: Soil test results	Yes	
	No. 8: Soil is of an adequate depth to ensure a minimum of 1m of unsaturated soil lies beneath the bottom of any grave Supporting Materials: Records of Shallow Soil investigation: Refer Appendix B	Yes	
	No. 9: Soil is workable in terms of digging of graves and stability of grave walls Supporting Materials: Records of Shallow Soil investigation: Refer Appendix B	Yes	

If 'yes' applies to all 9 criteria the geo-scientific characteristics of the site this is a strong indication that the site is suitable for the establishment of a natural burial ground.

If 'no' applies to any criterion (other than criteria 2, 3 and 8) the site is not suitable. Every site has its own unique geo-scientific characteristics, and this creates a reasonable degree of variability with regard to criteria 2, 3 and 8. If you, or your group, wish to proceed than a professional assessment should be undertaken to determine if these criteria rule the site out of contention.

APPENDIX A Bore Census Data

Bore Census Data for Bores within 1km of BBF

Table 1 - Groundwater Bores within 1 km of Banded Bee Farm

No.	Bore ID No.	Bore Depth	Depth to first WBZ	Depth to final WBZ	SWL
1	GW059696	14	8.2	12.2	2.1
2	GW058253	28	10	17	
3	GW064248	26	12	22	12
4	GW306550	35	15	35	15
5	GW064617	22.8	18	19	8
6	GW048504	52.4	19.2	39.6	
7	GW300481	34	34	34	13
8	GW968772	39.62	35.36	36.27	21.34
9	GW970000	43	37	42	3

Department of Primary Industries groundwater data base (<http://allwaterdata.water.nsw.gov.au/water.stm>).









Figure 1. Identified bores proximal to the proposed development site



APPENDIX B

Pit Log, Process & Site Map

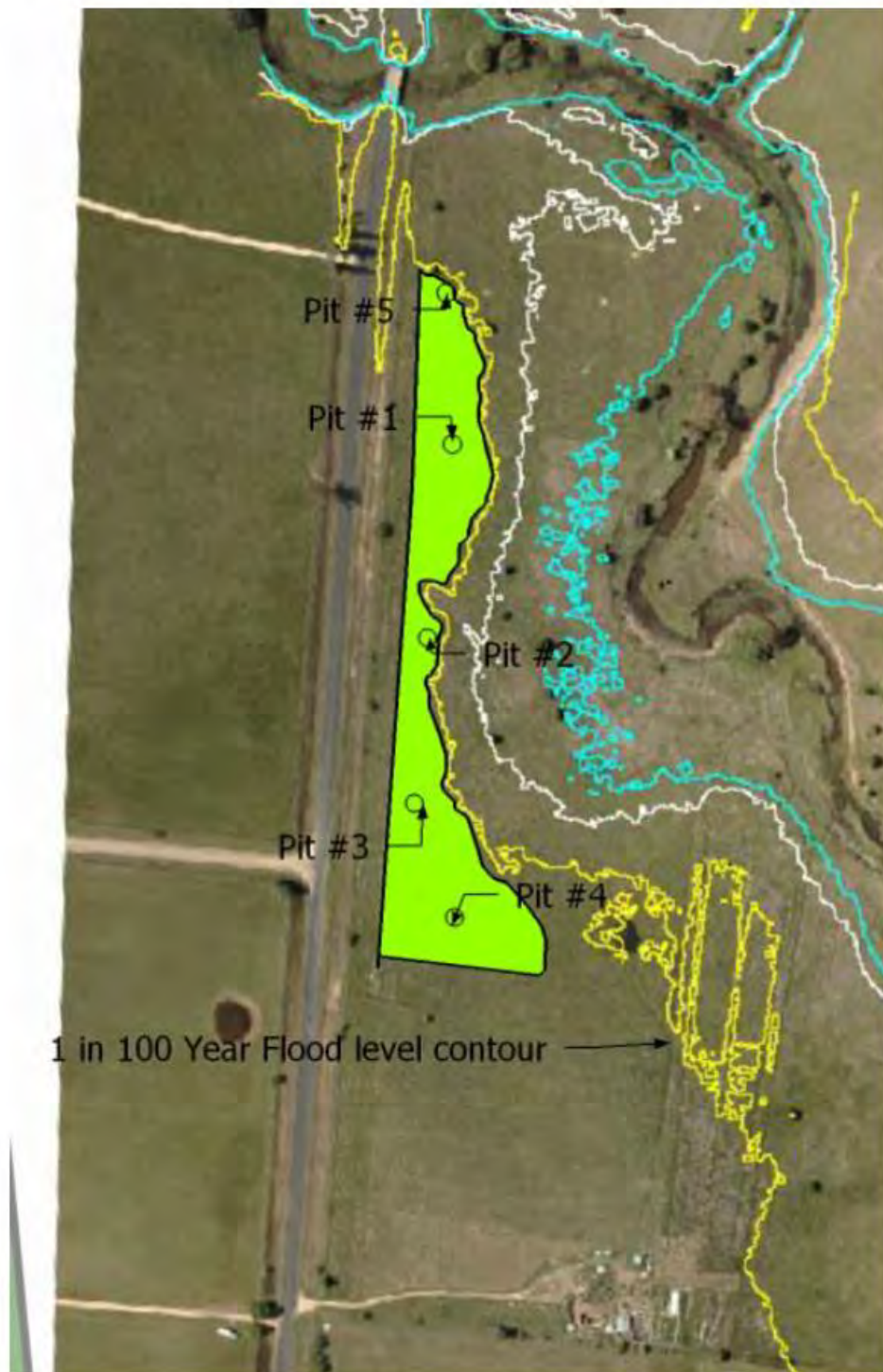
Shallow Soil Investigation – Pit Log, Process & Site Map

Table 2

<p>Pit 1</p> <p>Depth: 2500 mm</p> <p>Notes: Consistent soil profile to full depth.</p>	
<p>Pit 2</p> <p>Depth: 2600 mm</p> <p>Notes: Consistent soil profile to full depth.</p>	
<p>Pit 3</p> <p>Depth: 2300 mm</p> <p>Notes: Consistent soil profile to full depth.</p>	
<p>Pit 4</p> <p>Depth: 2500 mm</p> <p>Notes: Consistent soil profile to full depth.</p>	
<p>Pit 5</p> <p>Depth: 2300 mm</p> <p>Notes: Consistent soil profile to full depth.</p> <p>This inspection pit was excavated on June 16, 2016 as part of an earlier shallow soil investigation considering the general feasibility of BBF, and originally tagged #1 - mid).</p>	
<p>Process:</p> <p>A 5.5 tonne excavator was used to dig a series of pre-selected inspection pits.</p>	

Soil samples were collected.	
Pit depths measured, recorded and photographed, and the pits refilled after approximately 2 hours.	

Site Map - Location of Test Pits:



APPENDIX C

Soil Analysis

Phone Office/Lab (02) 6775 1157

email: lanfaxlabs@bigpond.com.au

Website: <http://www.lanfaxlabs.com.au>

Lab address: 493 Old Inverell Road

Postal address: PO Box 4690 Armidale NSW 2350

Director: Dr Robert Patterson FIEAust, CPSS(3), CPAg

Soil Scientists and Environmental Engineers



Earth Funerals

kev@earthfunerals.org.au

Samples delivered 25th May 2018

Samples dried at 50°C, crushed and sieved to minus 2 mm prior to field texture analysis.

Results of soil texture analysis

#1 Mid collected 16/6/2016

- clay loam, indicative permeability, weakly structured 0.12 - 0.50 m/day

Pit #4, collected 26/3/2017

- Medium clay, indicative permeability, strongly structured 0.06 - 0.5 m/day

Permeability assessment in accordance with AS/NZS 1547:2012, Table L1

A handwritten signature in black ink, appearing to read 'R Patterson', is positioned above the printed name of Dr Robert Patterson.

Dr Robert Patterson FIEAust, CPSS(3), CPAg

Soil Scientist and Environmental Engineer

4th June 2018



Commercial and research laboratory for soil, water and plant analysis.
Soil survey and analytical assessments, landscape analysis and plant nutrient relationships,
Wastewater and effluent reuse specialists - on-site and decentralised

Appendix D : Natural Burial Guidelines

INFORMATION AND GUIDANCE SERIES

for

AUSTRALIAN NATURAL BURIAL GROUND PIONEERS

Guideline 2: Environmental Considerations for Establishment of Natural Burial Grounds

A Literature Review



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Registration number TBA

In accordance with its purposes, the Australian Natural Burial Project produces guidelines and information statements including (but not limited to) the following:

- Position Statement
- Guidance Series for Australian Natural Burial Ground Pioneers
- Information Series

ANBP does not produce printed versions of its publications. Before printing this, or any other document, please consider the environment and select minimal resource options.

Formal disclaimer: neither publisher nor authors of this Guideline Series can accept responsibility for any action taken as a result of reading this document; the reader is advised to get a second opinion or consult relevant professional advisers.

Keywords: natural burial, earth burial, green burial, natural burial ground, site analysis, burial ground - guidelines, burial ground - impacts - environmental, burial ground - literature review, NEB, development principles - natural burial.

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ENVIRONMENTAL CONSIDERATIONS FOR ESTABLISHMENT OF NATURAL BURIAL GROUNDS

INTRODUCTION, PURPOSE AND USE OF THIS GUIDELINE

Introduction

Each Guideline in this series builds upon the information presented in the previous Guideline/s. In this way, a comprehensive understanding of the subject matter is developed gradually, and without repetition. If you have not read the Guideline/s that precede this one, it is recommended you do so.

The ethos of natural burial demands environmental awareness at every level, starting with understanding the different types of natural burial grounds (see Guideline No 1 in this series), and including an appreciation of both the environmental benefits and risks associated the process.

Purpose of this Guideline

This Guideline is written to afford Natural Burial Pioneers a sound technical understanding of the nature of environmental risk posed by the burial of human remains, and how that risk differs between traditional cemetery burial and natural burial practices.

Literature Review

The Literature Review that follows is a examination, and analysis, of formal research dealing with the potential environmental harm associated with the concentrated burial of human remains. Reading this Literature Review will provide a practical understanding of the relevant environmental issues, and the scientific principles that underpin a systematic site assessment process (the subject matter of Guideline 3 in this series).

It should be noted that virtually all available research is focussed on historical, **‘cemetery’ sites** (many in poorly selected locations) where traditional, high density burials were (or are) conducted, often with the use of embalming. Some of the cemeteries investigated represent the worst case scenario in terms of siting and potential for environmental harm. Practically speaking, however, these studies provide a wealth of valid, **useful information about exactly ‘what not to do’** when it comes to selecting a burial ground site.

LITERATURE REVIEW: ENVIRONMENTAL CONSIDERATIONS IN THE SELECTION OF BURIAL GROUND SITES:

Introduction

Historically, the placement of cemeteries and burial grounds has mainly been influenced by proximity to human settlements, as well as religious and cultural traditions (Spongberg & Becks, 1999). It was not until the mid 1900s that concerns about the environmental impact of burial grounds emerged.

Recent research has aimed at determining the reality, extent and nature of the environmental risks posed by the concentrated burial of human remains at formal burial sites (Dent, 2002; Silva, Costa, & Malagutti Filho, 2012; WHO, 1998; Zychowski, 2012). This literature is cemetery focused, as opposed to natural burial ground focused, and reveals that some long-established cemeteries are indeed poorly sited from a geoscientific standpoint.

Literature on the nature and management of natural burial is not extensive, does not address the lesser environmental effects of the practice and tends to be humanities-based rather than scientific. For example, the qualitative research report on UK **‘Sustainable Deathstyles’ by geographers** Yarwood, Sidaway, Kelly, and Stillwell (2015), or the planning-focussed paper on Green Burials in Australia by Marshall and Rounds (2010).

In a sense, **the cemetery studies could be regarded as ‘worst case scenario’** investigation for Natural Burial. Most studies define impacts from high density and often very large scale interments not aligned with natural burial principles, so the margin for error is generous for natural burial.

There is also an increasingly extensive informal and experiential literature, not reviewed here, emergent over the last few decades. These are narrative rather than scientific, reflect the modern origin of the notion of natural burial **and ‘natural death’**, and the struggles of advocates to popularise these concepts. Handbooks written by these proponents tend to focus mostly on funeral services, customs around body preparation and ceremonial practices.

The research literature reviewed here supports the argument that environmental, and especially hydrogeological impacts should be assessed above all other considerations with regard to the siting of any cemetery or burial ground. Terrain, soil type and structure and appropriate landscape design are also critical elements.

This Review distils the key findings from a broad array of available scientific writings to answering three important, practical questions:

- Is there a risk?
- What is the nature of the risk? and
- How can any risk be lessened and managed?

In discussing these questions, a range of related topics is addressed, including the composition of the human body, the biological decomposition process, and the longevity and behaviour of decomposition products in the ground.

Is there a risk? Potentially, Yes...

Spongberg and Becks (1999, p. 313) **state that “anything buried underground has the possibility of causing contamination”**. The central concern at issue is the dispersal in the ground, near the actual burial, of the products of decomposition of the human remains, and in the longer term, the timber, metal and plastics buried with the remains (WHO, 1998). The early stages of the decomposition process are primarily bacterial in nature, and the liquids and soft tissues of the body are the first parts to break down (Dent, Forbes, & Stuart, 2004; Zychowski, 2011). This leads in due course to the production of a potentially mobile, viscous **liquid mass referred to variously as a ‘decomposition plume’ or ‘leachate’**. ‘Leachate’ suggests the notion of a leaching or migration of breakdown products through the soil, and also flags the existence of a primary risk associated with burial (Dent & Knight, 1998; Spongberg & Becks, 2000; WHO, 1998).

The environmental risk presented by the leachate takes two forms. The first form concerns the direct effect of the leachate upon the soil in the vicinity of the burial. The second, and more critical form, concerns the possibility of the leachate (or products of decomposition) moving through the soil and entering water bodies, aquifers and ground water supplies (WHO, 1998). Accordingly, it is the location of the burial site, in terms of its geological and hydrogeological characteristics, that constitutes the single most critical factor with regard to potential risk (Oliveira et al., 2013; Pacheco, Mendes, Martins, Hassuda, & Kimmelmann, 1991; Silva et al., 2012; WHO, 1998; Zychowski, 2012).

A primary concern is risk to human health via contamination of potable water supplies (Dent, 2002). The magnitude of risk depends on whether any constituents of the leachate are likely to be harmful, and the possibility for direct or indirect human exposure to these products or disease-bearing entities.

Lesser risks in need of consideration for natural burial would include any impact to ecosystem health, and particularly to indigenous plant species, as a core aim for natural burial is for ecological system enhancement.

The exact composition of leachate varies from case to case, and across time, and is dependent on factors such as the stage of decomposition, variance in body types, depth of

burial, the nature of funeral related materials buried with the remains, temperature, soil acidity and moisture levels (Silva et al., 2012; Zychowski, 2011).

Nevertheless, the leachate will generally contain a varying mixture of bacteria, viruses and organic and inorganic elements (Dent, 2002; WHO, 1998). The nature of these constituents and the physical properties of leachate are now discussed.

What is the nature of the risk?

Organic and inorganic elements

On average, the human body contains between 55 to 67% water, 14 to 24% protein, 12 to 24% fat, and 5% minerals (Dent et al., 2004; Spongberg & Becks, 2000).

The World Health Organisation informs us that

“the body of a 70 kg human adult male contains approximately: 16 000 g carbon, 1800 g nitrogen, 1100 g calcium, 500 g phosphorous, 140 g sulphur, 140 g potassium, 100 g sodium, 95 g chlorine, 19 g magnesium, 4.2 g iron, and water 70-74% by weight”

and that many of the products of decomposition of the human body are identical to those found as nutrients in the natural environment.

It is considered that the environmental risk attached to the naturally occurring elements of decomposition are associated more with increased concentrations of these products at the **burial site, as opposed to “any specific toxicity they possess”** (WHO, 1998, p. 8).

Toxicity of leachate to people and vegetation

Elevated levels of elements such as lead, zinc, copper, iron and arsenic have been detected in cemetery soils by some researchers. Rather than arising from the decomposition of a body, these are the result of various funeral practices such as the use of toxic adhesives and preservatives in coffin manufacture and recent or historical use of toxic embalming fluids (Spongberg & Becks, 1999; Zychowski, 2011).

Human or land animal contact with buried heavy metals (possibly arising from historic use of arsenic based embalming fluids) is unlikely in an undisturbed area, and concentrations have rarely been identified at biotoxic levels. It is mainly in concentrated interment situations, and in relation to water movement, that real concern lies. Yet, interestingly, significant contamination outside cemetery boundaries has not been detected (Kim & Kim, 2012; Spongberg & Becks, 1999; WHO, 1998).

These understandings form the basis for many natural burial principles and strategies intended to achieve non-toxic burial.

Natural burial eliminates concerns of contamination from embalming fluids and metals. However, where a natural burial ground is linked to revegetation and/or conservation works attention needs to be paid to the potential impact of burials on existing vegetation in conservation sites and new plantings in greenfields sites. To a large extent these concerns can be mitigated by avoiding too high a burial density, too close a burial to an existing vegetation (established trees), and by having a working knowledge of nutrient sensitive plants.

Bacteria and viruses

Bacteria and viruses detected in leachate originate primarily from within the body itself, particularly the intestines, and their ability to survive for any period of time is dependent upon environmental factors such as temperature, oxygen supply (or absence), nutrient availability and moisture (Dent, 2002; Dent et al., 2004; Silva et al., 2012). In a study of three cemeteries in South America, Pacheco et al. (1991) found measurable levels of various bacteria in some of the ground water samples collected within those cemeteries. They concluded that the contamination was made more likely by the combination of sandy soils and high water tables at the sites.

One of the cemeteries investigated was in a coastal location, where tidal action varied the level of the water table beneath the cemetery through a range between 0.6 and 2.2 metres. Most bacteria are absorbed by the soil, but this ability is limited by the presence and velocity of ground water (WHO, 1998). Therefore, in the circumstance described by Pacheco et al. (1991), where human remains were buried within the active range of the water table, the presence of bacteria was not surprising.

By contrast, Dent and Knight (1995) studied a large coastal cemetery in Australia, sited over a potentially vulnerable aquifer, reported negligible bacterial concentrations and adjudged the ground water suitable for irrigation.

Interestingly, despite the existence of inappropriately sited cemeteries, such as those described above, the World Health Organisation confirms there are no recorded incidents of epidemic or widespread disease outbreak linked to contamination of groundwater by cemetery leachate (WHO, 1998). Nonetheless, the research suggests the practical possibility of bacterial contamination of ground water, emphasising the necessity for informed consideration in the siting of burial grounds.

Persistence of leachate

Bearing in mind the strong influence of environmental variation, estimates for skeleton-level decomposition range from less than 1 year in 'ideal' conditions, through to 12 years (Young, Blackmore, Leavens, & Reynolds, 2002). A calculated estimate of 10 years was made, based upon observations of human remains buried in

the Netherlands at the depth of 2.5 metres (Kim & Kim, 2012, citing Bouwer, 1978). Burial at this depth, coupled with a cooler climate, is arguably sub-optimal for decomposition. Given the complex interactions, and sheer number of environmental, and funeral related variables, decisively determining an average decomposition period is **not feasible; however, for practical purposes “a minimum working time frame is at least 50 years”** is recommended (Dent, 2002, p. 331).

In circumstances where the process of decomposition is not impaired by extreme environmental conditions or practices such as embalming or the use of plastic coffin liners, the production of leachate could persist for several years. It would be expected to be highest immediately following burial, and to decrease (and eventually cease) over time (Dent, 2002; Kim & Kim, 2012; Spongberg & Becks, 2000; Young et al., 2002).

The concentration of leachate would be expected to be greatest immediately around the interment, and decrease gradually with extension beyond the grave. The ultimate degree of extension would be dependent on prevailing environmental factors (Dent & Knight, 1998; WHO, 1998; Zychowski, 2011).

When considering leachate load at cemetery sites, UK regulators apply a formula based on an estimate that 50% of the potential leachate production occurs within the first year, with the remainder decreasing by a further 50% each year thereafter. Theoretically, this would result in a residue of only 0.1% of the original leachate load assuming a 10 year decomposition period (Environment Agency, 2002). This formula is not explicitly supported by the scientific literature, and should be considered as more of an estimate for practical purposes. Provided its limitations are understood, it could provide a rational, commonsense approach to considering cumulative leachate loads.

Percolation of leachate from the burial site

The movement of leachate is influenced by environmental factors, particularly soil type, and the presence and height of permanent or ephemeral (short lived) water flows (Dent & Knight, 1998; Silva et al., 2012; WHO, 1998).

Spongberg and Becks (2000) investigated soil contamination in a poorly sited, historical cemetery in Ohio containing more than 14,000 burials dating back to the mid 1800s. They found elevated levels of certain compounds which they determined to be the product of organic decomposition.

The site was adjacent to a river, divided by an intermittent stream that flooded frequently, and had a water table that fluctuated between 0.3 and 0.9 m from the surface during wet seasons. Despite these conditions, the compounds detected in samples within the cemetery were not found in samples taken beyond the cemetery boundary. The researchers suggested

the fine textured soils at the site may have been responsible for keeping the decomposition products within the cemetery grounds.

It follows that it is the location of the burial site, in terms of its geological and hydrogeological characteristics, that constitutes the single most critical factor with regard to potential risk (Dent, 2002; Oliveira et al., 2013; Pacheco et al., 1991; Silva et al., 2012; WHO, 1998; Zychowski, 2012).

How can the risk be lessened and managed?

Any environmental risk associated with the burial of human remains is directly proportional to the potential for leachate to enter underground water sources, or to extend excessively beyond grave sites (Dent et al., 2004; Kim & Kim, 2012; Oliveira et al., 2013; Silva et al., 2012; WHO, 1998).

Certain site management practices can mitigate leachate load. These include managing the density of burials at the site, both in terms of the actual number of interments and the time frame and spatial proximity within which they occur (Dent, 2002; Kim & Kim, 2012; WHO, 1998).

Dent (1999, p. 7) **concludes that “the risks posed by correctly sited and operated cemeteries are small in most soil types”**, a view reflected by the The World Health Organisation’s (WHO, 1998, p. 9) statement that:

“ ... pollution potential from cemeteries is present, but in a well managed cemetery with suitable soil conditions and drainage arrangements, the risk is probably slight.”

Key factors affecting the mitigation and management of risk are therefore site selection (from a hydrogeological standpoint), soil suitability (particularly in relation to soil type and available depth), density and timing of burials, funeral industry practices, and the presence of natural vegetation. A geoscientific evaluation of any potential site should be made in advance of development planning.

The importance of suitable hydrogeological conditions has already been discussed. Regarding aspects of soil composition, there is agreement that acidic soils of low permeability, composed of fine to small grained, clayey-sand or sandy-clay particles are most effective for retention of decomposition products in the vicinity of the burial (Dent, 2002; Dent & Knight, 1998; Spongberg & Becks, 2000; WHO, 1998; Zychowski, 2011). As well as the type of soil, research highlights the importance of what is referred to as the **‘unsaturated zone’**; the presence of unsaturated soil and materials immediately around the grave, and extending beneath the bottom of the grave (Oliveira et al., 2013; Silva et al., 2012; WHO, 1998). The presence of an adequate unsaturated zone **is considered to be the “most important line of defence against**

the transport of degradation products into aquifers. It acts as both a filter and an adsorbent.” (WHO, 1998, p. 7).

Logically, the greater the extent, and depth, of the unsaturated zone, particularly beneath the grave, the better. Early researchers suggested that a depth of between 0.5 to 0.7 metres was adequate to prevent harm provided the general hydrogeological aspects of the site are appropriate (Oliveira et al., 2013; Silva et al., 2012). Schrap (cited in Spongberg & Becks, 2000, p. 90) asserts that burial sites with water table depth greater than 2.5 metres, suitable soil type and an unsaturated zone of at least 0.7 metres should be **“void of groundwater contamination”**. Derived from more extensive, and more recent, research, Dent (2002) proposes a more conservative extension of the unsaturated zone to at least 1 metre beneath the bottom of the grave excavation.

The presence of native vegetation (as opposed to turf grass), and the presence of deep rooted trees in and surrounding, burial sites, limits the potential extension of leachate, and therefore the potential for harm (Dent & Knight, 1998; Oliveira et al., 2013; WHO, 1998). Phytoremediation practices should be employed at all burial sites, with the use of locally adapted native species considered preferable.

Understanding the life cycle of leachate, and its ability to extend outwards from the grave, makes the issue of density of burial relevant, as is the spatio-temporal sequencing of burials within any particular site. The greater the number of bodies buried within a defined space, the greater the total leachate load upon that local environment; however, timing is a critical factor. If 100 bodies were buried at the same time, within a defined space, all would contribute to the total leachate load concurrently (Zychowski, 2011). Therefore, the total load would be experienced within the local environment over a relatively short time frame. On the other hand, if one body were buried each year, for 100 years, in the same space, the local environment would encounter the same load but it would be spread out over a long time frame. Taken together, considered application of density and timing in the management of burial grounds could significantly mitigate potential environmental harm (Oliveira et al., 2013).

Funeral practices that encourage the burial of non-biodegradable coffins, metals and plastics, as well as the use of embalming fluids, preservatives, lacquers and adhesives increase the risk of environmental harm (Spongberg & Becks, 1999; Zychowski, 2011). Improved products and the environmentally conscious operation of burial sites would lower the risk.

Summary

Over the last fifty years, a better understanding of complex systems, has encouraged a more wholistic way of thinking about environmental and ecological issues. **The term ‘wholistic’ is used here to refer to ‘the organic or functional relationship *between parts and the whole*’.**

Wholistic, systems thinking is particularly applicable in considering the appropriate siting of natural burial grounds. In this framework, a natural burial ground can be readily conceived of as one small part of the entire living planet: a place where the biological material of once living organisms is gradually absorbed back into the still living organism of the planet. Certainly, this conception is well-matched with the sentiment of **‘returning the body to the earth’ so often voiced at funeral services.**

Considered in this living context, all the separate issues discussed here, in relation to the ecologically-conscious siting and operation of burial grounds, come together naturally to guide action.

A well-informed, ethically motivated group would not contemplate using a swampy, shallow soiled site for the return of human remains to the Earth. Instead, it would select a site where the local environment favoured the processes of natural decomposition, and where the possibility of ecological harm was slight.

In practical management, it would take care not to overload the capacity of the local environment by thoughtfully scaling, distributing, and timing interments. Likewise, it would not knowingly (and unnecessarily) bury metal, plastics or toxins, nor allow potential weed species to be introduced. At the same time, it would seek to meet all reasonable cultural and social needs of living visitors and their treasured recumbents.

Decomposition of human remains in the earth generates leachate and decomposition products that if permitted to enter aquifers, or extend greatly beyond the grave site, have the potential to cause ecological harm. But understanding the nature and behaviour of the products of decomposition allows for the effective management of possible risk through environmentally responsible siting, design, plantings and operation of burial grounds.

REFERENCES

- Dent, B. B. (1999). *Vulnerability and the unsaturated zone - the case for cemeteries*. Scholarly Article. Dept. Environmental Sciences. University of Technology. Sydney.
- Dent, B. B. (2002). *The hydrogeological context of cemetery operations and planning in Australia*. (Doctor of Philosophy in Science), The University of Technology, Sydney, Australia.
- Dent, B. B., Forbes, S. L., & Stuart, B. H. (2004). Review of human decomposition processes in soil. *Environmental Geology*, 45(4), 576-585.
doi:<http://dx.doi.org/10.1007/s00254-003-0913-z>
- Dent, B. B., & Knight, M. (1995). A watery grave - the role of hydrogeology in cemetery practice. *ACCA News*(Summer), 19-22.
- Dent, B. B., & Knight, M. (1998). *Cemeteries: A Special Kind of Landfill. The context of their sustainable management*. Paper presented at the International Association of Hydrogeologists, Melbourne, February 1998.
- Environment Agency. (2002). *Assessing the Groundwater Pollution Potential of Cemetery Developments*. Bristol, UK.
- Kim, H.-s., & Kim, K. (2012). Microbial and chemical contamination of groundwater around livestock mortality burial sites in Korea -- a review. *Geosciences Journal*, 16(4), 479-489. doi:10.1053/j.spid.2005.07.002
<http://dx.doi.org/10.1007/s12303-012-0036-1>
- Marshall, N., & Rounds, R. (2010). Green Burials in Australia and their Planning Challenges. *UNSW, Sydney, NSW, Australia*.
- Oliveira, B., Quinteiro, P., Caetano, C., Nadais, H., Arroja, L., Ferreira da Silva, E., & Senos Matias, M. (2013). Burial grounds' impact on groundwater and public health: an overview. *Water and Environment Journal*, 27(1), 99-106.
doi:10.1111/j.1747-6593.2012.00330.x
- Pacheco, A., Mendes, J., Martins, T., Hassuda, S., & Kimmelman, A. (1991). Cemeteries - a potential risk to groundwater. *Water, Science & Technology*, 24(11), 97-104.
- Silva, R. W. D., Costa, & Malagutti Filho, W. (2012). Geoelectrical mapping of contamination in the cemeteries: the case study in Piracicaba, S?o Paulo/Brazil. *Environmental Earth Sciences*, 66(5), 1371-1383.
doi:<http://dx.doi.org/10.1007/s12665-011-1347-7>
- Spongberg, A. L., & Becks, P. M. (1999). Inorganic Soil Contamination from Cemetery Leachate. *Water, Air and Soil Pollution*, 117(1-4), 313-327.
doi:<http://dx.doi.org/10.1023/A:1005186919370>
- Spongberg, A. L., & Becks, P. M. (2000). Organic contamination in soil associated with cemeteries. *Journal of Soil Contamination*, 9(2), 87-97.
doi:<http://dx.doi.org/10.1080/10588330008984177>
- WHO. (1998). *The impact of cemeteries on the environment and public health: an introductory briefing*. <http://www.who.dk>: World Health Organisation.
- Yarwood, R., Sidaway, J. D., Kelly, C., & Stillwell, S. (2015). Sustainable deathstyles? The geography of green burials in Britain. *The Geographical Journal*, 181(2), 172-184. doi:10.1111/geoj.12087
- Young, C., Blackmore, K., Leavens, A., & Reynolds, P. (2002). *Pollution Potential of Cemeteries*. Bristol, UK.

- Zychowski, J. (2011). Geological aspects of decomposition of corpses in mass graves from WW1 and 2, located in SE Poland. *Environmental Earth Sciences*, 64(2), 437-448. doi:<http://dx.doi.org/10.1007/s12665-010-0867-x>
- Zychowski, J. (2012). Soil Science and Hydrology; Investigators at Pedag University Report Research in Soil Science and Hydrology. *Science Letter*, 227.

INFORMATION AND GUIDANCE SERIES

for

AUSTRALIAN NATURAL BURIAL GROUND PIONEERS

Guideline 3: Assessment Procedures for Proposed Natural Burial Ground Sites

Site Characteristics & Design Elements

Geo-Scientific Assessment Procedure

Geo-Scientific Assessment Checklist



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Assessment Procedures for Proposed Natural Burial Ground Sites

INTRODUCTION, PURPOSE AND USE OF THIS GUIDELINE

Introduction

Each Guideline in this series builds upon the information presented in the previous Guideline/s. In this way, a comprehensive understanding of the subject matter is developed gradually, and without repetition. If you have not read the Guideline/s that precede this one, it is recommended that you do so.

The assessment of any site intended for the burial of human remains requires a detailed geoscientific evaluation to identify potential environmental risks. Primary among such risks is the possibility of decomposition products finding their way into (potable) ground or surface water supplies.

In the case of a site intended for use as a traditional cemetery, there are risks associated with embalming chemicals and toxic glues and lacquers (used in coffin manufacture) that are buried with the body. In addition, the common practice of lining coffins with non-biodegradable, plastic sheeting effectively locates the body within a durable, water retaining ‘tub’ that invariably fills with surface (rain) water that enters readily through the disturbed soils of a grave. Though the effects are not fully understood, the long-term submersion of the body certainly impedes natural decomposition, and presents the possibility for long-term, local retention of liquids containing decomposition products.

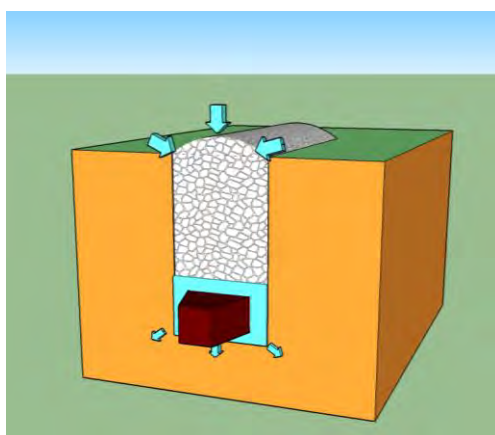


Figure 1. Illustrates the increased tendency of rain (and surface run-off) water to enter a grave through the loosened back-fill soil. Percolation of water into surrounding soils is usually slower, allowing for traditional coffins to fill with, and retain, water.

A site intended to be used exclusively for natural burial, also requires detailed and careful evaluation. However, embalming is not used in natural burial, biodegradable coffins, shrouds and liners are prescribed, and single interments occur in graves excavated to the minimum legal depth. Together these practices ensure that decomposition products arise primarily from the body itself, are organic in nature, and are dispersed into, and processed by, the surrounding soil as quickly and effectively as possible in the local conditions.

Best practice design and management principles for natural burial grounds (detailed later in this Guideline) include; low burial density (lowering the load of decomposition products on the site relative to traditional cemetery practice), and extensive use of trees and natural vegetation both within buffer zones around burial grounds, and on, and around, actual gravesites to stabilise and absorb the natural products of decomposition. A properly conducted natural burial process conforms to the well established principles of permaculture, and will, of itself, result in an essentially neutral environmental impact.

Accordingly, site assessment criteria for natural burial grounds can, and should, differ in certain ways to those applicable to traditional cemeteries. Of course, the presence of flooding, high water tables or swampy land would make a proposed site unsuitable for either a traditional cemetery or a natural burial ground. However, the lower overall risk associated with natural burial and natural burial grounds (as well as the woodland aesthetic) may allow for a natural burial ground to be sited in locations not entirely suitable for a traditional cemetery.

Purpose and use of this Guideline

This Guideline provides descriptions of ideal characteristics to assist in identifying potential natural burial ground sites, and a practical guide for the assessment of potential sites. It also includes an assessment criteria '**checklist**' used to evaluate the findings of the site assessment procedure.

The materials and information contained herein are based upon the most current research, the experience of the Authors and advisors and professional best practice models. Nonetheless, they are designed to be used by competent lay persons to facilitate a reliable process of preliminary assessment that can then form a basis for critical early decision making. This Guideline contains three main sections as follow:

Site Characteristics and Design Elements

These provide an understanding of practical site constraints, and can assist the Natural Burial Ground Pioneer to identify the positive and negative qualities of a

proposed site. Key design principles are discussed to assist visualisation and, ultimately, development of a layout plan necessary for legal and administrative purposes.

Geo-scientific Assessment Procedure (the Assessment Procedure)

The Assessment Procedure provides a step by step guide to undertaking a thorough and systematic, preliminary site evaluation.

Geo-scientific Assessment Criteria Checklist (the Checklist)

The Checklist **is the ‘score card’ for the site, and is completed** using the findings of the Assessment Procedure. Once complete, the Checklist characterises the site as suitable, not suitable or requiring further professional assessment.

NOTE: This Guideline contains standards, recommendations and best-practice procedures derived collectively from the academic works referred to, and formally cited, in the Literature Review contained in Guideline 2. For ease of reading, in-text citations have not been included here, but the Authors fully acknowledge the invaluable contributions by Researchers and the origins of the collective knowledge.

SITE CHARACTERISTICS AND DESIGN ELEMENTS

Site Characteristics

Natural constraints

Floodplains, swamps, cliff lines, shallow soils (to some extent), landslip slopes, drainage areas to lakes or waterways and some filled areas - are not suitable burial sites.

Aquifers and water bodies

Ideally a minimum subsoil thickness depth of 1 metre should be present between the bottom of the grave and any impervious strata (i.e. the base of the grave must be at least 1 metres above solid rock). While an unsaturated zone of 1 metre or greater is ideal, some sites that do not meet this criterion, or meet it only in some areas, may still be suitable subject to soil analysis and/or a more detailed hydrogeological assessment.

The base of all graves must also be at least 1 metre above the highest fluctuations of natural water tables. Any seasonal variability in the water table levels should be taken into account.

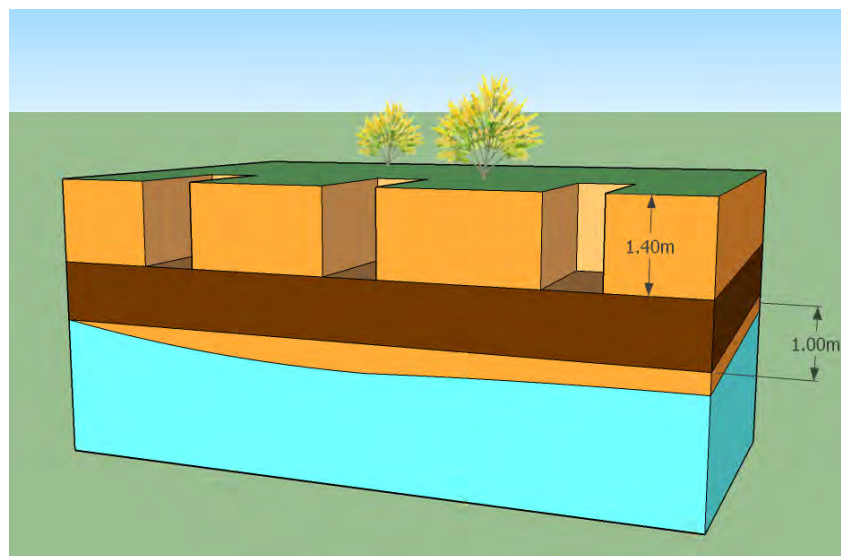


Figure 2. Illustrates the minimum acceptable 1m 'unstaured zone' below the base of any grave excavation. In practice the unsaturated zone may be many metres in depth.

Sites with clean, coarse, sandy or gravelly soils require specific assessment to determine appropriate depth of water tables.

The influences of perched and ephemeral (short-lived or seasonal) water tables and springs need to be taken into account.

In general terms, no burial should be closer than 200 metres horizontally from any drinking water well; however, alternate safe distances may vary from site to site as determined by detailed hydro-geological investigation.

Soils

The best soils for burial sites are well drained clayey-sand or sandy-clay soils. These favour decomposition, and the local retention and attenuation of decomposition products.

Soil profiles considered to be of high permeability, e.g. sands underlain by impermeable layers, are generally not suitable for burial.

In Australia the minimum depth of burial is prescribed under individual State law. It is normally expressed as the depth of soil **‘above the breastbone’ or ‘lid of a coffin’**, and ranges between 700 and 1000mm (depending on the State). The minimum legal depth is used for natural burial to foster decomposition, and maximise the unsaturated zone. As an aside, this explains the practical limitations of the novel idea of vertical burial, often cited as a solution to limited space in metropolitan cemeteries. Even where mechanical augers might be **available to dig a ‘posthole grave’ the depth of the body length + 1000mm**, locating sites with an adequate soil depth would be challenging.

Natural burial ground design elements

Buffer zones

No burials should lie at the boundary of the burial ground - buffer zones are needed; 5 -10 metres in clay soils, 20 metres or more in sandy soils.

Plan to preserve and plant deep-rooting, locally adapted, **native trees and shrubs** - particularly in buffer zones. While some Australian plants are sensitive to high levels of nutrients, in most cases low density interment, considered timing of near grave planting and avoidance of known sensitive varieties should address most concerns. The advice of a local ecologist should be sought to clarify and assist in the selection of locally adapted native species.

Interment site dimensions, layout and site capacity

The higher the density of graves the greater the local environmental load. Consideration needs to be given to overall capacity of the site, and its ultimate life span. An area of approximately 6 - 9 square metres per burial is recommended (3 to 4 times the space allocation of a traditional cemetery), as is non-sequential grave use with longer term vegetative infilling (planting on, and around, actual interments).

Surface water

Water cycling should be controlled by draining precipitation water from sealed surfaces through an efficient drainage system, either out of the burial ground or to densely planted buffer zones.

On hillsides, excavation and road and track design should, as far as feasible, be along the contour to maximise local absorption of surface water, or otherwise controlled by careful consideration of surface flows and directions. A local surveyor will be of considerable assistance in considering these issues.

PRELIMINARY SITE ASSESSMENT PROCEDURE

The ability to undertake a thorough, systematic and low cost assessment (just the time investment and perhaps the cost of test pit excavations) can allow individuals and community groups to eliminate a poor site, or establish the suitability of an ideal one. In the case of a promising site where some minor issues have been identified, the initial assessment can provide sufficient data to **discuss the site's potential with professional consultants, and, if desirable, seek their advice and assistance.**

Step One – The Statutory Context

In almost all circumstances in Australia, consent of (usually) Local Government will be required for the establishment of a natural burial ground. However, there is a great deal that can be done to determine the suitability of a proposed site before engaging in official applications.

That being said, before doing anything at all, check with local government authorities (**LGA's**), either directly or by accessing Local Environment Plans (LEPs) and other local government Development Plans (usually available on line), to determine whether the zoning of the area where the proposed site is located is suitable. Also check whether the site has been ear-marked for some future development, for example a railway line extension or a housing tract. If zoning or future use is an issue, look for another site now rather than taking on an up-hill battle for non-compliant development permission or legislative or regulatory changes. Ensure the site lies above any 1 in 100 year flood levels determined for the location.

If the site is suitably zoned and not in a flood area, obtain the legal description of the site: the Folio and Lot Number that describe the property. These are normally included on land deeds and legal documents, but can be generally be accessed via Government land title websites and data bases using the common street address.

Use these details to obtain on-line maps of the site, and to obtain any GIS (geographic information system) data and mapping that exists. At this point in time, the amount of GIS data for any particular site varies greatly. There may be a great deal, or none at all. Where available, this information can provide detail of the geological and hydrogeological character of the site. NearMap and Google Earth are also becoming excellent resources site orientation purposes.

What is the total available area? Areas of less than 2 Ha (about 5 acres) may not be worth the effort of establishment. This comes back to your purpose.

Windscreen survey

It is likely that you will already have made several visits to the proposed site by the time you decide to move the project forward. If for some reason you have not before visited the site, **first do a casual ‘windscreen survey’, getting an overall feel for the landscape**, the neighbours, the local transport, agriculture, fuel, shopping and other systems, and if possible viewing the property from a higher, somewhat distant vantage point, then walk the land if open to you. Take photos to refer to later.

While most of the basic information required is readily available on line, input from local landholders, local government planners, catchment authority officers and local wildlife rangers can save a lot of time and misunderstanding. While its probably not advisable to rush in proclaiming your unusual intentions, it is well worth having informal **‘conversations around the shops’, and eventually meeting and** developing cordial and open relationships with community gatekeepers.

Preparing for a more formal inspection

Check websites for water catchment authorities, primary industries, environment and heritage and mining departments for data and maps that show **roads and buildings (‘ortho-cadastral’ maps), vegetation**, catchment boundaries, watercourses and other water bodies, 100-year flood levels, drains, aquifers and wells. Mark these on your map(s) for ground truthing on site.

Prepare an aerial photograph or topographical map at a scale that is useful to visualise single buildings, and broken into sections if the property is very large. Also prepare a larger scale map that encompasses the whole property.

Have your maps as large as feasible (eg A3), and consider either laminating them (and making notes with marker pens) or fixing them to a plastic-sheeted clip board (to avoid wind and rain). Also take a notepad and pens of 2-3 colours. You should now be prepared for an Initial On-Site Inspection

Step Two - Initial On-site Inspection

Consider the following aspects:

Context

Note the position of the site relative to other development including roads, houses, other buildings, fences, access points, tracks, bores, powerlines and public facilities.

Consider ease of visitor access, the nature of the roads used to travel to the site and public transport connections.

Where and who are the immediate neighbours? The consent of all adjoining neighbours is ideal, and, in most circumstances, the consent of the greater majority of them will be necessary to proceed. This is all about creating a valuable, and valued, community asset, so the process should be harmonious.

Terrain and aspect

Note the general lay of the land in terms of overall slope, direction of the Sun, low-lying areas, rocks, cliffs. Are there rocky outcrops that might suggest shallow soil depth?

Evidence of soil type(s), and what is where if variable.

Flora and fauna

The presence, or otherwise, of existing vegetation and vegetation type, eg., is there natural scrub or planted crops, woodlots, or evidence of fire?

Presence/evidence of animals: exotic, native fauna, feral.

Water

Presence, or not, of creeks, streams, dams, bores, beaches and storm water drains.

Potential for flooding.

Can you see any floodlines, high water marks or vegetation changes that may indicate underground water, wet spots (often indicated by a change in plant or grass types or presence of reeds)?

Consider your observations in respect of the Site Characteristics above. Are there any aspects about which you feel uneasy?

If the initial on-site inspection does not suggest any obvious barriers, proceed to a Desktop Assessment.

Step Three - Desktop Assessment.

This is essentially the gathering of all available, existing data about the site, without necessarily going back to the site.

At least some of the following will likely need to be considered for most proposed sites: Environmental Protection Plans, State and Aboriginal Heritage protections, bushfire and earthquake risk zoning, natural and planned wildlife corridors and locally endangered species conservation plans.

Access on-line water authority data bases (different in each state, may involve departments of mining) and retrieve all available information about bores and wells within a 2 km radius of the site. A census of all nearby bores helps to establish an understanding of the nature of water tables in the area. Take note of whether water from nearby bores has been identified as suitable for human consumption (potable), or is considered suitable for domestic (watering gardens or flushing toilets) and/or stock use only or highly saline.

Check with local authorities to access flood level records, and/or 1 in 100 year flood assessments.

Use on-line government sites to determine if the site is in a high bushfire or earthquake risk zone.

Are there any geological survey records that might indicate soil type and depth, or previous excavation work by council or other agencies? Are there any signs of soil instability - this relates to the safe, workable excavation of grave sites? As well as formal sources check with landholders, local earth movers and agricultural consultants -all may have valuable, practical knowledge.

Access Bureau of Meteorology sites to obtain records of average annual precipitation. Review all available records from local and nearby weather stations. Local landholders can generally indicate variations in weather patterns e.g. rain-shadow zones.

Using available maps of the site or aerial photographs, sketch up a general layout working with the unique features of the site, and keeping in mind the **Site Characteristics** criteria. Draw in buffer zones, and be conservative. At this stage of the investigation it is always better to allow extra distance from boundaries and water courses. It can be adjusted later, when other factors have been properly considered or on-site experience has been acquired.

Mark in actual or potential access roads and paths, areas that need immediate re-vegetation and planting, include existing vegetation and any areas that might be used for facilities or car-parking. Once this is done, re-assess the area available for burials. Calculate the remaining available area in sq metres (government on-line mapping sites often have calculator features), and divide by 9 (sq metres per burial) to determine the capacity of the site.

Is the capacity sufficient to warrant the effort of establishment?

If the Desktop Assessment does not indicate any obvious barriers, proceed to a Shallow Soil Assessment.

Step Four - Shallow Soil Assessment.

This involves going back on site with an excavator and digging a series of grave-like inspection pits.

Using the rough site plan you have developed, consider the location of the inspection pits. In general terms two to four pits per Ha spaced out evenly should be sufficient to develop an understanding of the local soil profiles. If you suspect there are areas of shallow soil, or areas with possible high water tables, locate extra pits in these locations.

Mark the location of the pits on the map, and give them all an identifying number. Physically peg the location of each pit - this saves time on the day of the dig.

Arrange a digging day with a local earth moving contractor. Have the contractor dig each pit location as deeply as possible, down to bedrock if it is present or at least 2.5 metres.

Have a thick tape-measure or surveying staff available to put down and measure the depth of each pit. Have a camera to take photos of each pit showing the depth. Prepare a set of 3 clip-lock plastic bags for each pit, marked with the pit number and the words top, bottom and middle. Use these to collect soil samples from the top, bottom and middle depths of each pit. Collect about 1 kg of soil in each bag. Arrange with the earth moving contractor to pause digging to allow safe collection of soil samples. In most cases professional soil analysis will not be required, but **it's** little effort to collect soil samples now in case they are required in the future.

Take notes about each pit. Is there rock, and if so, at what depths?. Is there any evidence of ground water, and if so, which way is it flowing? Take photos showing depth and any other details. Have the contractor move onto the next site while you are assessing the first. That way she/he can keep digging, and then begin backfilling the first pits as you are finishing off the inspection of the last ones.

Consider what you have found, and how the site compares against the **Site Characteristics** criteria. Is there adequate soil depth, and does the soil dig easily while holding its shape without the walls falling in? Is there evidence of ground water? How much rain has there been in the past few months? Is most of the site suitable, but one part has shallow soil depth?

The ideal site.

According to a leading Australian hydrogeologist,

“an ideal cemetery situation is one where the site is only gently sloping, and hosts a deep, acid soil with an intermediate range of properties such as clayey sand or sandy clay, with a regional water table which is always at least 1.0 m below the invert level of any grave and which will not be flooded. These soils would be quite workable and would

encourage the decomposition of the interred remains and artefacts, with a reduced likelihood of bacteria or virus migration off-site”

With this in mind, the next step is to bring together all the findings and information from each stage of the **Assessment Procedure**, to see how the proposed site rates against standards designed to protect the environment.

Judgements about the overall suitability of the location of the site, concerns about existing flora and fauna, natural and Aboriginal heritage issues, access and neighbour consent will need to be considered on their merits and determined on a site by site basis. The key geo-scientific criteria, however, apply to every site and these can be evaluated using the **Checklist** below.

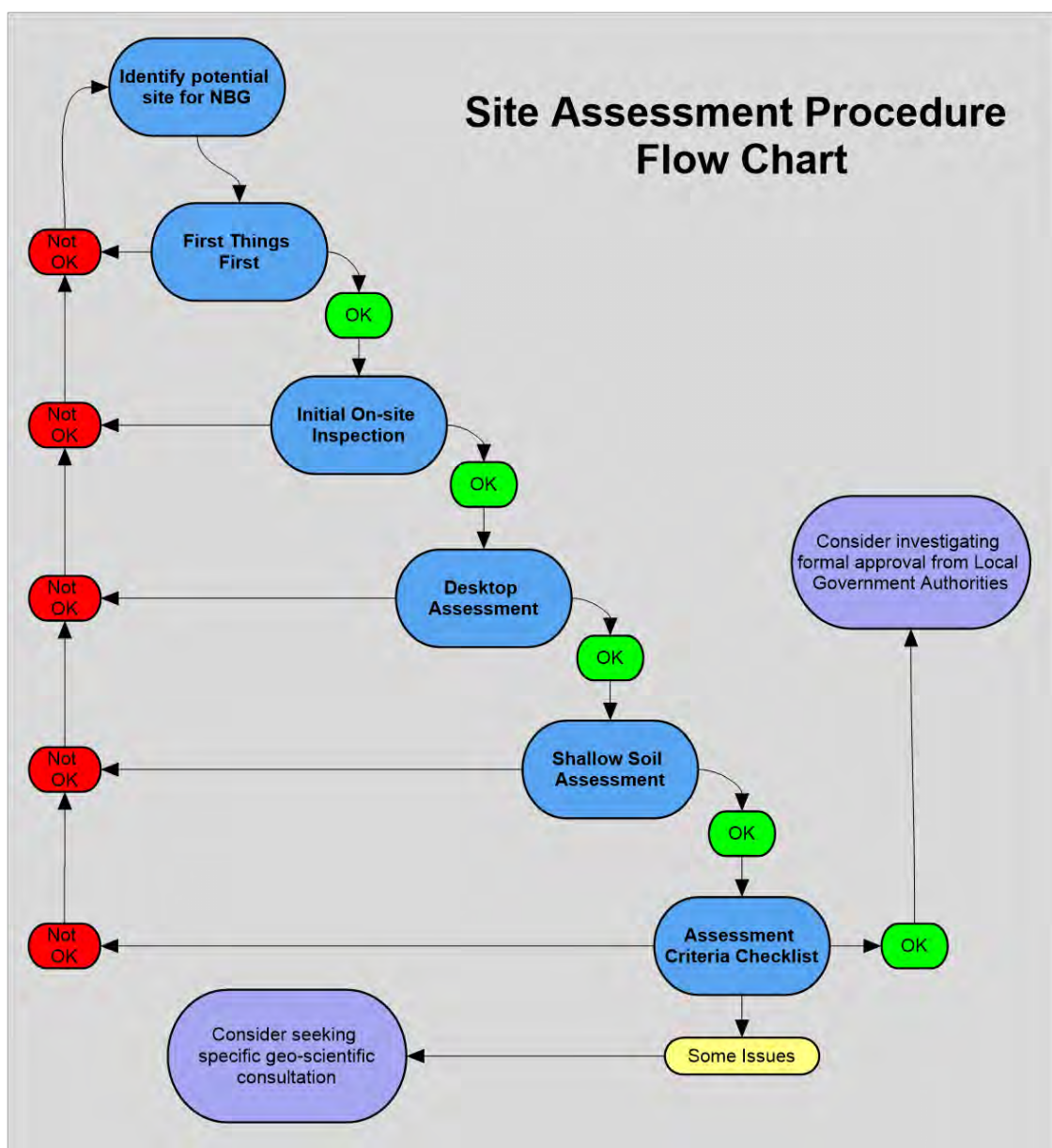
GEO-SCIENTIFIC SITE ASSESSMENT CRITERIA CHECKLIST

Criteria		Yes	No
Ground water	No. 1: The highest fluctuations of natural water tables are at least 1 m below the anticipated base of graves. Seasonal variability of water table levels has been taken into account. Supporting Materials: Census of all bores within a 2 km radius: Bureau of Meteorology records:		
	No. 2: Able to confirm there is no presence of rock shelves, perched water tables, springs or ephemeral water flows Supporting Materials: Records of Shallow Soil investigation:		
	No. 3: Able to confirm there are no drinking water wells within 200 metres of the site Supporting Materials: Census of all bores within a 2 km radius:		
Surface Water	No. 4: The site is above 1 in 100 year flood levels Supporting Materials: Existing data or survey information:		
	No. 5: There is space within the site for buffer zones around the burial area to ensure adequate distances from creeks, streams, dams, bores, beaches and storm water drains. Supporting Materials: Site maps, plans and/or survey information:		
	No. 6: If necessary, provision can be made to ensure that precipitation water can be directed away from burial sites and/or into buffer zones Supporting Materials: Site maps, plans and/or survey information:		
Soils	No. 7: Able to confirm suitability of soils. i.e. not coarse gravelly, high permeability soils Supporting Materials: Existing information or description of local soil characteristics: Soil test results		
	No. 8: Soil is of an adequate dept to ensure a minimum of 1m of unsaturated soil lies beneath the bottom of any grave Supporting Materials: Records of Shallow Soil investigation:		
	No. 9: Soil is workable in terms of digging of graves and stability of grave walls Supporting Materials: Records of Shallow Soil investigation:		

If **'yes'** applies to all 9 criteria the geo-scientific characteristics of the site this is a strong indication that the site is suitable for the establishment of a natural burial ground.

If **'no'** applies to any criterion (other than criteria 2, 3 and 8) the site is not suitable. Every site has its own unique geo-scientific characteristics, and this creates a reasonable degree of variability with regard to criteria 2, 3 and 8. If you, or your group, wish to proceed then a professional assessment should be undertaken to determine if these criteria rule the site out of contention.

SITE ASSESSMENT PROCEDURE FLOW CHART



MOVING FROM A PROMISING SITE TO A NATURAL BURIAL GROUND

If the proposed site is looking promising at this stage, it's probably time to re-confirm the level of local and community support, and, looking into the future, start thinking about who will be responsible for the long-term management and operation of the natural burial ground.

A planned Guideline in this series - **Establishment, Management & Operation of a Natural Burial Ground** - will step the natural burial ground Pioneer through the legal and practical requirements.

A further planned Guideline in this series - **Planning Your Natural Burial Ground Landscape** - will describe the basic elements you, your site planner or landscape architect will need to address in producing the working landscape plan you will need for development, ongoing administration and legally required recording of burials.

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*The authors are not aware of any conflict of interest in their contributions to this document. They have no current involvement in the commercial funeral industry, but do declare their involvement with the active promotion of natural burial grounds and sustainable funeral practices within private and public spheres.*



# Appendix E : EPBC Protected Matters Search and landholder species listing



Australian Government  
Department of the Environment and Energy

## EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 07/05/18 15:09:04

[Summary](#)

[Details](#)

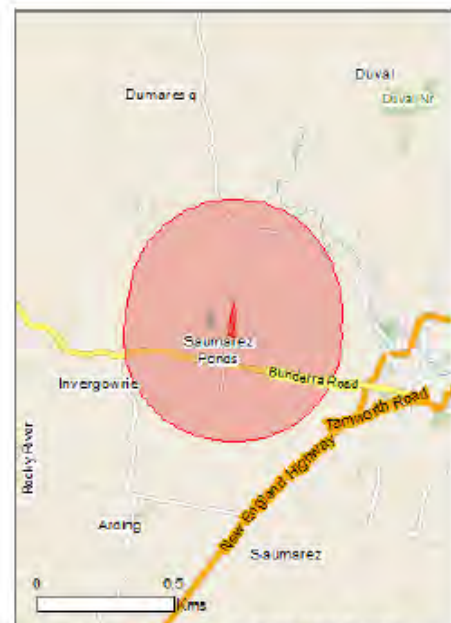
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

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[Coordinates](#)

Buffer: 5.0Kms





## Summary

### Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

|                                                           |      |
|-----------------------------------------------------------|------|
| <a href="#">World Heritage Properties:</a>                | None |
| <a href="#">National Heritage Places:</a>                 | None |
| <a href="#">Wetlands of International Importance:</a>     | 4    |
| <a href="#">Great Barrier Reef Marine Park:</a>           | None |
| <a href="#">Commonwealth Marine Area:</a>                 | None |
| <a href="#">Listed Threatened Ecological Communities:</a> | 3    |
| <a href="#">Listed Threatened Species:</a>                | 26   |
| <a href="#">Listed Migratory Species:</a>                 | 12   |

### Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

|                                                    |      |
|----------------------------------------------------|------|
| <a href="#">Commonwealth Land:</a>                 | None |
| <a href="#">Commonwealth Heritage Places:</a>      | None |
| <a href="#">Listed Marine Species:</a>             | 18   |
| <a href="#">Whales and Other Cetaceans:</a>        | None |
| <a href="#">Critical Habitats:</a>                 | None |
| <a href="#">Commonwealth Reserves Terrestrial:</a> | None |
| <a href="#">Commonwealth Reserves Marine:</a>      | None |

### Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

|                                                   |      |
|---------------------------------------------------|------|
| <a href="#">State and Territory Reserves:</a>     | None |
| <a href="#">Regional Forest Agreements:</a>       | 1    |
| <a href="#">Invasive Species:</a>                 | 29   |
| <a href="#">Nationally Important Wetlands:</a>    | None |
| <a href="#">Key Ecological Features (Marine):</a> | None |

## Details

### Matters of National Environmental Significance

| Wetlands of International Importance (Ramsar)                                        | [ Resource Information ] |
|--------------------------------------------------------------------------------------|--------------------------|
| Name                                                                                 | Proximity                |
| <a href="#">Banrock station wetland complex</a>                                      | 1100 - 1200km            |
| <a href="#">Gwydir wetlands: gingham and lower gwydir (big leather) watercourses</a> | 200 - 300km upstream     |
| <a href="#">Riverland</a>                                                            | 1000 - 1100km            |
| <a href="#">The coorong, and lakes alexandrina and albert wetland</a>                | 1200 - 1300km            |

### Listed Threatened Ecological Communities [ Resource Information ]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

| Name                                                                                                                                                       | Status                | Type of Presence                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------|
| <a href="#">New England Peppermint (Eucalyptus nova-anglica) Grassy Woodlands</a>                                                                          | Critically Endangered | Community likely to occur within area |
| <a href="#">Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion)</a> | Endangered            | Community likely to occur within area |
| <a href="#">White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland</a>                                                        | Critically Endangered | Community likely to occur within area |

### Listed Threatened Species [ Resource Information ]

| Name                                                                     | Status                | Type of Presence                                       |
|--------------------------------------------------------------------------|-----------------------|--------------------------------------------------------|
| <b>Birds</b>                                                             |                       |                                                        |
| <a href="#">Anthochaera phrygia</a><br>Regent Honeyeater [82338]         | Critically Endangered | Species or species habitat known to occur within area  |
| <a href="#">Calidris ferruginea</a><br>Curlew Sandpiper [856]            | Critically Endangered | Species or species habitat may occur within area       |
| <a href="#">Erythrotriorchis radiatus</a><br>Red Goshawk [942]           | Vulnerable            | Species or species habitat may occur within area       |
| <a href="#">Grantiella picta</a><br>Painted Honeyeater [470]             | Vulnerable            | Species or species habitat likely to occur within area |
| <a href="#">Lathamus discolor</a><br>Swift Parrot [744]                  | Critically Endangered | Species or species habitat may occur within area       |
| <a href="#">Rostratula australis</a><br>Australian Painted Snipe [77037] | Endangered            | Species or species habitat may occur within area       |
| <b>Fish</b>                                                              |                       |                                                        |
| <a href="#">Maccullochella peelii</a><br>Murray Cod [66633]              | Vulnerable            | Species or species habitat may occur within area       |



| Frogs                                                                                                                                                                                          |                       |                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------------|
| Name                                                                                                                                                                                           | Status                | Type of Presence                                             |
| <a href="#">Litoria booroolongensis</a><br>Booroolong Frog [1844]                                                                                                                              | Endangered            | Species or species habitat may occur within area             |
| <a href="#">Litoria castanea</a><br>Yellow-spotted Tree Frog, Yellow-spotted Bell Frog [1848]                                                                                                  | Endangered            | Species or species habitat likely to occur within area       |
| Mammals                                                                                                                                                                                        |                       |                                                              |
| <a href="#">Chalinolobus dwyeri</a><br>Large-eared Pied Bat, Large Pied Bat [183]                                                                                                              | Vulnerable            | Species or species habitat likely to occur within area       |
| <a href="#">Dasyurus maculatus maculatus (SE mainland population)</a><br>Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]                         | Endangered            | Species or species habitat likely to occur within area       |
| <a href="#">Nyctophilus corbeni</a><br>Corben's Long-eared Bat, South-eastern Long-eared Bat [83395]                                                                                           | Vulnerable            | Species or species habitat may occur within area             |
| <a href="#">Petauroides volans</a><br>Greater Glider [254]                                                                                                                                     | Vulnerable            | Species or species habitat likely to occur within area       |
| <a href="#">Petrogale penicillata</a><br>Brush-tailed Rock-wallaby [225]                                                                                                                       | Vulnerable            | Species or species habitat may occur within area             |
| <a href="#">Phascogale cinereus (combined populations of Qld, NSW and the ACT)</a><br>Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104] | Vulnerable            | Species or species habitat known to occur within area        |
| <a href="#">Pteropus poliocephalus</a><br>Grey-headed Flying-fox [186]                                                                                                                         | Vulnerable            | Foraging, feeding or related behaviour may occur within area |
| Plants                                                                                                                                                                                         |                       |                                                              |
| <a href="#">Acacia pubifolia</a><br>Velvet Wattle [19799]                                                                                                                                      | Vulnerable            | Species or species habitat may occur within area             |
| <a href="#">Callistemon pungens</a><br>[55581]                                                                                                                                                 | Vulnerable            | Species or species habitat likely to occur within area       |
| <a href="#">Dichanthium setosum</a><br>bluegrass [14159]                                                                                                                                       | Vulnerable            | Species or species habitat likely to occur within area       |
| <a href="#">Diuris pedunculata</a><br>Small Snake Orchid, Two-leaved Golden Moths, Golden Moths, Cowslip Orchid, Snake Orchid [18325]                                                          | Endangered            | Species or species habitat likely to occur within area       |
| <a href="#">Eucalyptus nicholii</a><br>Narrow-leaved Peppermint, Narrow-leaved Black Peppermint [20992]                                                                                        | Vulnerable            | Species or species habitat likely to occur within area       |
| <a href="#">Euphrasia arguta</a><br>[4325]                                                                                                                                                     | Critically Endangered | Species or species habitat may occur within area             |
| <a href="#">Pelargonium sp. Striatellum (G.W.Carr 10345)</a><br>Omeo Stork's-bill [84065]                                                                                                      | Endangered            | Species or species habitat may occur within area             |
| <a href="#">Thesium australe</a><br>Austral Toadflax, Toadflax [15202]                                                                                                                         | Vulnerable            | Species or species habitat likely to occur within area       |

| Name                                                                                                                                 | Status                | Type of Presence                                       |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------|
| <b>Reptiles</b>                                                                                                                      |                       |                                                        |
| <a href="#">Uvidicolus sphyrurus</a><br>Border Thick-tailed Gecko, Granite Belt Thick-tailed Gecko [84578]                           | Vulnerable            | Species or species habitat likely to occur within area |
| <a href="#">Wollumbinia belli</a><br>Bell's Turtle, Western Sawshelled Turtle, Namoi River Turtle, Bell's Saw-shelled Turtle [86071] | Vulnerable            | Species or species habitat may occur within area       |
| <b>Listed Migratory Species</b>                                                                                                      |                       | <b>[ Resource Information ]</b>                        |
| * Species is listed under a different scientific name on the EPBC Act - Threatened Species list.                                     |                       |                                                        |
| Name                                                                                                                                 | Threatened            | Type of Presence                                       |
| <b>Migratory Marine Birds</b>                                                                                                        |                       |                                                        |
| <a href="#">Apus pacificus</a><br>Fork-tailed Swift [678]                                                                            |                       | Species or species habitat likely to occur within area |
| <b>Migratory Terrestrial Species</b>                                                                                                 |                       |                                                        |
| <a href="#">Hirundapus caudacutus</a><br>White-throated Needletail [682]                                                             |                       | Species or species habitat likely to occur within area |
| <a href="#">Monarcha melanopsis</a><br>Black-faced Monarch [609]                                                                     |                       | Species or species habitat known to occur within area  |
| <a href="#">Motacilla flava</a><br>Yellow Wagtail [644]                                                                              |                       | Species or species habitat may occur within area       |
| <a href="#">Myiagra cyanoleuca</a><br>Satin Flycatcher [612]                                                                         |                       | Species or species habitat known to occur within area  |
| <a href="#">Rhipidura rufifrons</a><br>Rufous Fantail [592]                                                                          |                       | Species or species habitat likely to occur within area |
| <b>Migratory Wetlands Species</b>                                                                                                    |                       |                                                        |
| <a href="#">Actitis hypoleucos</a><br>Common Sandpiper [59309]                                                                       |                       | Species or species habitat may occur within area       |
| <a href="#">Calidris acuminata</a><br>Sharp-tailed Sandpiper [874]                                                                   |                       | Species or species habitat may occur within area       |
| <a href="#">Calidris ferruginea</a><br>Curlew Sandpiper [856]                                                                        | Critically Endangered | Species or species habitat may occur within area       |
| <a href="#">Calidris melanotos</a><br>Pectoral Sandpiper [858]                                                                       |                       | Species or species habitat may occur within area       |
| <a href="#">Gallinago hardwickii</a><br>Latham's Snipe, Japanese Snipe [863]                                                         |                       | Species or species habitat may occur within area       |
| <a href="#">Tringa nebularia</a><br>Common Greenshank, Greenshank [832]                                                              |                       | Species or species habitat may occur within area       |

## Landholder species listing

| Species # | Growth Form | Family              | Genera                | Species                         | Common Name            | Status |
|-----------|-------------|---------------------|-----------------------|---------------------------------|------------------------|--------|
| 1         | Graminoid   | <i>Cyperaceae</i>   | <i>Carex</i>          | <i>inversa</i>                  | Knob Sedge             | N      |
| 2         | Graminoid   | <i>Cyperaceae</i>   | <i>Carex</i>          | <i>apressa</i>                  | Tall Sedge             | N      |
| 3         | Graminoid   | <i>Cyperaceae</i>   | <i>Cyperus</i>        | <i>sp.</i>                      | ?                      | ?      |
| 4         | Graminoid   | <i>Cyperaceae</i>   | <i>Cyperus</i>        | <i>eragrostis</i>               | Umbrella Sedge         | E      |
| 5         | Graminoid   | <i>Cyperaceae</i>   | <i>Eleocharis</i>     | <i>acuta</i>                    | Common Spikerush       | N      |
| 6         | Graminoid   | <i>Cyperaceae</i>   | <i>Isolepis</i>       | <i>aucklandica</i>              | New Zealand Club Sedge | N      |
| 7         | Graminoid   | <i>Cyperaceae</i>   | <i>Schoenoplectus</i> | <i>validus</i>                  | River Clubrush         | N      |
| 8         | Graminoid   | <i>Cyperaceae</i>   | <i>Schoenus</i>       | <i>apogon</i>                   | Common Bog Rush        | N      |
| 9         | Graminoid   | <i>Juncaceae</i>    | <i>Juncus</i>         | <i>usitatus</i>                 | Common Rush            | N      |
| 10        | Graminoid   | <i>Juncaceae</i>    | <i>Juncus</i>         | <i>articulatus</i>              | Jointed Rush           | E      |
| 11        | Graminoid   | <i>Lomandraceae</i> | <i>Lomandra</i>       | <i>longifolia</i>               | Spiny-headed Mat-rush  | N      |
| 12        | Grass       | <i>Poaceae</i>      | <i>Anthoxanthum</i>   | <i>odoratum</i>                 | Sweet Vernal Grass     | E      |
| 13        | Grass       | <i>Poaceae</i>      | <i>Avena</i>          | <i>barbata</i>                  | Bearded Oats           | E      |
| 14        | Grass       | <i>Poaceae</i>      | <i>Bothriochloa</i>   | <i>macra</i>                    | Redgrass               | N      |
| 15        | Grass       | <i>Poaceae</i>      | <i>Bromus</i>         | <i>catharticus</i>              | Prairie Grass          | E      |
| 16        | Grass       | <i>Poaceae</i>      | <i>Chloris</i>        | <i>truncata</i>                 | Windmill Grass         | N      |
| 17        | Grass       | <i>Poaceae</i>      | <i>Cynodon</i>        | <i>dactylon</i>                 | Couch                  | N      |
| 18        | Grass       | <i>Poaceae</i>      | <i>Dactylis</i>       | <i>glomerata</i>                | Cocksfoot              | E      |
| 19        | Grass       | <i>Poaceae</i>      | <i>Dichanthium</i>    | <i>sericeum subsp. sericeum</i> | Queensland Bluegrass   | N      |
| 20        | Grass       | <i>Poaceae</i>      | <i>Eleusine</i>       | <i>tristachya</i>               | Goose Grass            | E      |
| 21        | Grass       | <i>Poaceae</i>      | <i>Eragrostis</i>     | <i>leptostachya</i>             | Paddock Lovegrass      | N      |
| 22        | Grass       | <i>Poaceae</i>      | <i>Eulalia</i>        | <i>aurea</i>                    | Silky Browntop         | N      |
| 23        | Grass       | <i>Poaceae</i>      | <i>Festuca</i>        | <i>arundinacea</i>              | Tall Fescue            | E      |
| 24        | Grass       | <i>Poaceae</i>      | <i>Hemarthria</i>     | <i>uncinata var. uncinata</i>   | Mat Grass              | N      |
| 25        | Grass       | <i>Poaceae</i>      | <i>Holcus</i>         | <i>lanatus</i>                  | Yorkshire Fog          | E      |
| 26        | Grass       | <i>Poaceae</i>      | <i>Imperata</i>       | <i>cylindrica</i>               | Blady Grass            | N      |
| 27        | Grass       | <i>Poaceae</i>      | <i>Lachnagrostis</i>  | <i>filiformis</i>               | Blown Grass            | N      |
| 28        | Grass       | <i>Poaceae</i>      | <i>Lolium</i>         | <i>rigidum</i>                  | Wimmera Rye Grass      | E      |
| 29        | Grass       | <i>Poaceae</i>      | <i>Panicum</i>        | <i>capillare</i>                | Witchgrass             | E      |
| 30        | Grass       | <i>Poaceae</i>      | <i>Paspalum</i>       | <i>dilatatum</i>                | Paspalum               | E      |
| 31        | Grass       | <i>Poaceae</i>      | <i>Paspalum</i>       | <i>distichum</i>                | Water Couch            | N      |
| 32        | Grass       | <i>Poaceae</i>      | <i>Pennisetum</i>     | <i>alopecuroides</i>            | Swamp Foxtail          | N      |

| Species # | Growth Form | Family        | Genera         | Species                    | Common Name                     | Status |
|-----------|-------------|---------------|----------------|----------------------------|---------------------------------|--------|
| 33        | Grass       | Poaceae       | Phalaris       | aquatica                   | Phalaris                        | E      |
| 34        | Grass       | Poaceae       | Poa            | sieberiana var. sieberiana | Snow Grass                      | N      |
| 35        | Grass       | Poaceae       | Polypogon      | monspeliensis              | Annual Beard Grass              | E      |
| 36        | Grass       | Poaceae       | Rytidosperma   | caespitosum                | Ringed Wallaby Grass            | N      |
| 37        | Grass       | Poaceae       | Setaria        | parviflora                 | Slender Pigeon Grass            | E      |
| 38        | Grass       | Poaceae       | Sorghum        | leiocladum                 | Wild Sorghum                    | N      |
| 39        | Grass       | Poaceae       | Sporobolus     | creber                     | Slender Rat's Tailed Grass      | N      |
| 40        | Grass       | Poaceae       | Sporobolus     | caroli                     | Fairy Grass                     | N      |
| 41        | Grass       | Poaceae       | Themeda        | australis                  | Kangaroo Grass                  | N      |
| 42        | Grass       | Poaceae       | Vulpia         | myuros                     | Rat's Tail Fescue               | E      |
| 43        | Grass       | Poaceae       | Vulpia         | bromoides                  | Squirrel Tail Fescue            | E      |
| 44        | Herb/Forb   | Amaranthaceae | Alternanthera  | nana                       | Hairy Joyweed                   | E      |
| 45        | Herb/Forb   | Apiaceae      | Cyclospermum   | leptophyllum               | Slender Celery                  | E      |
| 46        | Herb/Forb   | Apiaceae      | Daucus         | carota                     | Wild Carrot                     | E      |
| 47        | Herb/Forb   | Apiaceae      | Eryngium       | ovinum                     | Blue Devil                      | N      |
| 48        | Herb/Forb   | Asteraceae    | Ammobium       | alatum                     | Tall Ammobium                   | N      |
| 49        | Herb/Forb   | Asteraceae    | Aster          | subulatus                  | Wild Aster                      | E      |
| 50        | Herb/Forb   | Asteraceae    | Bidens         | pilosa                     | Cobblers Pegs                   | E      |
| 51        | Herb/Forb   | Asteraceae    | Calotis        | cuneifolia                 | Purple Burr-daisy               | N      |
| 52        | Herb/Forb   | Asteraceae    | Chrysocephalum | apiculatum                 | Yellow Buttons:grey pilose var. | N      |
| 53        | Herb/Forb   | Asteraceae    | Conyza         | bonariensis                | Flaxleaf Fleabane               | E      |
| 54        | Herb/Forb   | Asteraceae    | Conyza         | sumatrensis                | Tall Fleabane                   | E      |
| 55        | Herb/Forb   | Asteraceae    | Euchiton       | sphaericus                 | Common Cudweed                  | N      |
| 56        | Herb/Forb   | Asteraceae    | Gamochaeta     | coarctata                  | Gray Everlasting                | E      |
| 57        | Herb/Forb   | Asteraceae    | Lactuca        | serriola                   | Prickly Lettuce                 | E      |
| 58        | Herb/Forb   | Asteraceae    | Lactuca        | saligna                    | Willow-leaved Lettuce           | E      |
| 59        | Herb/Forb   | Asteraceae    | Microceris     | lanceolata                 | Yam Daisy                       | N      |
| 60        | Herb/Forb   | Asteraceae    | Senecio        | sp.                        | Groundsel                       | ?      |
| 61        | Herb/Forb   | Asteraceae    | Sonchus        | asper                      | Prickly Sowthistle              | E      |
| 62        | Herb/Forb   | Asteraceae    | Taraxacum      | officinale                 | Dandelion                       | E      |
| 63        | Herb/Forb   | Asteraceae    | tolpis         | barbata                    | Yellow Hawkweed                 | E      |
| 64        | Herb/Forb   | Asteraceae    | Vittadinia     | cuneata var. cuneata       | Fuzzweed                        | N      |

| Species # | Growth Form | Family          | Genera       | Species                   | Common Name              | Status |
|-----------|-------------|-----------------|--------------|---------------------------|--------------------------|--------|
| 65        | Herb/Forb   | Brassicaceae    | Lepidium     | bonariense                | Argentine Peppergrass    | E      |
| 66        | Herb/Forb   | Campanulaceae   | Wahlenbergia | luteola                   | Bluebell                 | N      |
| 67        | Herb/Forb   | Caryophyllaceae | Dianthus     | armeria                   | Deptford Pink            | E      |
| 68        | Herb/Forb   | Caryophyllaceae | Paronychia   | brasiliensis              | Brazilian Whitlow        | E      |
| 69        | Herb/Forb   | Caryophyllaceae | Petrorhagia  | nanteuillii               | Proliferous Pink         | E      |
| 70        | Herb/Forb   | Caryophyllaceae | Spergularia  | rubra                     | Red Sand-spurrey         | E      |
| 71        | Herb/Forb   | Crassulaceae    | Crassula     | helmsii                   | Swamp Stonecrop          | N      |
| 72        | Herb/Forb   | Euphorbiaceae   | Chamaesyce   | drummondii                | Caustic Weed             | N      |
| 73        | Herb/Forb   | Faboideae       | Desmodium    | varians                   | Slender Tick-trefoil     | N      |
| 74        | Herb/Forb   | Faboideae       | Medicago     | lupulina                  | Black Medic              | E      |
| 75        | Herb/Forb   | Faboideae       | Trifolium    | repens                    | White Clover             | E      |
| 76        | Herb/Forb   | Faboideae       | Trifolium    | campestre                 | Hop Clover               | E      |
| 77        | Herb/Forb   | Faboideae       | Trifolium    | arvense                   | Haresfoot Clover         | E      |
| 78        | Herb/Forb   | Faboideae       | Vicia        | sativa subsp. nigra       | Narrow-leaved Vetch      | E      |
| 79        | Herb/Forb   | Gentianaceae    | Centaurium   | erythraea                 | Common Centaury          | E      |
| 80        | Herb/Forb   | Geraniaceae     | Geranium     | solanderi                 | Native Geranium          | N      |
| 81        | Herb/Forb   | Haloragaceae    | Haloragis    | heterophylla              | Rough Raspwort           | N      |
| 82        | Herb/Forb   | Malvaceae       | Malva        | neglecta                  | Dwarf Malva              | E      |
| 83        | Herb/Forb   | Onagraceae      | Epilobium    | gunniamum                 | Willow Herb              | N      |
| 84        | Herb/Forb   | Oxalidaceae     | Oxalis       | perennans                 | Wood Sorrel              | N      |
| 85        | Herb/Forb   | Plantaginaceae  | Plantago     | lanceolata                | Plantain, Lamb's Tongues | E      |
| 86        | Herb/Forb   | Polygonaceae    | Acetosella   | vulgaris                  | Sorrel                   | E      |
| 87        | Herb/Forb   | Polygonaceae    | Persicaria   | prostratum                | Creeping Knotweed        | N      |
| 88        | Herb/Forb   | Polygonaceae    | Polygonum    | aviculare                 | Wireweed                 | E      |
| 89        | Herb/Forb   | Polygonaceae    | Rumex        | brownii                   | Swamp Dock               | N      |
| 90        | Herb/Forb   | Polygonaceae    | Rumex        | crispus                   | Curled Dock              | E      |
| 91        | Herb/Forb   | Polygonaceae    | Rumex        | conglomeratus             | Clustered Dock           | E      |
| 92        | Herb/Forb   | Portulacaceae   | Portulaca    | oleracea                  | Pigweed                  | N      |
| 93        | Herb/Forb   | Rosaceae        | Acaena       | novae-zelandiae           | Bidgee-widgee            | N      |
| 94        | Herb/Forb   | Rosaceae        | Acaena       | ovina                     | Acaena                   | N      |
| 95        | Herb/Forb   | Solanaceae      | Solanum      | nigrum                    | Black-berry Nightshade   | E      |
| 96        | Herb/Forb   | Thymeleaceae    | Pimelea      | curviflora var. divergens | Curved Rice Flower       | N      |

| Species # | Growth Form | Family                  | Genera              | Species                                    | Common Name            | Status |
|-----------|-------------|-------------------------|---------------------|--------------------------------------------|------------------------|--------|
| 97        | Herb/Forb   | <i>Verbenaceae</i>      | <i>Verbena</i>      | <i>bonariensis</i>                         | Purple Top             | E      |
| 98        | Macrophyte  | <i>Haloragaceae</i>     | <i>Myriophyllum</i> | <i>verrucosum</i>                          | Red Water-Milfoil      | N      |
| 99        | Macrophyte  | <i>Haloragaceae</i>     | <i>Myriophyllum</i> | <i>variifolium</i>                         | Varied Water Milfoil   | N      |
| 100       | Macrophyte  | <i>Hydrocharitaceae</i> | <i>Vallisneria</i>  | <i>australis</i>                           | Eelweed                | N      |
| 101       | Macrophyte  | <i>Juncaginaceae</i>    | <i>Triglochin</i>   | <i>multifructum</i>                        | Water Ribbons          | N      |
| 102       | Macrophyte  | <i>Potamogetonaceae</i> | <i>Potamogeton</i>  | <i>crispus</i>                             | Curly Pondweed         | N      |
| 103       | Macrophyte  | <i>Poaceae</i>          | <i>Phragmites</i>   | <i>australis</i>                           | Common Reed            | N      |
| 104       | Macrophyte  | <i>Thyphaceae</i>       | <i>Typha</i>        | <i>orientalis</i>                          | Broadleaf Cumbungi     | N      |
| 105       | Shrub       | <i>Malaceae</i>         | <i>Crataegus</i>    | <i>monogyna</i>                            | Hawthorn               | E      |
| 106       | Shrub       | <i>Malaceae</i>         | <i>Pyracantha</i>   | <i>angustifolia</i>                        | Orange Firethorn       | E      |
| 107       | Shrub       | <i>Myrtaceae</i>        | <i>Leptospermum</i> | <i>polygalifolium subsp. transmontanum</i> | Tantoon                | N      |
| 108       | Shrub       | <i>Oleaceae</i>         | <i>Ligustrum</i>    | <i>lucidum</i>                             | Large-leaved Privet    | E      |
| 109       | Shrub       | <i>Rosaceae</i>         | <i>Rosa</i>         | <i>rubiginosa</i>                          | Sweet Briar            | E      |
| 110       | Shrub       | <i>Rosaceae</i>         | <i>Rubus</i>        | <i>anglocandicans</i>                      | Blackberry             | E      |
| 111       | Shrub       | <i>Rosaceae</i>         | <i>Rubus</i>        | <i>parvifolius</i>                         | Native Raspberry       | N      |
| 112       | Shrub       | <i>Faboideae</i>        | <i>Lespedeza</i>    | <i>junceae</i>                             | Bush Clover            | N      |
| 113       | Shrub       | <i>Rubiaceae</i>        | <i>Asperula</i>     | <i>conferta</i>                            | Common Woodruff        | N      |
| 114       | Tree        | <i>Myrtaceae</i>        | <i>Eucalyptus</i>   | <i>nova-anglica</i>                        | New England Peppermint | N      |
| 115       | Tree        | <i>Myrtaceae</i>        | <i>Eucalyptus</i>   | <i>viminialis</i>                          | Manna Gum              | N      |
| 116       | Tree        | <i>Myrtaceae</i>        | <i>Eucalyptus</i>   | <i>pauciflora</i>                          | Snow Gum               | N      |
| 117       | Tree        | <i>Salicaceae</i>       | <i>Populus</i>      | <i>nigra</i>                               | Poplar                 | E      |
| 118       | Tree        | <i>Salicaceae</i>       | <i>Salix</i>        | <i>fragilis</i>                            | Crack Willow           | E      |



# Appendix F : AHIMS Search Results



Office of  
Environment  
& Heritage

## AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : Earth Funerals

Client Service ID : 353566

Eco Logical Australia Pty Ltd Armidale

Date: 27 June 2018

92 Taylor St

Armidale New South Wales 2350

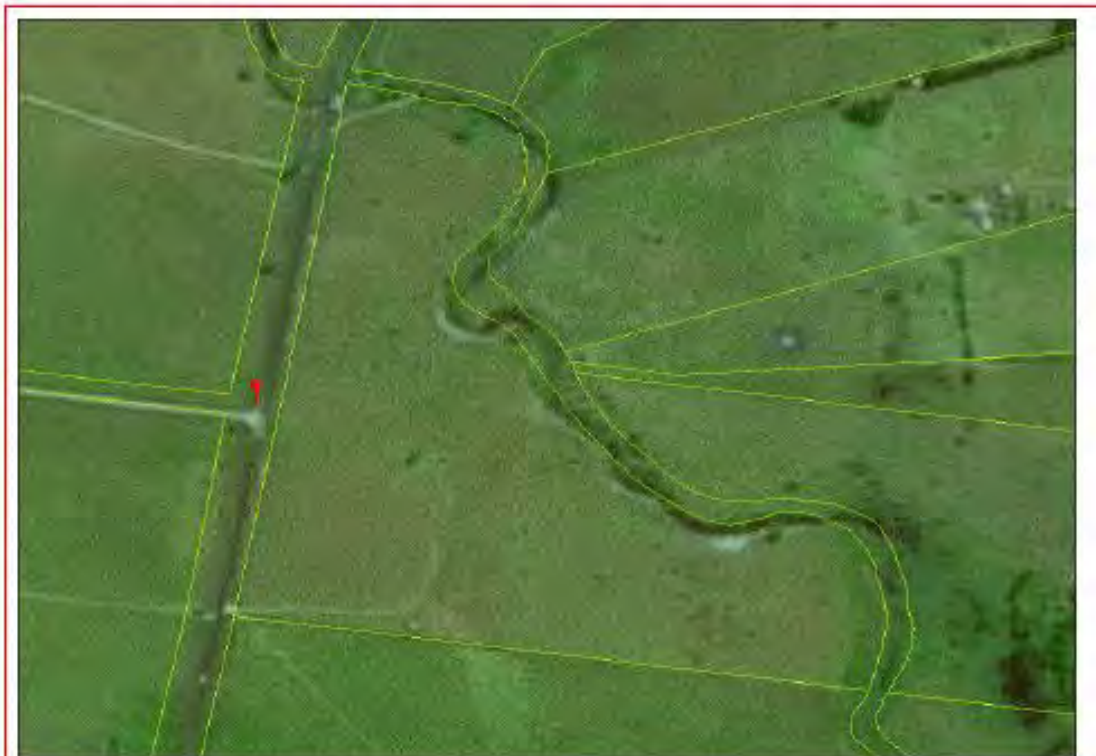
Attention: Linden Burch

Email: lindenb@ecoaus.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 97, DP:DP755811 with a Buffer of 50 meters, conducted by Linden Burch on 27 June 2018.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

|   |                                                                       |
|---|-----------------------------------------------------------------------|
| 0 | Aboriginal sites are recorded in or near the above location.          |
| 0 | Aboriginal places have been declared in or near the above location. * |

# Appendix G : Traffic Count Reports for Dumaresq Road provided by USC

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-2 -- English (ENA)

#### Datasets:

Site: [80616] DUMERESQ ROAD NORTHERN END NEAR BRIDGE  
 Direction: 7 - North bound A>B, South bound B>A. Lane: 0  
 Survey Duration: 11:00 Thursday, 9 June 2016 => 9:40 Thursday, 23 June 2016  
 Zone:  
 File: DUMERESQ RD NORTHERN END NEAR BRIDGE.ECO (Plus)  
 Identifier: J2643KS7 MC55-3 [MC50] (c)Microcom 11/02/99  
 Algorithm: Factory default (v3.21 - 15315)  
 Data type: Axle sensors - Paired (Class/Speed/Count)

#### Profile:

Filter time: 11:00 Thursday, 9 June 2016 => 9:40 Thursday, 23 June 2016  
 Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12  
 Speed range: 10 - 160 km/h.  
 Direction: North, East, South, West (bound)  
 Separation: All - (Headway)  
 Name: Default Profile  
 Scheme: Vehicle classification (AustRoads94)  
 Units: Metric (meter, kilometer, m/s, km/h, kg, tonne)  
 In profile: Vehicles = 5888 / 5889 (99.98%)

#### \* Virtual Day - Total=423, 15 minute drops

|    | 0000 | 0100 | 0200 | 0300 | 0400 | 0500 | 0600 | 0700 | 0800 | 0900 | 1000 | 1100 | 1200 | 1300 | 1400 | 1500 | 1600 | 1700 | 1800 | 1900 |
|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
|    | 2000 | 2100 | 2200 | 2300 |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|    | 1    | 1    | 0    | 1    | 0    | 3    | 7    | 30   | 44   | 28   | 21   | 24   | 25   | 25   | 25   | 38   | 46   | 46   | 24   |      |
| 12 | 8    | 7    | 4    | 3    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 7    | 10   | 7    | 5    | 5    | 6    | 7    | 8    | 8    | 10   | 13   | 8    |
| 3  | 2    | 1    | 2    | 1    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 2    | 6    | 13   | 7    | 6    | 6    | 6    | 6    | 5    | 8    | 12   | 13   | 6    |
| 3  | 2    | 3    | 1    | 1    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|    | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 2    | 7    | 12   | 8    | 5    | 6    | 7    | 7    | 6    | 10   | 10   | 11   | 5    |
| 3  | 2    | 2    | 1    | 1    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|    | 1    | 0    | 0    | 0    | 0    | 0    | 1    | 2    | 10   | 10   | 7    | 5    | 6    | 7    | 5    | 6    | 12   | 14   | 9    | 4    |
| 3  | 2    | 1    | 1    | 0    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |

AM Peak 0745 - 0845 (44), AM PHF=0.83 PM Peak 1645 - 1745 (51), PM PHF=0.93

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-3 – English (ENA)

#### Datasets:

**Site:** [08616] DUMERESQ ROAD BETWEEN MUNDAYS LANE AND BARBATOS  
**CORNER**  
**Direction:** 1 - North bound, A hit first, Lane: 0  
**Survey Duration:** 11:00 Thursday, 9 June 2016 => 10:02 Thursday, 23 June 2016  
**Zone:**  
**File:** DUMREESQ ROAD BETWEEN MUNDAYS LANE AND BARBATOS  
**CORNER.ECO (Plus)**  
**Identifier:** FF0778WQ MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default (v3.21 - 15315)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 11:00 Thursday, 9 June 2016 => 10:02 Thursday, 23 June 2016  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12  
**Speed range:** 10 - 160 km/h.  
**Direction:** North, East, South, West (bound)  
**Separation:** All - (Headway)  
**Name:** Default Profile  
**Scheme:** Vehicle classification (AustRoads94)  
**Units:** Metric (meter, kilometer, m/s, km/h, kg, tonne)  
**In profile:** Vehicles = 5039 / 5050 (99.78%)

#### \* Virtual Day - Total=362, 15 minute drops

|   | 0000 | 0100 | 0200 | 0300 | 0400 | 0500 | 0600 | 0700 | 0800 | 0900 | 1000 | 1100 | 1200 | 1300 | 1400 | 1500 | 1600 | 1700 | 1800 | 1900 |
|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
|   | 2000 | 2100 | 2200 | 2300 |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|   | 0    | 0    | 0    | 0    | 0    | 0    | 3    | 7    | 25   | 40   | 22   | 22   | 21   | 21   | 23   | 23   | 32   | 37   | 37   | 19   |
| 9 | 6    | 6    | 6    | 4    | 2    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 0 | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 1    | 5    | 9    | 5    | 6    | 4    | 5    | 7    | 7    | 6    | 8    | 10   | 7    |
| 3 | 1    | 1    | 1    | 1    | 1    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 0 | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 2    | 6    | 13   | 6    | 6    | 5    | 5    | 6    | 5    | 7    | 9    | 11   | 5    |
| 2 | 2    | 3    | 3    | 1    | 1    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 0 | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 2    | 6    | 10   | 5    | 5    | 5    | 6    | 6    | 9    | 10   | 9    | 4    |      |
| 3 | 1    | 2    | 1    | 0    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 0 | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 3    | 8    | 8    | 6    | 6    | 6    | 5    | 5    | 6    | 11   | 10   | 7    | 3    |
| 2 | 1    | 1    | 1    | 0    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |

AM Peak 0800 - 0900 (40), AM PHF=0.78 PM Peak 1630 - 1730 (41), PM PHF=0.95

Numbers have been rounded to the nearest integer.





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1300 646 131  
[www.ecoaus.com.au](http://www.ecoaus.com.au)

## Hydrogeological assessment

TO Kevin Hartley (Starfish Enterprises Network Limited)

COPIED Robert Cawley (ELA)

FROM Richard Cresswell & Rizwana Rumman

DATE 2 March 2019

SUBJECT **Hydrological and hydrogeological assessment of the proposed natural burial ground on Lot 97 DP755811, 192 Dumaresq Road, Saumarez Ponds**

## This assessment

Starfish Enterprises Network Limited has proposed to use 1.53 ha of Banded Bee Farm as a Natural Burial Ground for the burial of deceased persons as well as for native tree planting for ecosystem rehabilitation. Eco Logical Australia (ELA) has been engaged by Starfish Enterprises Network Limited to investigate potential hydrogeological impacts at the project site for the proposed development (the Site).

The objective of this assessment is to undertake a desktop hydrology and hydrogeological assessment to assess the potential impacts associated with the proposed development activities. This includes potential impacts on the natural groundwater and surface water systems within the region, as well as existing groundwater users and receptors (including groundwater dependent ecosystems; GDEs). This report presents a summary of findings from the installation of an on-site test bore and monitoring well, as well as publicly-available hydrogeological information, including available groundwater level data within the region and suggests potential impacts/mitigation measures relevant to the proposed development activities.

This document provides:

- A summary of the physical settings (i.e., existing geology, topography and rainfall pattern across the Site and the adjoining landscape)
- Digital classification of the watercourses using the Strahler Stream Order
- Data from a test bore and monitoring well installed at the proposed site
- Publicly available groundwater information around the Site
- Potential groundwater dependent ecosystems around the Site
- Site conceptual models
- Potential hydrogeological impact assessment and mitigation measures

This advice reflects our opinion on the impacts occurring due to the proposed development and has drawn on references cited throughout this review.

# Physical setting

## Project location

The proposed development is located within the northern paddocks of the Banded Bee Farm: Lot 97 in DP 755811 (192 Dumaresq Road, Saumarez Ponds, NSW 2350). The Farm is bounded to the west by Dumaresq Rd, to the north and east by Saumarez Creek and to the south by a shared fence line with the neighbouring property (**Figure 1**). The proposed burial ground site has a total area of 1.53 ha with the only built structures being the fences surrounding the western, northern and southern borders, and preliminary rehabilitation plantings undertaken by the existing landholders (ELA 2018).

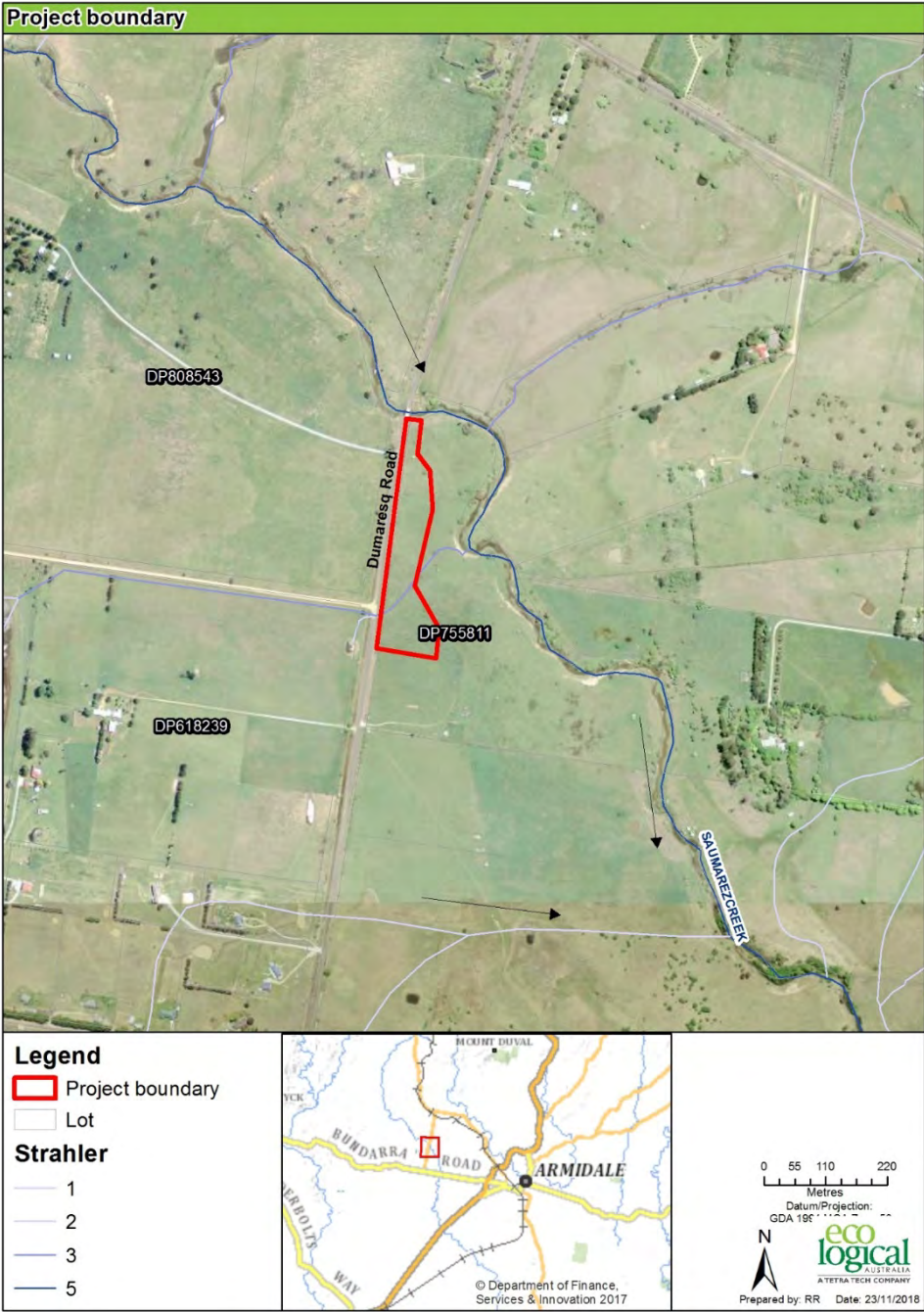
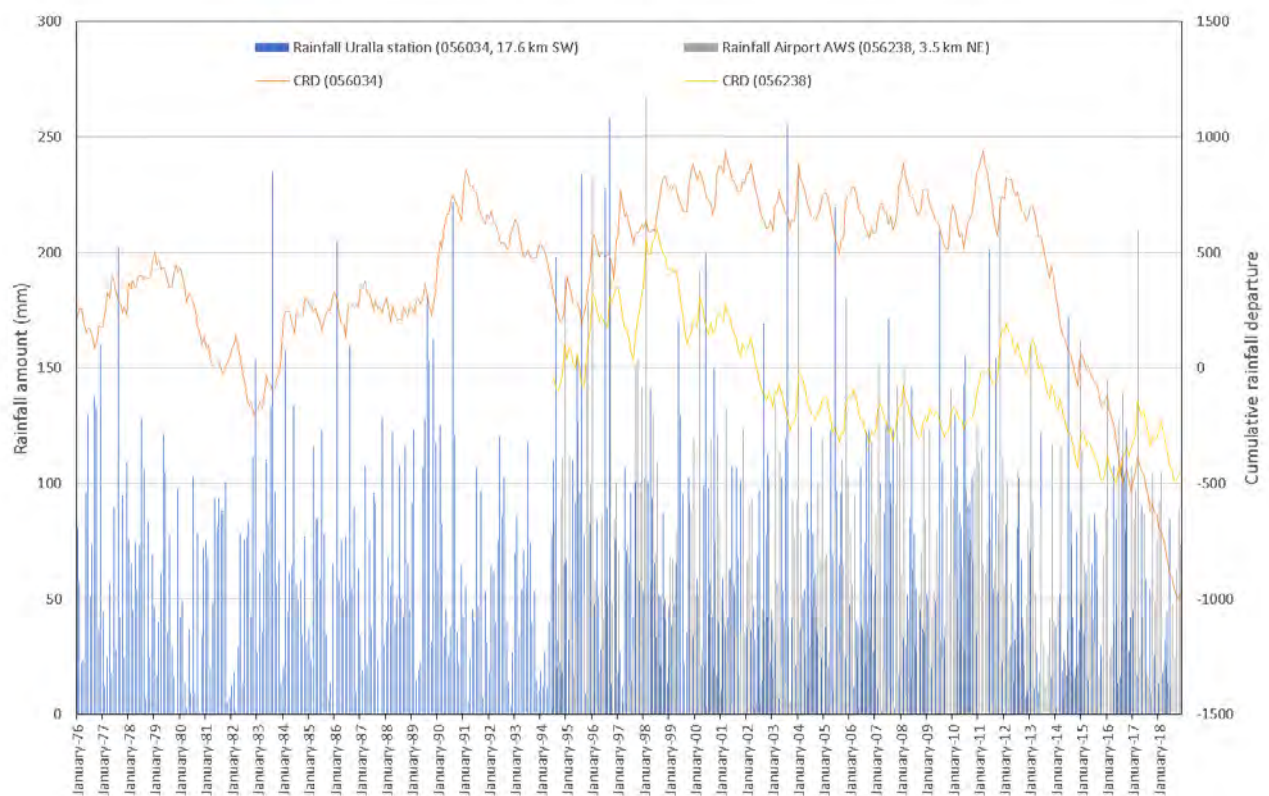


Figure 1: Proposed development location

## Climate

The Site experiences a warm, sub-tropical climate. Average annual rainfall is 770 mm (1994-2018 data from Bureau of Meteorology Armidale Airport AWS station, located approximately 3.5 km northeast of the project Site, station no: 056238, elevation 1079 mAH). The relatively short (14 year) rainfall record at the closest weather station (Armidale Airport) is augmented by a longer record at Uralla, 17 km south-west of the site (mean annual rainfall 794 mm). Apart from the last 5 years, the area has experienced relatively uniform conditions (horizontal trends in the rainfall cumulative departure charts in ). The last few years have seen a drying trend (downward slope on the rainfall departure charts), though wet periods are seen from the upward trending curves for 1983-1984, 1990 and 1998, while 1980-1983, 1991-1993 and 1999-2003 were locally drier than average.



**Figure 2: Rainfall pattern and cumulative rainfall departure (1994-2018) at Armidale Airport AWS station (station no: 056238) and Uralla Station (station no. 056034).**



## Topography

The site is situated adjacent to the Saumarez Creek drainage line, in the valley formed by the creek bounded by the mountain ranges of Mt Yarrowyck Nature Reserve, approximately 18 km to the west, and Duval Nature Reserve, approximately 8 km to the east.

Topographic data sourced from the Geoscience Australia Elevation Information System (ELVIS) indicates the ground elevation at the site is approximately 1038 metres above Australian Height Datum (mAHD). The ground surface at the site and immediate area can be described as generally flat. Outside of this area (on a regional scale), however, ground elevation increases to approximately 1133 mAHD approximately 3 kilometres to the west and to 1145 mAHD in the east approximately 1.5 km from the site (**Figure 3**).

## Drainage and waterways

The project Site falls within the Macleay River CMA region. The closest main watercourse is the Saumarez Creek (a 5<sup>th</sup> order watercourse) touching the north boundary of the project Site (**Figure 4**). Saumarez Creek is an ephemeral creek which generally flows in a south-easterly direction towards its junction with Salisbury Waters (ELA 2018).

An unnamed 3<sup>rd</sup> order tributary to the Saumarez Creek crosses the site from west to east boundary. Flows from this tributary are substantially interrupted by the storm water drains either side of Dumaresq Road, though water flows can occur in extreme rain events.

## Flooding assessment

No numerical flood/drainage modelling was undertaken as part of this desktop assessment.

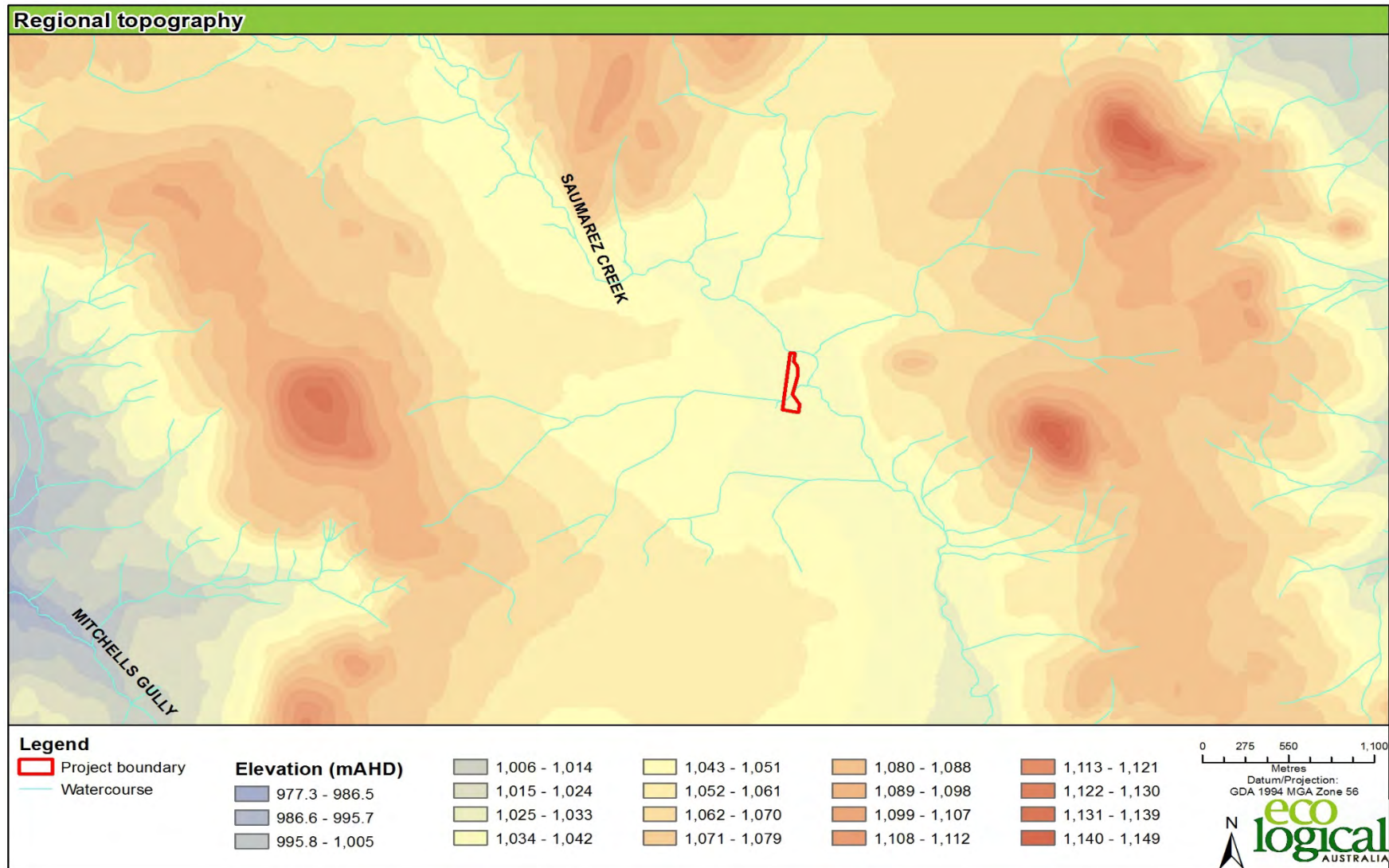
Rainfall is generally highest between December and March with occasional months exceeding 200 mm. Greatest risk for flooding is therefore expected to be during the summer months at and on adjacent areas to the Site.

A 1% Annual Exceedance Probability, AEP (1 in 100-year Annual Recurrence Interval, ARI) flood estimate has previously been determined for the construction of the bridge at the Armidale/Uralla boundary on Dumaresq Road by Uralla Shire Council, which includes the area under consideration for the burial site (**Figure 5**).

EcoGeoSpatial undertook flow line assessment using LidAR data across the site and Other Architects (Sydney) incorporated this into site design with 10m buffers constraining burial areas (**Figure 5**).

The proposed development has been designed to be fully accommodated above the 1% AEP (1 in 100-year ARI) flood contour (ELA 2018).





**Figure 3: Regional topography**

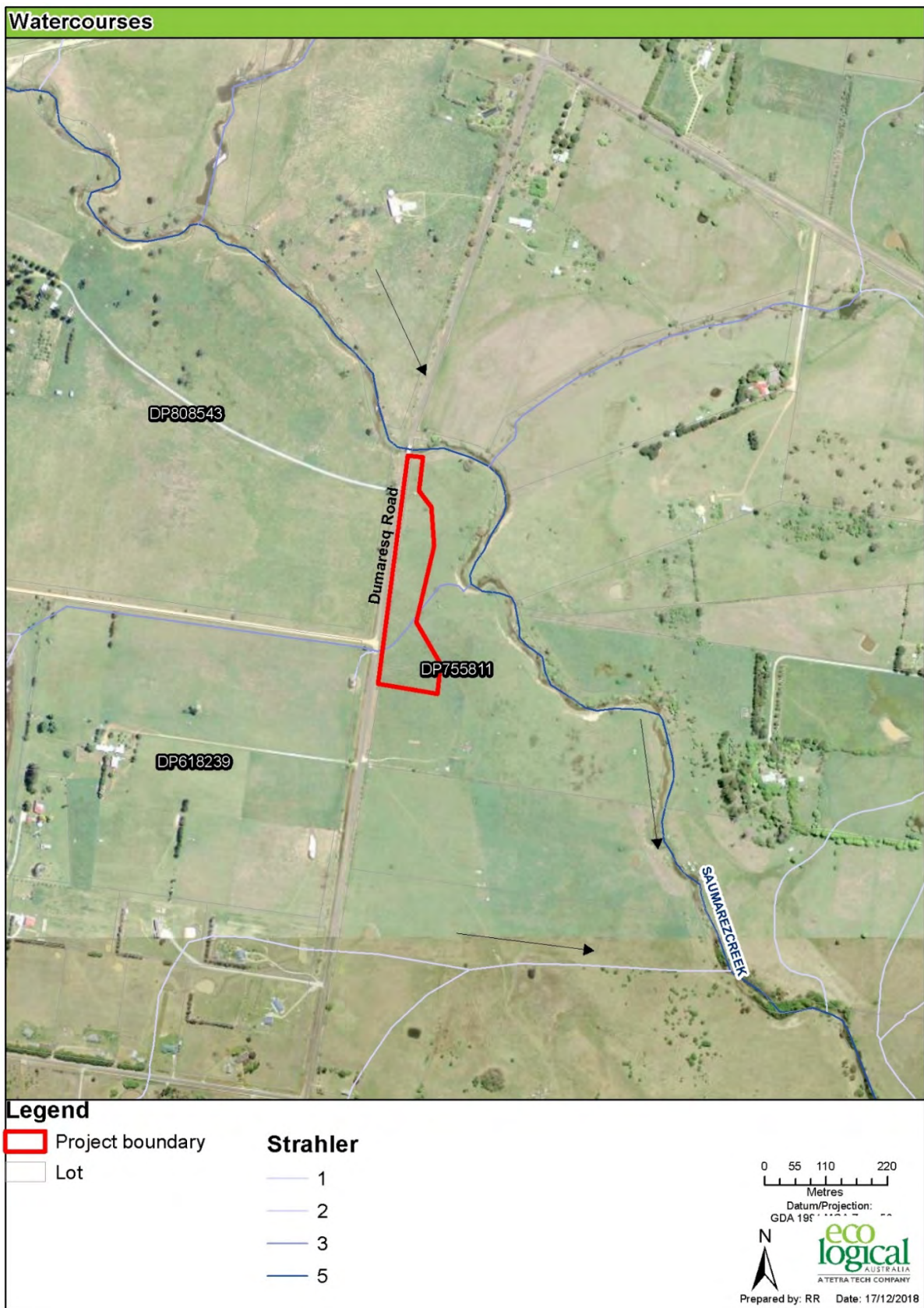


Figure 4: Watercourses at the project site



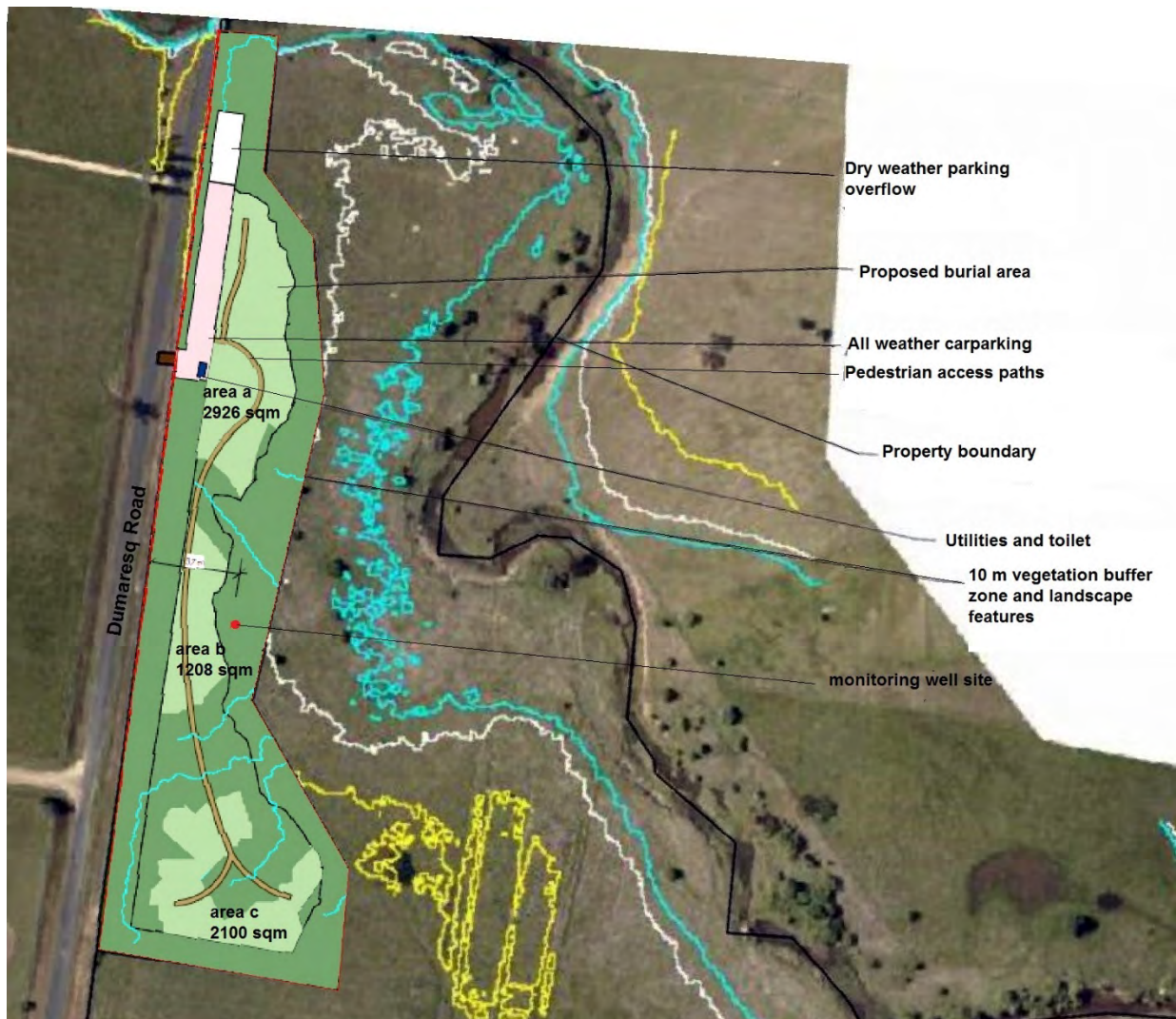


Figure 5: Indicative layout map showing 1% AEP flood contours (yellow lines) and drainage flow lines and buffers within the burial sites (figure provided by Kevin Hartley, Other Architects, ELA 2018/19)

## Geology

The New South Wales 1:500,000 Seamless Geology dataset (Colquhoun *et al.* 2018) indicates that the site is located within the NSW region of the New England Orogen (**Figure 6**). The regional geology at the site area consists of lithic (meta-)wacke, slate, phyllite, chert, jasper, amphibolite, metabasalt; greywacke, sandstone, siltstone, mudstone and para-conglomerate rocks of the Sandon Association unit (Colquhoun *et al.* 2018).

The Sandon Association unit of the New England Orogen is overlain by Central Province Volcanics (alkaline red basalts) of the Cenozoic Igneous Province, located mainly in the higher elevation areas west and east of the Site. Within the valley, this unit is locally overlain by alluvial deposits/ Cenozoic marine deposits/ undifferentiated regolith deposits associated with Saumarez Creek.

**Figure 6** presents a map of the regional sub-surface geology of the site and surrounding areas.

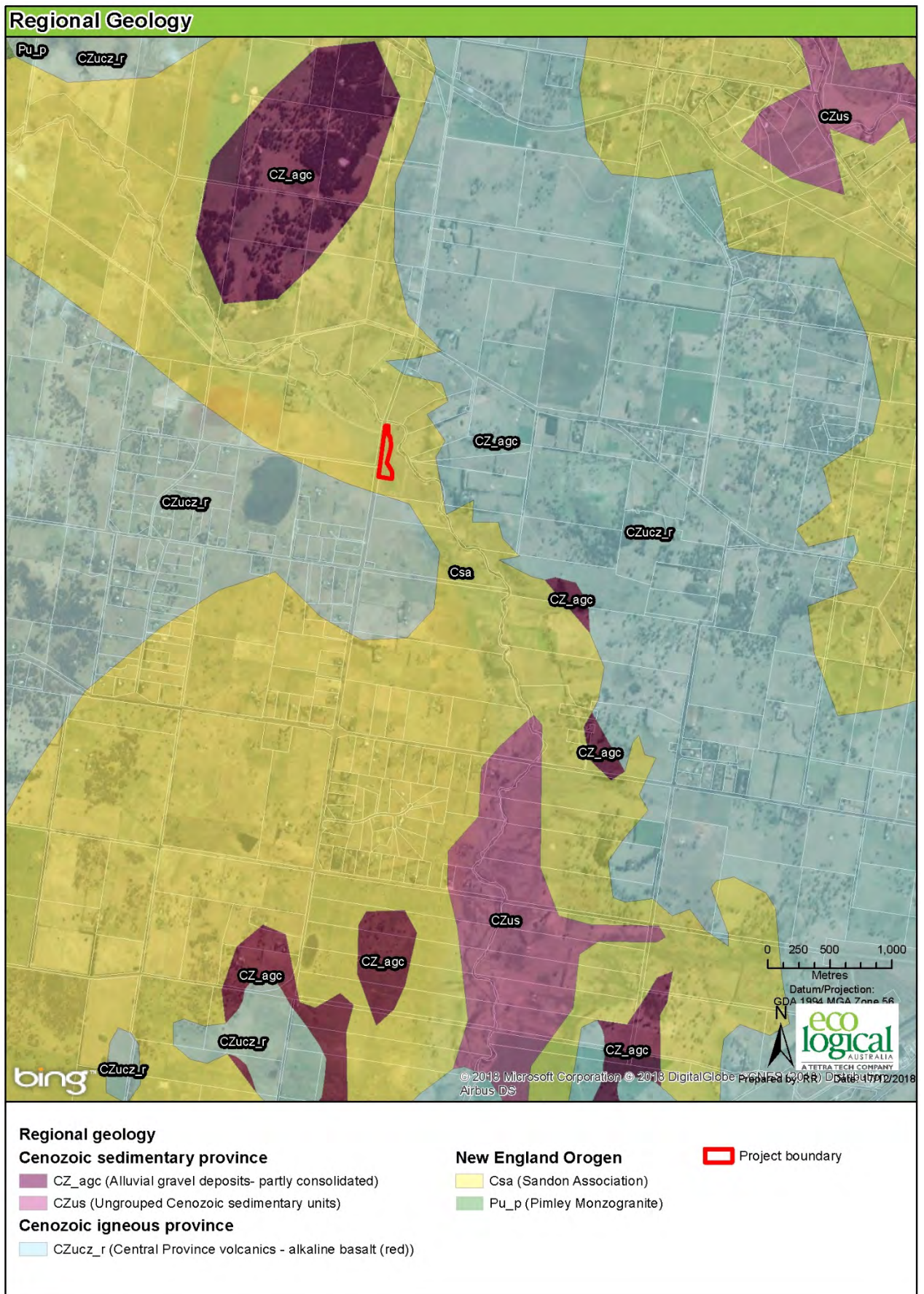
## Hydrogeology

The hydrogeological setting for the site area has been based on the information from the NSW Office of Water's (NoW) PINNEENA Groundwater database and the "*Water Sharing Plan for the North Coast Fractured and Porous Rock Groundwater Sources: Background document*" (DPI Water 2016).

The Site falls within the New England Fold Belt Coast groundwater management zone. The fractured rock aquifer of the New England Fold Belt Coast Groundwater Source is likely to be the most significant groundwater resource beneath the Site and surrounding area. Groundwater is also likely to be intermittently present, however, within any alluvial deposits associated with Saumarez Creek.

The New England Fold Belt Coast Groundwater Source is located on the mid-north coast of NSW. It is the southern coastal section of a folded and fractured aquifer known as the New England Fold Belt, which extends from Port Stephens in the south to the NSW–QLD border in the north and east of Moree. Groundwater yields are typically low (~ 1 L/s), however yields up to 10 L/s may be obtained from highly fractured fault systems. Groundwater is typically recharged by direct rainfall infiltration. This combined with the minimal degree of mineral leaching that has occurred over time, generally results in good quality water (DPI Water, 2016).





**Figure 6: Regional Sub-surface Geology**

## Registered bores and standing water levels

All registered groundwater bores within a 5 km buffer of the project Site from the BoM groundwater explorer (retrieved from: <http://www.bom.gov.au/water/groundwater/explorer/map.shtml>) in Macleay River catchment and Gwydir River catchment located within the 5 km buffer east of the project Site) are shown in **Figure 7**.

**Figure 7** also shows standing water level (SWL – metres below top of casing) data available from a bore census for the nearby bores of Banded Bee Farm (Kevin Hartley, *pers. comm.* 2018). 12 bores were identified within a 1 km buffer of the Site (*inset in Figure 7*), with depths to first Water Bearing Zone (WBZ) ranging from 8.2 m to 35.4 m with an average bore depth of 20.97 m. All are registered for water supply/ domestic use. Eight (8) bores had known SWLs from the bore census data (**Table 1**).

**Table 1: Registered bore details (with WBZ and SWL data where available) within 1 km of the Site**

| Bore no | Hydro Code   | Bore Depth (m) | Status  | Drilled Date | Latitude | Longitude | First WBZ (mbToC) | Final WBZ (mbToC) | SWL (mbToC) |
|---------|--------------|----------------|---------|--------------|----------|-----------|-------------------|-------------------|-------------|
| 1       | GW064248.1.1 | 26             | Unknown | 1/11/1987    | -30.4898 | 151.5803  | 12                | 22                | 12          |
| 2       | GW046733.1.1 | 61             | Unknown | 1/09/1977    | -30.4909 | 151.5667  | -                 | -                 | -           |
| 3       | GW064617.1.1 | 22.8           | Unknown | 1/10/1987    | -30.4884 | 151.5825  | 18                | 19                | 8           |
| 4       | GW304476.1.1 | 45             | Unknown | 9/02/1982    | -30.4964 | 151.5685  | -                 | -                 | 3           |
| 5       | GW300481.1.1 | 34             | Unknown | 15/11/1991   | -30.4866 | 151.5788  | 34                | 34                | 13          |
| 6       | GW306550.1.1 | 35             | In Use  | 26/09/2008   | -30.4871 | 151.5825  | 15                | 35                | 15          |
| 7       | GW048504.1.1 | 52.4           | Unknown | 1/03/1978    | -30.4798 | 151.5747  | 19.2              | 39.6              | -           |
| 8       | GW059696.1.1 | 14             | Unknown | 1/05/1982    | -30.4962 | 151.5678  | 8.2               | 12.2              | 2.1         |
| 9       | GW058253.1.1 | 28             | Unknown | 1/08/1983    | -30.4848 | 151.5781  | 10                | 17                | -           |
| 10      | GW968772.1.1 | 39.62          | In Use  | 24/05/1995   | -30.4947 | 151.5661  | 35.36             | 36.27             | 21.34       |
| 11      | GW969218.1.1 | 30.48          | In Use  | 1/06/1979    | -30.4800 | 151.5744  | -                 | -                 | -           |
| 12      | GW970000.1.1 | 43             | In Use  | 4/04/2011    | -30.4944 | 151.5710  | 37                | 42                | 3           |

\*missing values indicates data not available

Recorded bore depths suggest groundwater extraction from either a shallow (>1030 mAHD) or a deeper (<1030 mAHD) aquifer likely reflecting sourcing from the Central Province Volcanics or the New England Fractured Rock groundwater sources, respectively. Without bore logs and construction details, however, this must be considered speculative.

The lack of groundwater information at the site has been addressed by installation of a shallow (10m) test bore on 13 January 2019. The location of the newly installed test bore is shown on **Figure 5** and **Figure 7**. The test bore encountered water from 7.2 m below ground with a thickness of the water bearing zone of 0.8 m (estimated yield >1 L/s) and the standing water level of ~6 m. Monitoring is being continued to assess any seasonal effects. Water level has not changed since installation. Construction details and the geotechnical soil profile log of the test bore is attached in **Appendix A**.



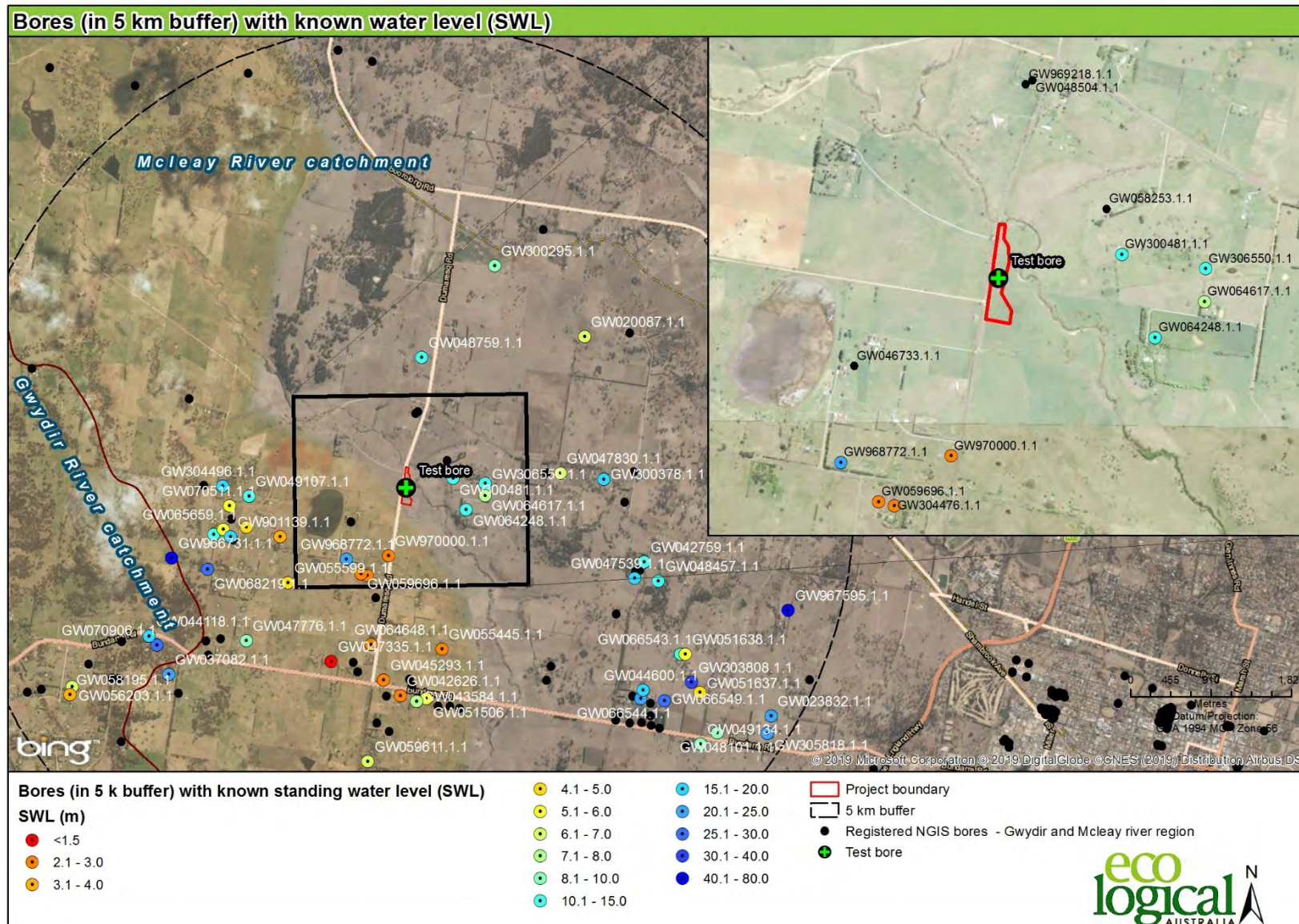


Figure 7: Registered groundwater bores within 5 km of the site (inset: bores within 1 km of the site)

### Groundwater dependent ecosystems

A high-level desktop review for potential terrestrial and aquatic groundwater dependent ecosystems (GDEs) was undertaken within the site area using the available mapped GDE information from the BoM National GDE Atlas (<http://www.bom.gov.au/water/groundwater/gde/>) for Macleay and Gwydir river region.

The NSW Water Management Act 2000 classes GDEs as “high”, “moderate” or “low” priority in terms of ecological value and, therefore, the priority for management action. No high or moderate potential aquatic/terrestrial GDEs were identified within 1.5 km of the project Site. The following low potential GDEs were identified within the 1.5 km buffer:

- New England Peppermint
- Snow Gum – Mountain/Manna Gum

**Figure 8** presents the locations of the GDEs above in relation to the site area.



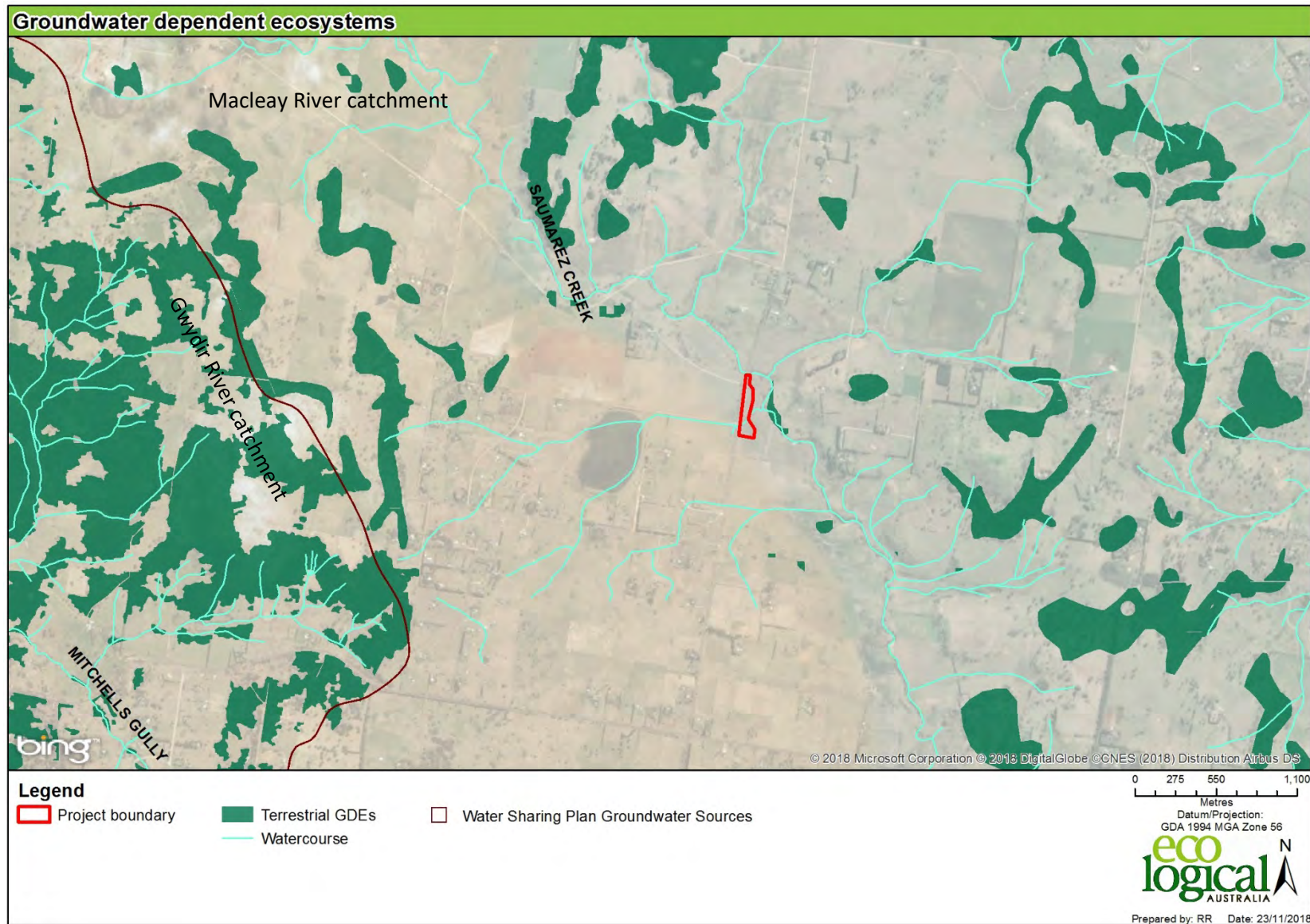


Figure 8: Groundwater dependent ecosystems around the project Site

## Site conceptualisation

A site conceptual model has been developed based on data presented in **Figure 9** and using the available topography, geology and registered bore information presented in the previous sections.

Water level data at each nearby bore has been extrapolated to a cross-section line taking consideration of changes in topography between the bore and the section. This allows an extrapolation of potential water tables beneath the Site.

Whilst exact stratigraphic geometry is not possible at the site due to the lack of bore log information, a simplification of the hydrogeology is presented, with shallow Central Coast Volcanics overlying the Fractured Rock of the New England Fold Belt.

Groundwater standing water levels (SWL) broadly follows the lie of the land, sloping from higher to lower topography (**Figure 9**). This trend is confirmed at the test bore where a depth to water table of ~6 m is consistent with the inferred water level extrapolated from the cross-section profile.

Shallower water tables seen at GW059696 and GW304476 are at bores more than 700 m from the section and from bores constructed in 1982, just prior to a wet phase in the climate record (**Figure 2**). Whilst GW059696 is a shallow bore (total depth = 14m), GW304476 is deep (TD = 45m), suggesting good connectivity between the shallow and deep formations.

A series of five test pits were excavated within the Site using a 5.5 tonne excavator (see Appendix C, Site Data Compilation, ELA 2018). Approximately 453 mm of rainfall occurred in the 6 months prior to the shallow surface evaluation in June 2017 (ELA 2018). Excavations revealed consistently uniform, alluvial soils, and there was no indication of active permanent or ephemeral water storage or flow in any of the five excavation pits (maximum excavation depth was 2600 mm).

The test bore constructed within the project boundary also did not encounter existence of perched aquifers but found consistently uniform heavy clay soil up to 7.2 m below ground (see bore log in **Appendix A**).

The conceptual model for the site thus suggests the following:

- Local aquifers are likely recharged via rainfall from higher elevation areas surrounding the site falling away from the valley, with local rainfall producing surface water runoff draining towards the valley. Recharge to the shallow aquifer may respond to major rainfall events.
- Recharge to the deeper fractured rock aquifer of the New England Fold Belt may occur further afield, though a possible pathway is assumed to occur through stream bed leakage along the Suamarez Creek.
- The local alluvial sediments comprise a thick (5-10m) clay overlying gravels and sands that form a local aquifer.
- Inferred standing water levels in the valley based on the topography and bore census data, coupled with data from the test bore, suggests that the SWL in the alluvials within and adjacent to the project Site remains >5m below the ground at all times.



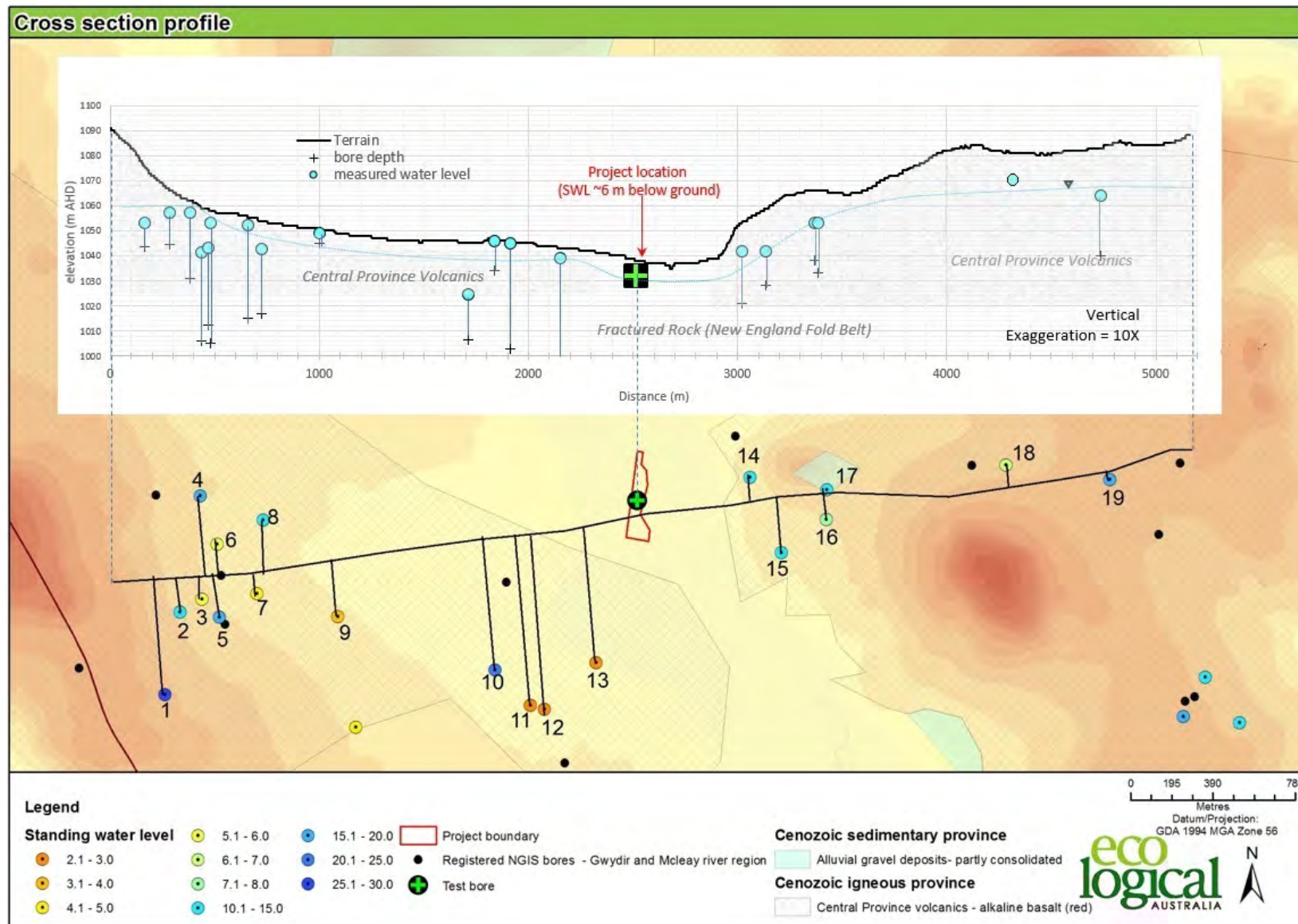


Figure 9: Conceptualisation profile data and standing water levels in local bores

## Hydrogeological Impact Assessment

A preliminary hydrogeological impact assessment has been undertaken following the desktop review and is summarised below. It should be noted that the assessment is qualitative only and is based on information and data derived from the on-site test bore, available public data records and information acquired during the desktop review.

### *Risk: Potential groundwater contamination due to shallow groundwater and/or increased recharge*

Potential groundwater contamination may occur due to water entering the shallow water table from the grave sites. Surface water flow or sheet flow during a high rainfall event can increase recharge to shallow perched groundwater sources. Increased recharge is likely to result in localised water-level rise and has the potential to enter grave sites which can create groundwater contamination issues.

### *Impact assessment*

The soil excavation revealed uniform, clay-rich, alluvial soils with no rock formations up to about 7 m below the ground level. During wetter months, seepage recharge of groundwater may occur within the shallow alluvial deposits within the Site boundary. Whilst the actual depth to groundwater within the proposed development Site is likely to vary seasonally, the site conceptual model indicates standing water levels are unlikely to rise to < 5 m (**Figure 9**), with a thick clay forming a good aquitard beneath the site location (**Appendix A**).

A cluster of shallower bores occur about 800 m southwest of the project Site with water SWL 2.1 m -3 m. These are likely to be sitting on a perched aquifer within the Central Province Volcanics. Based on test pit excavation results, however, 7.2 m of uniform, heavy clay occurs within the Site with no indication of moisture accumulation, suggesting that perching is not present in the vicinity of the Site.

Burials are to be at a depth of 1.4 m below the ground surface with a minimum of 1 m unsaturated zone below the graves (as per Natural Burial Guidelines, see Reference section ELA 2018). It is likely that this will be maintained at the Site and the proposed development is unlikely to impact on regional groundwater resources and systems.

### *Mitigation measures*

Given there are no proposed burials within the modelled 1% AEP (100-year ARI) flood event water level and all burial areas will be outside the estimated buffer zone of all possible drainage lines, the proposed natural burials are therefore not expected to impact on, nor be impacted by nearby surface watercourses.

Results from the test bore suggests that shallow water tables are unlikely to impact on the proposed development. Thus, the following is suggested:

- Adhere to the suggested burial site boundaries as shown at **Figure 5**.
- Ensure appropriately designed stormwater infrastructures are constructed to minimise surface water interactions.
- Monitor groundwater levels at the new bore monthly for a minimum of one (1) year to assess seasonal variability and confirm deep water levels below the site..

*Risk: Potential impact on water quality*

Sediment input into local waterways, pollution of groundwater and/or surface water from chemical spills (e.g. fuel or oil) or sediments during construction activities.

*Impact assessment*

The distance and elevation of the Site in relation to the local creek line coupled with the environmentally considered nature of the operation indicates that potential impacts on water quality will be low provided appropriate measures are put in place to prevent extreme events interacting with the burial sites and due diligence is undertaken during any Site excavations or construction.

*Mitigation*

Appropriate stormwater/drainage management should be undertaken during the construction period to ensure:

- There are no alterations to the existing drainage regime and
- Sediment laden runoff from construction activities, spillage from commonly used on-site chemicals, fuels, lubricants and herbicides etc. are contained during the construction activities and are appropriately discharged.

Inspections should be conducted following major rainfall events during construction activities for potential water quality impacts.

*Risk: Potential impact on groundwater dependent ecosystems (GDEs)*

A high level / qualified assessment of potential GDE occurrence has been made using data from the BoM GDE Atlas (2018). Data suggests that there are no likely high or moderate potential aquatic or terrestrial GDEs present within 1.5 km of the study area. Some low potential GDEs occur within 1.5 km of the Site along the Saumarez Creek and these are likely to be facultative GDEs dependent on baseflow expression of groundwater through the alluvial sediments.

*Impact assessment*

As no high or moderate potential GDEs are located in the Site area and that the closest sites are to the east of the adjacent creek indicates that risk to GDEs is very low to unlikely.

*Mitigation*

None required as no GDEs will be impacted.

*Aquifer Interference Policy (AIP, 2012) assessment*

The NSW Aquifer Interference Policy (AIP) assesses potential impacts to other groundwater users and GDEs where an activity is, or is likely to, have a direct impact on an aquifer. As no direct impacts are proposed as part of the development there is no need to provide further assessment against the AIP.

## Conclusions

1. The on-site hydrological impacts due the proposed activities are considered to be very minor and will depend upon detailed project design and activities.
2. Risk of impacts to groundwater and groundwater dependent users, including ecosystems, is considered to be negligible. A new, shallow groundwater monitoring bore has been installed and shows that water tables are sufficiently deep to not be impacted by the proposed activities.

## References

- AIP, 2012. NSW Aquifer Interference Policy: NSW policy for the licensing and assessment of aquifer interference activities. State of NSW through Department of Trade and Investment, Regional Infrastructure and Services 2012  
[https://www.water.nsw.gov.au/\\_data/assets/pdf\\_file/0004/549175/nsw\\_aquifer\\_interference\\_policy.pdf](https://www.water.nsw.gov.au/_data/assets/pdf_file/0004/549175/nsw_aquifer_interference_policy.pdf)
- Colquhoun G.P., Hughes K.S., Deyssing L., Ballard J.C., Phillips G., Troedson A.L., Folkes C.B. & Fitzherbert J.A. 2018. *New South Wales Seamless Geology dataset, version 1 [Digital Dataset]*. Geological Survey of New South Wales, NSW Department of Planning and Environment, Maitland.
- DPI Water 2016. *Water Sharing Plan for the North Coast Fractured and Porous Rock Groundwater Sources: Background document*. DPI Water, September 2016.
- ELA (2018). *New England Natural Burial Ground Statement of Environmental Effects*. Prepared for Starfish Enterprises Network Ltd and Kevin Hartley, Eco Logical Australia 2018.



Appendix A Test bore log, construction details and Form A



Figure A 1: Auger samples from the test bore

Form\_06027

Geotechnical Soil Profile Log

GroundTruth

The best in the field

|                 |  |                                |  |               |  |            |  |            |  |            |     |
|-----------------|--|--------------------------------|--|---------------|--|------------|--|------------|--|------------|-----|
| Project Number  |  | 41189                          |  | Date Started  |  | 31/01/2019 |  | Hole/Pit # |  | BH1        |     |
| Client          |  | Earth Funerals - Kevin Hartley |  | Date Finished |  | 31/01/2019 |  | Sheet      |  | 1          | of2 |
| Project Manager |  | Jenni Lott                     |  | Logged By     |  | Simon Lott |  | Checked By |  | Simon Lott |     |

Zone:56J

Easting:363058.03

Northing:6626328.32

Error:

Datum:

R.L. at Surface:

Vegetation:Grass

Current Land Use:nil

Surface Drainage:Average

Slope Aspect:N-NE

Slope Angle:1-2%

Field Site Classification (AS2870)

Weather (current):Fine and Dry

Weather (recent):Fine and Dry

Location Description:Grassy paddock just above flood zone

Comments:

| DRILLING            |                          |                      |                          |           | MATERIAL SUBSTANCE & SAMPLING |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
|---------------------|--------------------------|----------------------|--------------------------|-----------|-------------------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|-------------------------------------------|---------------------------|-----------|---------|----------------|----------------|------------------------|-------------------------------------|---------------------------------|
| Method <sup>1</sup> | Penetration <sup>2</sup> | Support <sup>3</sup> | Groundwater <sup>4</sup> | depth (m) | Graphic log <sup>5</sup>      | Field Classification <sup>6</sup> | Material                                                                                              | Plasticity <sup>8</sup> | Moisture Content <sup>9</sup> | Consistency / Density Index <sup>10</sup> | Pocket Penetrometer (kPa) | DCP / SPT |         |                |                | Sampling <sup>11</sup> |                                     | Observations                    |
|                     |                          |                      |                          |           |                               |                                   | soil type: plasticity or particle characteristics, colour, secondary or minor components <sup>7</sup> |                         |                               |                                           |                           | From (mm) | To (mm) | Blows (test 1) | Blows (test 2) | Method                 | (notes, samples, tests, Sample No.) |                                 |
| AD                  |                          |                      |                          |           |                               |                                   | Top Soil: silty sand (A1)                                                                             | NP                      | D                             |                                           |                           |           |         |                |                |                        |                                     | Small amounts of organic matter |
|                     |                          |                      |                          |           |                               |                                   | Sandy Silt (A2)                                                                                       | NP                      |                               |                                           |                           |           |         |                |                |                        |                                     | Bleached soil; Roots            |
| AD                  |                          |                      |                          | 0.5       |                               |                                   | Grey/Brown Medium Clay                                                                                | H                       | D                             |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 1         |                               |                                   |                                                                                                       | M                       |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 1.5       |                               |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 2         |                               |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 2.5       |                               |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 3         |                               |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
|                     |                          |                      |                          | 3.5       |                               |                                   | Medium Clay with Gravel                                                                               | M                       |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 4         |                               |                                   | Yellow/Orange Heavy Clay                                                                              | H                       |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |
| AD                  |                          |                      |                          | 4.5       |                               |                                   |                                                                                                       |                         |                               |                                           |                           |           |         |                |                |                        |                                     |                                 |

1 - Method

AS auger screwing\*  
AD auger drilling\*  
EX excavator  
BH backhoe  
RR roller/tricone  
W washbore  
CT cable tool  
HA hand auger  
PT pushtube  
B blank bit  
V V bit  
T TC bit  
\*bit shown by suffix  
e.g. ADT

2 - Penetration

1 2 3 4

no resist.  
ranging to refusal

3 - Support

M mud  
C casing  
N nil

4 - Groundwater

SWL Standing Water Level  
Water noted  
water inflow  
water outflow

5 - Graphic Log

Topsoil  
Light Clay  
Medium Clay  
Heavy Clay  
Fine Sand  
Coarse Sand  
Silty Clay  
Silt  
Sandy Silt

loam  
sandy loam  
Gravel  
XW Rock  
DW Rock  
SW Rock  
Fresh Rock  
Organic Layer  
Fill

8 - Plasticity

NP Non - plastic  
L Low  
M Medium  
H High

9 - Moisture Condition

D dry  
M moist  
W wet  
W<sub>P</sub> plastic limit  
W<sub>L</sub> liquid limit

6 - Classification

GW Well graded gravels  
GP Poorly graded gravels  
GM Silty gravels  
GC Clayey gravels  
SW Well graded sands  
SP Poorly graded sands  
SM Silty sands  
SC Clayey sands  
ML Inorganic silts of slight plasticity  
CL Inorganic clays of low plasticity  
CI Inorganic clays of medium plasticity  
OL Organic silts of low plasticity  
MH Inorganic silts of high plasticity  
CH Inorganic clays of high plasticity  
OH Organic clays of medium/high plasticity  
Pt peat and other highly organic soils

7 - Soil and Particle Sizes

B Boulders >200mm  
CB Cobbles 63-200mm  
G Gravels 20-63mm  
coarse 6-20mm  
fine 2.36-6mm  
S Sands 0.6-2.36mm  
medium 0.2-0.6mm  
fine 75µm-0.2mm  
<0.75µm

M Silts  
C Clays  
O Organic

coarse soils ≤5% 'trace'  
5-12% 'with'  
>12% prefix soil

fine soils ≤15% 'trace'  
15-30% 'with'  
>30% prefix soil

10 - Consistency/Density Index

VS very soft  
S soft  
F firm  
St stiff  
VSt very stiff  
H hard

Fb friable  
VL very loose  
L loose  
MD medium dense  
D dense  
VD very dense

11 - Sampling

U<sub>50</sub> undisturbed sample 50mm dia  
U<sub>63</sub> undisturbed sample 63mm dia  
D disturbed sample  
N standard penetration test  
N\* SPT - sample recovered  
N<sub>c</sub> SPT with solid cone  
V vane shear (kPa)  
P pressuremeter  
B<sub>s</sub> bulk sample  
E environmental sample

Document Owner:EnviroAg Australia

Author:GT

Status:Approved

Form.06027\_Geotech Soil Profile

Revision:2.0

Authorised:S.C.Lott

Issue Date:18/09/2009

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Business Paper 27 October 2020 Ordinary Meeting

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Form\_06027

Geotechnical Soil Profile Log

GroundTruth

The Best in the Field

|                 |  |                                |  |               |  |            |  |            |  |            |     |
|-----------------|--|--------------------------------|--|---------------|--|------------|--|------------|--|------------|-----|
| Project Number  |  | 41189                          |  | Date Started  |  | 31/01/2019 |  | Hole/Pit # |  | BH1        |     |
| Client          |  | Earth Funerals - Kevin Hartley |  | Date Finished |  | 31/01/2019 |  | Sheet      |  | 2          | of2 |
| Project Manager |  | Jenni Lott                     |  | Logged By     |  | Simon Lott |  | Checked By |  | Simon Lott |     |

Zone:56J

Easting:363058.03

Northing:6626328.32

Error:

Datum:

R.L. at Surface:

Vegetation:Grass

Current Land Use:nil

Surface Drainage:Average

Slope Aspect:N-NE

Slope Angle:1-2%

Field Site Classification (AS2870)

Weather (current):Fine and Dry

Weather (recent):Fine and Dry

Location Description:Grassy paddock just above flood zone

Comments:

| DRILLING            |                          |                      |                          |           |                          | MATERIAL SUBSTANCE & SAMPLING     |                                                                                                       |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
|---------------------|--------------------------|----------------------|--------------------------|-----------|--------------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|-------------------------------------------|---------------------|-----------|---------|----------------|----------------|------------------------|-------------------------------------|------------------------------------|
| Method <sup>1</sup> | Penetration <sup>2</sup> | Support <sup>3</sup> | Groundwater <sup>4</sup> | depth (m) | Graphic log <sup>5</sup> | Field Classification <sup>6</sup> | Material                                                                                              | Plasticity <sup>8</sup> | Moisture Content <sup>9</sup> | Consistency / Density Index <sup>10</sup> | Pocket Penetrometer | DCP / SPT |         |                |                | Sampling <sup>11</sup> |                                     | Observations                       |
|                     |                          |                      |                          |           |                          |                                   | soil type: plasticity or particle characteristics, colour, secondary or minor components <sup>7</sup> |                         |                               |                                           |                     | From (mm) | To (mm) | Blows (test 1) | Blows (test 2) | Method                 | (notes, samples, tests, Sample No.) |                                    |
| AD                  | 2                        |                      |                          | 5.5       |                          |                                   | Continuation of Yellow/Orange Heavy Clay                                                              |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
| AD                  | 2                        |                      |                          | 6         |                          |                                   |                                                                                                       |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
| AD                  | 2                        |                      |                          | 6.5       |                          |                                   |                                                                                                       |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
| AD                  |                          |                      |                          | 7         |                          |                                   | Wet, Yellow Sandy Heavy Clay                                                                          |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
| AD                  | 3                        |                      |                          | 7.5       |                          |                                   | Sandy Heavy Clay with Cobbles                                                                         |                         |                               |                                           |                     |           |         |                |                |                        |                                     | Gravel band at 7.2: 0.2m Saturated |
| AD                  | 2                        |                      |                          | 8         |                          |                                   |                                                                                                       |                         |                               |                                           |                     |           |         |                |                |                        |                                     | Collaping materials; no cuttings   |
| AD                  | 2                        |                      |                          | 8.5       |                          |                                   | Wet Heavy Clay                                                                                        |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |
| AD                  | 2                        |                      |                          | 9         |                          |                                   |                                                                                                       |                         |                               |                                           |                     |           |         |                |                |                        |                                     | Collaping materials; no cuttings   |
| AD                  | 3                        |                      |                          | 9.5       |                          |                                   | Gravel                                                                                                |                         |                               |                                           |                     |           |         |                |                |                        |                                     | Collaping materials; no cuttings   |
|                     | 3                        |                      |                          |           |                          |                                   | Gravel with sand                                                                                      |                         |                               |                                           |                     |           |         |                |                |                        |                                     | Collaping materials; no cuttings   |
|                     |                          |                      |                          |           |                          |                                   | End of Hole                                                                                           |                         |                               |                                           |                     |           |         |                |                |                        |                                     |                                    |

1 - Method

AS auger screwing\*  
AD auger drilling\*  
EX excavator  
BH backhoe  
RR roller/tricone  
W washbore  
CT cable tool  
HA hand auger  
PT pushtube  
B blank bit  
V V bit  
T TC bit  
\*bit shown by suffix  
e.g. ADT

2 - Penetration

1 2 3 4

no resist.  
ranging to  
refusal

3 - Support

M mud  
C casing  
N nil

4 - Groundwater

SWL Standing Water Level  
Water noted  
water inflow  
water outflow

5 - Graphic Log

Topsoil  
Light Clay  
Medium Clay  
Heavy Clay  
Fine Sand  
Coarse Sand  
Silty Clay  
Silt  
Sandy Silt

loam  
sandy loam  
Gravel  
XW Rock  
DW Rock  
SW Rock  
Fresh Rock  
Organic Layer  
Fill

8 - Plasticity

NP Non - plastic  
L Low  
M Medium  
H High

9 - Moisture Condition

D dry  
M moist  
W wet  
W<sub>P</sub> plastic limit  
W<sub>L</sub> liquid limit

6 - Classification

GW Well graded gravels  
GP Poorly graded gravels  
GM Silty gravels  
GC Clayey gravels  
SW Well graded sands  
SP Poorly graded sands  
SM Silty sands  
SC Clayey sands  
ML Inorganic silts of slight plasticity  
CL Inorganic clays of low plasticity  
CI Inorganic clays of medium plasticity  
OL Organic silts of low plasticity  
MH Inorganic silts of high plasticity  
CH Inorganic clays of high plasticity  
OH Organic clays of medium/high plasticity  
Pt peat and other highly organic soils

7 - Soil and Particle Sizes

B Boulders >200mm  
CB Cobbles 63-200mm  
G Gravels coarse 20-63mm  
medium 6-20mm  
fine 2.36-6mm  
S Sands coarse 0.6-2.36mm  
medium 0.2-0.6mm  
fine 75µm-0.2mm  
<0.75µm

M Silts  
C Clays  
O Organic

coarse soils ≤5% 'trace'  
5-12% 'with'  
>12% prefix soil

fine soils ≤15% 'trace'  
15-30% 'with'  
>30% prefix soil

10 - Consistency/Density Index

VS very soft  
S soft  
F firm  
St stiff  
VSt very stiff  
H hard

Fb friable  
VL very loose  
L loose  
MD medium dense  
D dense  
VD very dense

11 - Sampling

U<sub>50</sub> undisturbed sample 50mm dia  
U<sub>63</sub> undisturbed sample 63mm dia  
D disturbed sample  
N standard penetration test  
N\* SPT - sample recovered  
N<sub>c</sub> SPT with solid cone  
V vane shear (kPa)  
P pressuremeter  
B<sub>s</sub> bulk sample  
E environmental sample

Document Owner:EnviroAg Australia

Author:GT

Status:Approved

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Revision:2.0

Authorised:S.C.Lott

Issue Date:18/09/2009

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## NSW DEPARTMENT OF WATER &amp; ENERGY

## Natural Resource Products

FORM A  
PARTICULARS OF COMPLETED WORK

Driller's Licence No: **DL1804** **1**

Class of Licence: **2**

Driller's Name: **Dr Simon Lott**

Assistant Driller: \_\_\_\_\_

Contractor: **Groundtruth**

New bore ☒ Replacement bore ☐

Deepened ☐ Enlarged ☐

Reconditioned ☐ Other (specify) \_\_\_\_\_

Final Depth **10.0 m**

Work Licence No: **B L** **2**

Name of Licensee: **Kevin Hartley**

Intended Use: **Groundwater Monitoring**

Completion Date: **13.01.2019**

**DRILLING DETAILS** **3**

| From     | To        | Hole Diameter | Drilling Method |
|----------|-----------|---------------|-----------------|
| (m)      | (m)       | (mm)          | Code            |
| <b>0</b> | <b>10</b> | <b>125</b>    | <b>Auger</b>    |
|          |           |               |                 |
|          |           |               |                 |

**WATER BEARING ZONES** **4**

| From (m)   | To (m)    | Thickness (m) | S W L (m) | Estimated Yield (L/s) |            | Test method Code | D D L at end of test (m) | Duration |     | Salinity (Conductivity or TDS) |            |
|------------|-----------|---------------|-----------|-----------------------|------------|------------------|--------------------------|----------|-----|--------------------------------|------------|
|            |           |               |           | Individual Aquifer    | Cumulative |                  |                          | Hrs      | min | Cond. (µs/cm)                  | TDS (mg/L) |
| <b>7.2</b> | <b>10</b> | <b>2.8</b>    | <b>~6</b> | <b>&lt;1/s</b>        |            | <b>A</b>         |                          |          |     |                                |            |
|            |           |               |           |                       |            |                  |                          |          |     |                                |            |
|            |           |               |           |                       |            |                  |                          |          |     |                                |            |

**CASING / LINER DETAILS** **5**

| Material Code                      | OD (mm)   | Wall Thickness (mm) | From (m) | To (m)     | Method Fixing Code | Casing support method Code                                          | Type of casing bottom Code |
|------------------------------------|-----------|---------------------|----------|------------|--------------------|---------------------------------------------------------------------|----------------------------|
| <b>8</b>                           | <b>65</b> | <b>6.5</b>          | <b>0</b> | <b>5.6</b> | <b>2</b>           |                                                                     | <b>2</b>                   |
| Centralisers installed             |           |                     |          |            |                    | No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> | (indicate on sketch)       |
| Sump installed                     |           |                     |          |            |                    | No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> | From m To m                |
| Pressure cemented                  |           |                     |          |            |                    | No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> | From m To m                |
| Casing Protector cemented in place |           |                     |          |            |                    | No <input type="checkbox"/> Yes <input type="checkbox"/>            |                            |

**WATER ENTRY DESIGN** **6**

| General       |           |                     |            |            |                   |             | Screen        | Slot Details |            |                |
|---------------|-----------|---------------------|------------|------------|-------------------|-------------|---------------|--------------|------------|----------------|
| Material Code | OD (mm)   | Wall Thickness (mm) | From (m)   | To (m)     | Opening type Code | Fixing Code | Aperture (mm) | Length (mm)  | Width (mm) | Alignment Code |
| <b>8</b>      | <b>65</b> | <b>6.5</b>          | <b>5.3</b> | <b>8.3</b> |                   |             | <b>0.4</b>    | <b>40</b>    | <b>0.4</b> | <b>H</b>       |
|               |           |                     |            |            |                   |             |               |              |            |                |
|               |           |                     |            |            |                   |             |               |              |            |                |

**GRAVEL PACK** **7**

| Type                                        | Grade                             | Grain size (mm)             |                                         | Depth (m) |            | Quantity |                   |
|---------------------------------------------|-----------------------------------|-----------------------------|-----------------------------------------|-----------|------------|----------|-------------------|
|                                             |                                   | From                        | To                                      | From      | To         | Litres   | or m <sup>3</sup> |
| Rounded <input checked="" type="checkbox"/> | Graded <input type="checkbox"/>   | <b>2</b>                    | <b>4</b>                                | <b>4</b>  | <b>8.3</b> |          |                   |
| Crushed <input type="checkbox"/>            | Ungraded <input type="checkbox"/> |                             |                                         |           |            |          |                   |
| Bentonite/Grout seal                        |                                   | No <input type="checkbox"/> | Yes <input checked="" type="checkbox"/> |           |            |          |                   |
| Method of placement of Gravel Pack          |                                   | Code <b>1</b>               |                                         |           |            |          |                   |

For D W E use only:

**G W**

**FORM A** .....  
**PARTICULARS OF COMPLETED WORK**

## Natural Resource Products

Work Licence No: \_\_\_\_\_ B L \_\_\_\_\_

**BORE DEVELOPMENT****8**Chemical used for breaking down drilling mud No ☒ Yes ☐ Name: \_\_\_\_\_

|          |                                                     |         |                                     |                                      |                                  |        |
|----------|-----------------------------------------------------|---------|-------------------------------------|--------------------------------------|----------------------------------|--------|
| Method   | Bailing/Surging <input checked="" type="checkbox"/> | Jetting | Airlifting <input type="checkbox"/> | Backwashing <input type="checkbox"/> | Pumping <input type="checkbox"/> | Other: |
| Duration | hrs                                                 | hrs     | hrs                                 | hrs                                  | hrs                              | hrs    |

**DISINFECTION ON COMPLETION****9**

| Chemical/s used | Quantity applied (litres) | Method of application |
|-----------------|---------------------------|-----------------------|
|                 |                           |                       |

**PUMPING TESTS ON COMPLETION****10**

| Test type                      | Date    | Pump intake depth (m) | Initial Water Level (SWL) (m) | Pumping rate (L/s) | Water Level at end of pumping (DDL) (m) | Duration of Test (hrs) | Recovery        |                  |        |
|--------------------------------|---------|-----------------------|-------------------------------|--------------------|-----------------------------------------|------------------------|-----------------|------------------|--------|
|                                |         |                       |                               |                    |                                         |                        | Water level (m) | Time taken (hrs) | (mins) |
| Multi stage (stepped drawdown) | Stage 1 |                       |                               |                    |                                         |                        |                 |                  |        |
|                                | Stage 2 |                       |                               |                    |                                         |                        |                 |                  |        |
|                                | Stage 3 |                       |                               |                    |                                         |                        |                 |                  |        |
|                                | Stage 4 |                       |                               |                    |                                         |                        |                 |                  |        |
| Single stage (constant rate)   |         |                       |                               |                    |                                         |                        |                 |                  |        |

Height of measuring point above ground level \_\_\_\_\_ m Test Method Code ☐ See Code Table 4**WORK PARTLY BACKFILLED OR ABANDONED****11**Original depth of work: \_\_\_\_\_ metres Is work partly backfilled: No ☐ Yes ☐Is work abandoned: No ☐ Yes ☐ Method of abandonment: Backfilled ☐ Plugged ☐ Capped ☐Has any casing been left in the work No ☐ Yes ☐ From \_\_\_\_\_ m To \_\_\_\_\_ m

| Sealing / fill type Code | From depth (m) | To depth (m) | Sealing / fill type Code | From depth (m) | To depth (m) |
|--------------------------|----------------|--------------|--------------------------|----------------|--------------|
|                          |                |              |                          |                |              |

Site chosen by: Hydrogeologist ☒ Geologist ☐ Driller ☐ Diviner ☐ Client ☐ Other \_\_\_\_\_**12**Lot No 9 7 DP No D P 7 5 5 8 1 1**13**Work Location Co ordinates Easting 363058.03m E Northing 6626328.32m S Zone 56JGPS: No ☐ Yes ☒ >> AMG/AGD ☐ or MGA/GDA ☒ (See explanation)

Please mark the work site with "X" on the DWE CLID map.

Indicate also the distances in metres from two (2) adjacent boundaries, and attach the map to this Form A package.

**Signatures:**Driller: AC [signature]

Licensee: \_\_\_\_\_

Date: 31/01/2019

Date: \_\_\_\_\_

**FORM A** .....  
**PARTICULARS OF COMPLETED WORK**

## Natural Resource Products

Work Licence No: B L

[illegible]

## CODE TABLE

### DRILLING METHOD

3

|   |                                     |    |                                          |
|---|-------------------------------------|----|------------------------------------------|
| 1 | Auger - Hollow Flight               | 9  | Rotary - Percussion - (Down Hole Hammer) |
| 2 | Auger - Solid Flight                | 10 | Rotary - Percussion - Foam injection     |
| 3 | Cable Tool - Drill and Drive Casing | 11 | Rotary - Reverse circulation - Air       |
| 4 | Cable Tool - Mud stabilised         | 12 | Rotary - Reverse circulation - Mud       |
| 5 | Rotary Air                          | 13 | Rotary - Coring                          |
| 6 | Rotary - Air/foam                   | 14 | Jetted - Air                             |
| 7 | Rotary - Mud                        | 15 | Jetted - Water                           |
| 8 | Rotary - Water                      | 16 | Other - See page 2, N0 11                |

### WATER BEARING ZONE

4

#### TEST METHOD

#### FLOW MEASURING DEVICE

|   |                             |   |                      |   |                            |   |                      |
|---|-----------------------------|---|----------------------|---|----------------------------|---|----------------------|
| 1 | Airlift                     | 6 | Pump - Helical Rotor | A | Container of known volume  | F | Weir - Rectangular   |
| 2 | Bailer                      | 7 | Pump - Jet           | B | Flow meter                 | G | Weir - V Notch - 60° |
| 3 | Pump - Centrifugal          | 8 | Pump - Turbine       | C | Flume                      | H | Weir - V Notch - 90° |
| 4 | Pump - Cylinder             | 9 | Freeflow             | D | Orifice, plate & manometer | I | Other                |
| 5 | Pump - Electric submersible |   |                      | E | Ultra sonic meter          |   |                      |

### CASING / LINER DETAILS

5/

#### MATERIAL

#### METHOD OF FIXING

|   |                   |    |                    |    |                       |   |           |   |                 |
|---|-------------------|----|--------------------|----|-----------------------|---|-----------|---|-----------------|
| 1 | A.B.S.            | 6  | PVC - Class 12     | 11 | Steel - Stainless     | 1 | Glued     | 6 | Welded - Butt   |
| 2 | Aluminium         | 7  | PVC - Class 15     | 12 | Steel - Stainless 304 | 2 | Kwik-lock | 7 | Welded - Collar |
| 3 | Concrete cylinder | 8  | PVC - Class 18     | 13 | Steel - Stainless 316 | 3 | Packer    | 8 | Other           |
| 4 | Fibre glass (FRP) | 9  | Steel - ERW        | 14 | Other                 | 4 | Riveted   |   |                 |
| 5 | PVC - Class 9     | 10 | Steel - Galvanised |    |                       | 5 | Screwed   |   |                 |

#### CASING SUPPORT METHOD

#### TYPE OF CASING BOTTOM

|   |                        |   |               |   |                 |   |                |
|---|------------------------|---|---------------|---|-----------------|---|----------------|
| 1 | Driven into small hole | 5 | Held in clamp | 1 | Open end        | 5 | Casing shoe    |
| 2 | Seated on bottom       | 6 | Other         | 2 | End cap         | 6 | Wash down shoe |
| 3 | Seated on backfill     |   |               | 3 | Plug - concrete | 7 | Cementing shoe |
| 4 | Cemented               |   |               | 4 | Plug - wood     | 8 | Other          |

### WATER ENTRY DESIGN

6

#### OPENING TYPE

#### SLOT ALIGNMENT

|   |                          |    |                             |                                                                                    |            |
|---|--------------------------|----|-----------------------------|------------------------------------------------------------------------------------|------------|
| 1 | Casing - Bridge slot     | 7  | Casing - Plasma-cut slot    | D                                                                                  | Diagonal   |
| 2 | Casing - Drilled holes   | 8  | Casing - Perforated in hole | H                                                                                  | Horizontal |
| 3 | Casing - Hand sawn slot  | 9  | Screen - gauze / mesh       | V                                                                                  | Vertical   |
| 4 | Casing - Louvre slot     | 10 | Screen - round wire         | <i>For MATERIAL and FIXING Codes<br/>Please refer to CASING DETAILS code table</i> |            |
| 5 | Casing - Machine slotted | 11 | Screen - wedge wire         |                                                                                    |            |
| 6 | Casing - Oxy cut slot    |    |                             |                                                                                    |            |

### GRAVEL PACK - METHOD OF PLACEMENT

7

|   |                                  |   |                            |   |                    |
|---|----------------------------------|---|----------------------------|---|--------------------|
| 1 | Poured or shovelled into annulus | 2 | Placed through tremie pipe | 3 | Reverse circulated |
|---|----------------------------------|---|----------------------------|---|--------------------|

### WORK PARTLY BACKFILLED OR ABANDONED - SEALING MATERIAL

1

|   |              |   |                  |   |      |   |              |
|---|--------------|---|------------------|---|------|---|--------------|
| 1 | Cement grout | 3 | Bentonite        | 5 | Clay | 7 | Gravel       |
| 2 | Concrete     | 4 | Drilled cuttings | 6 | Sand | 8 | Coarse stone |

### DRILLER'S ROCK STRATA DESCRIPTION

1

|                    |                |             |                 |              |                                                                                                                                                                                                                                                         |
|--------------------|----------------|-------------|-----------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reporting sequence | 1<br>Rock type | 2<br>Colour | 3<br>Grain size | 4<br>Texture | To save confusion, write the <i>full name of colour and abbreviate the following</i> : light = lt, dark = dk, fine grained = fg, medium grained = mg, coarse grained = cg. <i>Texture can relate to</i> : weathered, fractured, broken, hard, soft etc. |
| Example            | Sandstone      | Dk Grey     | mg              | Fractured    |                                                                                                                                                                                                                                                         |

22 May 2020

Earth Funerals  
6/212 Charman Road  
Cheltenham VIC 3192

Attn. Kev Hartley

Dear Mr. Hartley,

Please find the attached 1% AEP flood delineation for the Banded Bee Farm site in Uralla NSW. The results are based on the following approach:

- Hydraulic modelling was conducted using the HEC-RAS modelling package, Version 5.0.7 with a two-dimensional grid resolution of 2m in channelised areas and 5m in floodplain areas. The model applies adaptive time steps ranging from 0.5 – 5 seconds and utilises the full momentum equation solver.
- The peak 1% AEP discharge rate of 219 m<sup>3</sup>/s is based on Australian Rainfall and Runoff Regional Flood Frequency Estimation procedures: <https://rffe.arr-software.org/>
- The terrain is based on raster grid digital elevation models with resolutions ranging from 2m to 5m acquired from the ICSM website: <https://elevation.fsdf.org.au/>
- A Mannings roughness coefficient of 0.040 has been uniformly applied to the model. Boundary condition slopes were applied to match the channel bed gradient as determined from the available terrain data.
- The bridge deck is assumed to match the terrain elevations along the roadway centreline. Bridge survey details were not available, but the estimated bridge configuration would add approximately 200mm of afflux in the area immediately surrounding the bridge.

The results are subject to the stated confidence bands and the accuracy of the available terrain data.

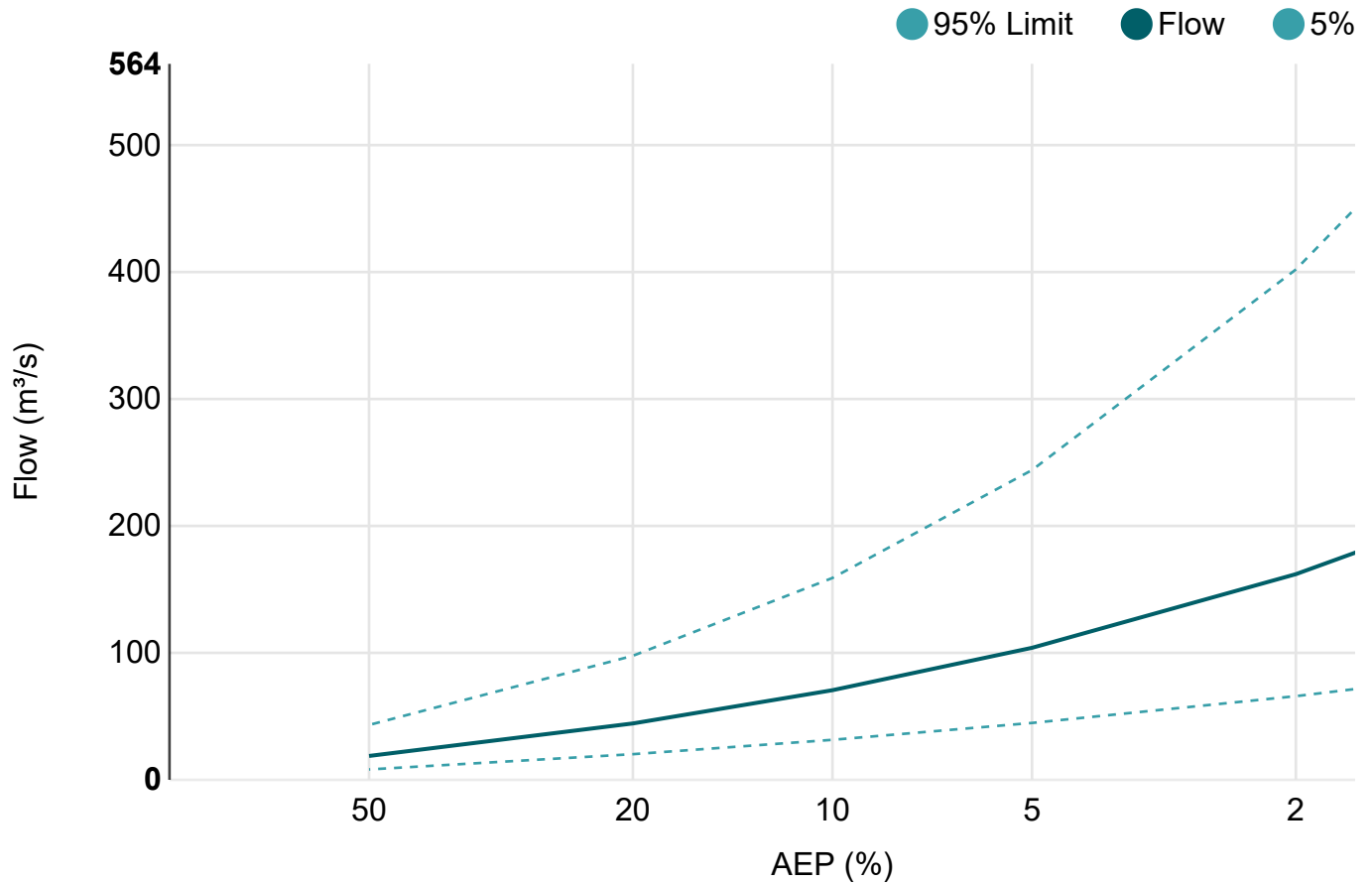
Please let me know if there are any questions regarding the modelling approach or the results.

Kind regards,



Krey Price  
Director, Surface Water Consulting  
MIEAust  
BSc. Hons Civil Engineering  
MSc. Environmental Water Resources

# Results | Regional Flood Frequency Estimation Model



| AEP (%) | Discharge (m³/s) | Lower Confidence Limit (5%) (m³/s) | Upper Confidence Limit (95%) (m³/s) |
|---------|------------------|------------------------------------|-------------------------------------|
| 50      | 18.8             | 8.17                               | 43.2                                |
| 20      | 44.4             | 20.2                               | 97.7                                |
| 10      | 70.6             | 31.5                               | 159                                 |
| 5       | 104              | 44.8                               | 244                                 |
| 2       | 162              | 65.9                               | 402                                 |
| 1       | 219              | 84.8                               | 564                                 |

# Statistics

| Variable     | Value | Standard Dev |
|--------------|-------|--------------|
| Mean         | 2.915 | 0.493        |
| Standard Dev | 0.924 | 0.203        |
| Skew         | 0.109 | 0.028        |

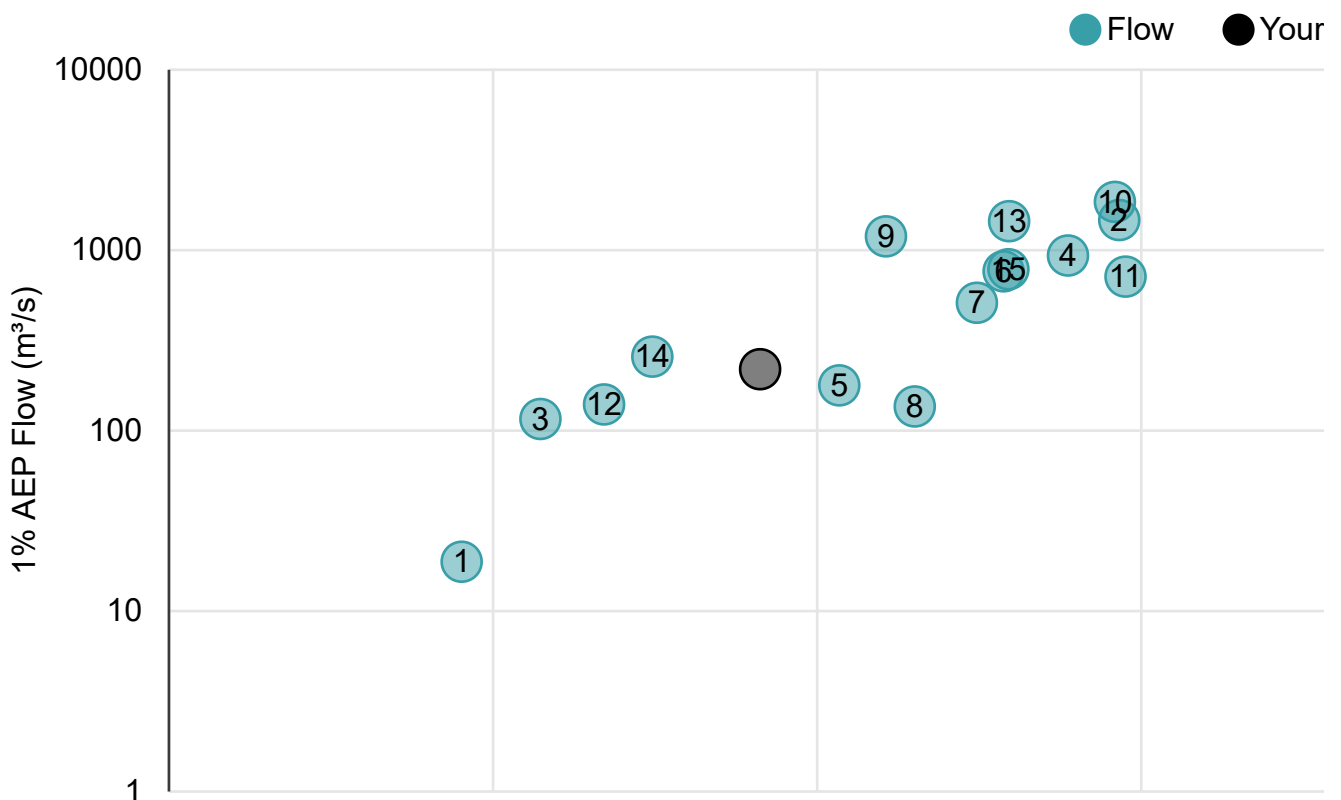
Note: These statistics come from the nearest gauged catchment. Details.

## Correlation

|        |        |       |
|--------|--------|-------|
| 1.000  |        |       |
| -0.330 | 1.000  |       |
| 0.170  | -0.280 | 1.000 |

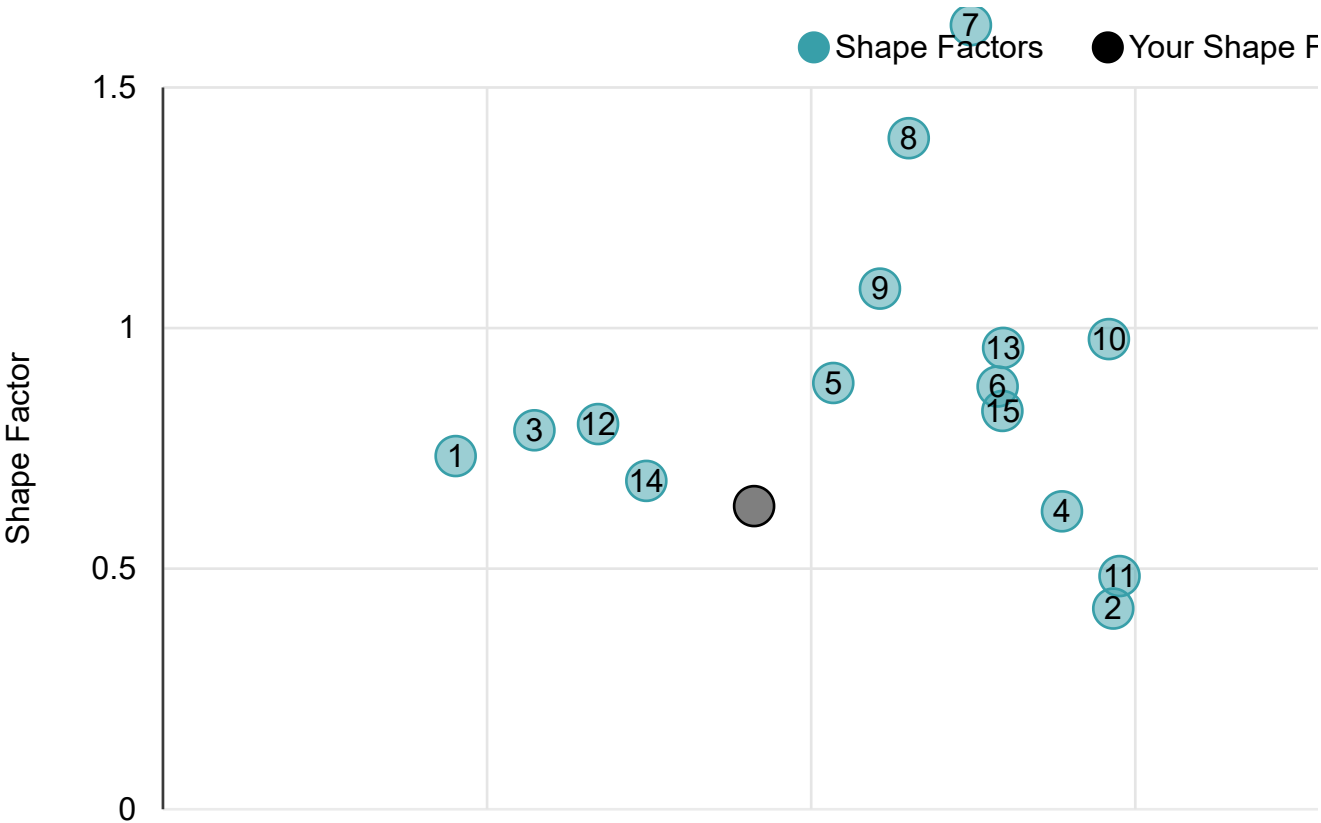
Note: These statistics are common to each region. Details.

## 1% AEP Flow vs Catchment Area

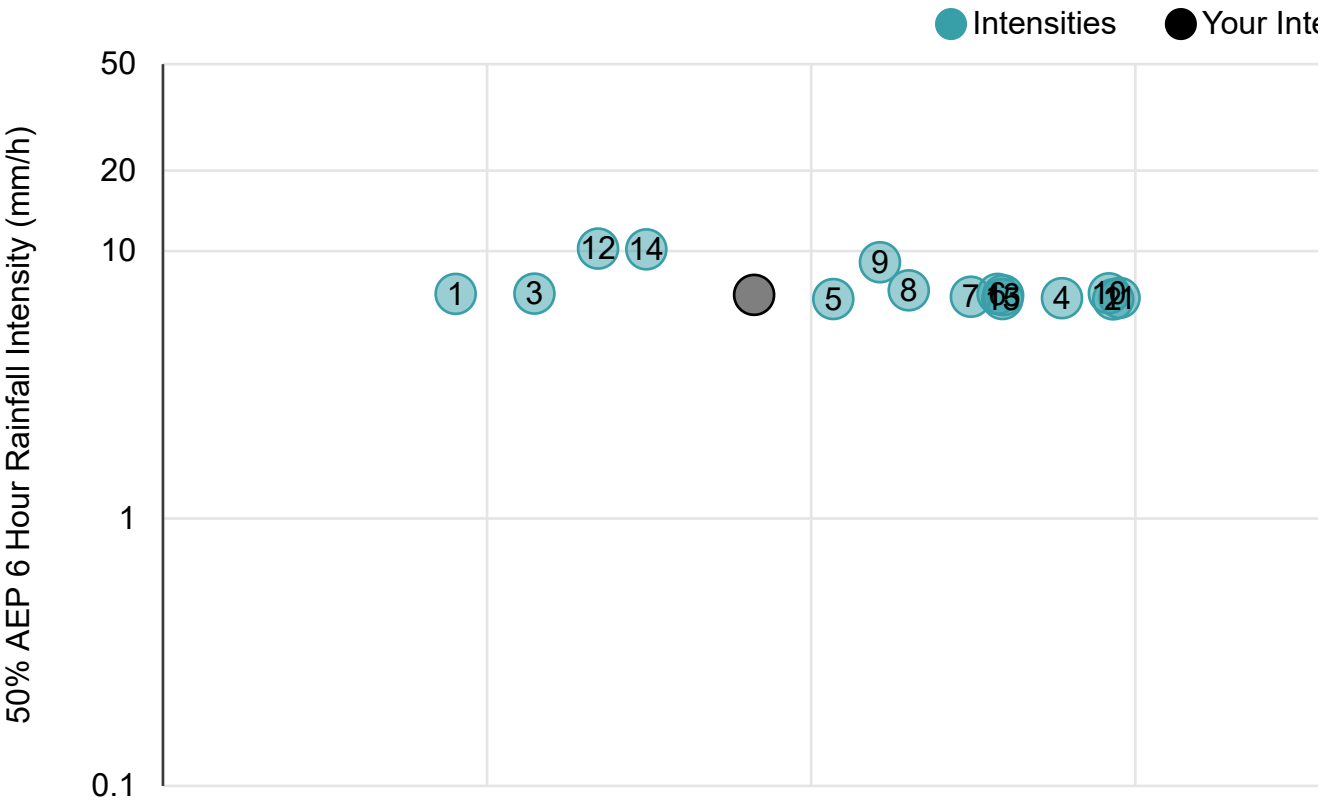




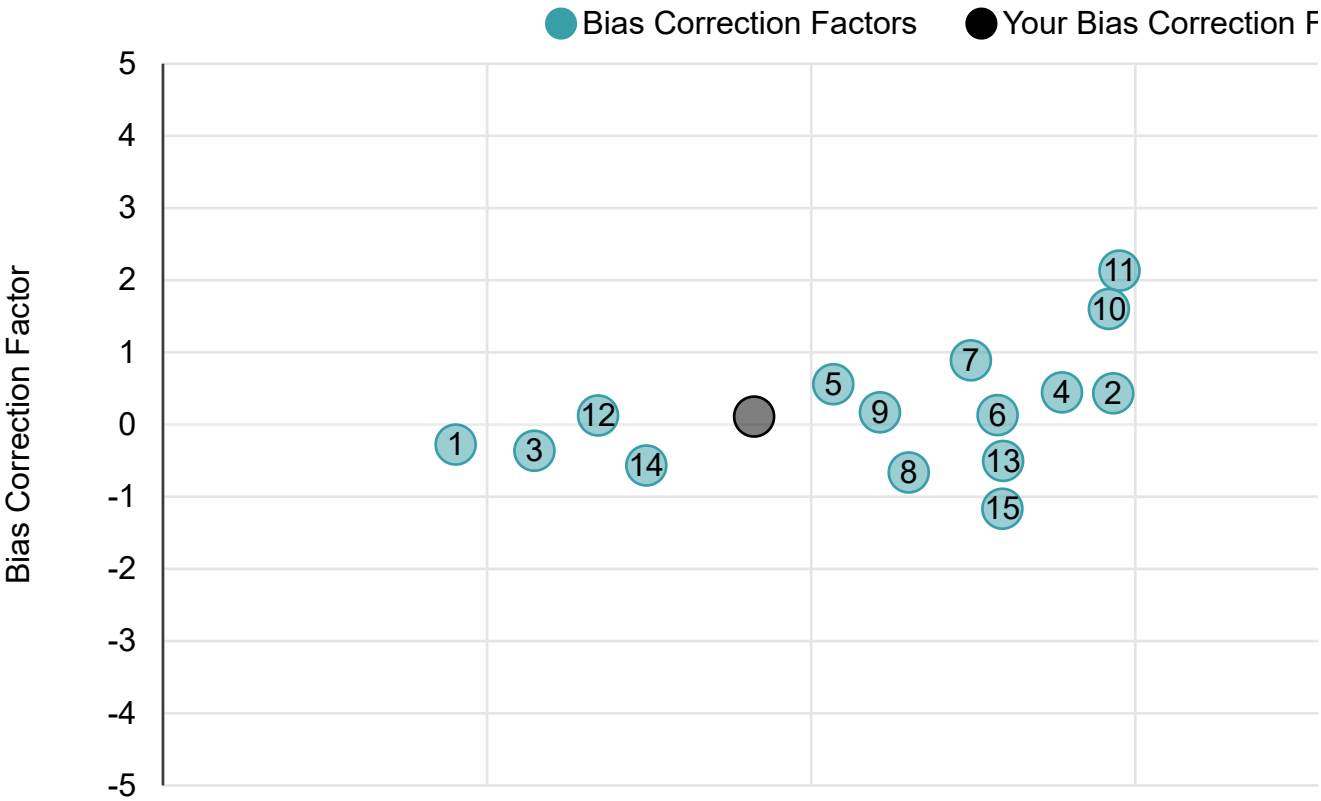
# Shape Factor vs Catchment Area



# Intensity vs Catchment Area



# Bias Correction Factor vs Catchment Area



## Download

 TXT

 Nearby

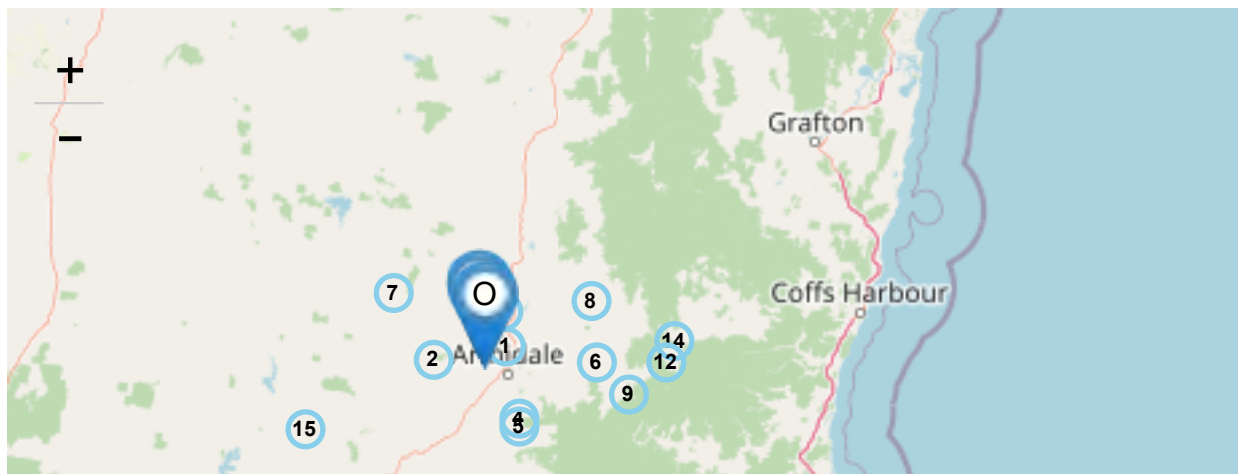
 JSON

### Input Data

|                      |                  |
|----------------------|------------------|
| Date/Time            | 2020-05-22 11:49 |
| Catchment Name       | Banded Bee Farm  |
| Latitude (Outlet)    | -30.496918       |
| Longitude (Outlet)   | 151.583079       |
| Latitude (Centroid)  | -30.456525       |
| Longitude (Centroid) | 151.55716        |

## Input Data

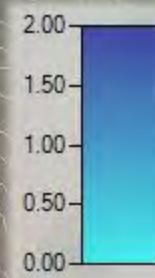
|                                           |                    |
|-------------------------------------------|--------------------|
| Catchment Area (km <sup>2</sup> )         | 66.666             |
| Distance to Nearest Gauged Catchment (km) | 11.29              |
| 50% AEP 6 Hour Rainfall Intensity (mm/h)  | 6.85908            |
| 2% AEP 6 Hour Rainfall Intensity (mm/h)   | 14.48611           |
| Rainfall Intensity Source (User/Auto)     | Auto               |
| Region                                    | East Coast         |
| Region Version                            | RFFE Model 2016 v1 |
| Region Source (User/Auto)                 | Auto               |
| Shape Factor                              | 0.63               |
| Interpolation Method                      | Natural Neighbour  |
| Bias Correction Value                     | 0.111              |



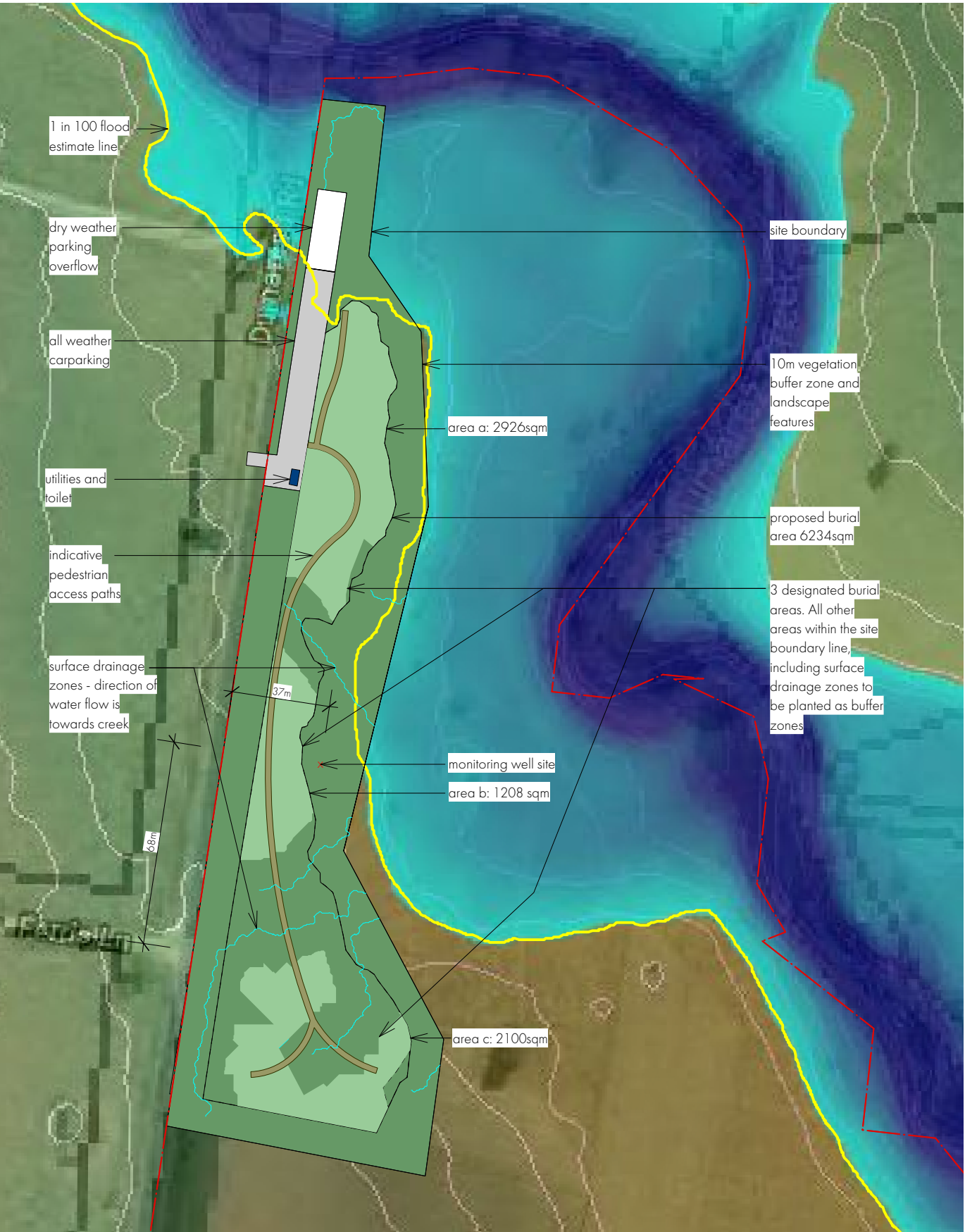




Old Stone Cottage







**PRELIMINARY - FOR INFORMATION ONLY**

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**Notes**

Dimensions in millimetres  
Use numerical dimensions only  
Verify all dimensions on site  
Do not scale  
If discrepancy exists notify architect

| Rev | Date     | Description     |  |
|-----|----------|-----------------|--|
| A   | 19/12/18 | For Information |  |
| B   | 07/01/19 | For Information |  |
| C   | 12/02/19 | For Information |  |
| D   | 15/06/20 | For Information |  |

|                                             |                                   |
|---------------------------------------------|-----------------------------------|
| Project Address                             |                                   |
| 192 Dumaresq Road, Saumarez Ponds, NSW 2350 |                                   |
| for                                         | Project Name                      |
| EarthFunerals                               | New England Natural Burial Ground |

Business Paper 27 October 2020 Ordinary Meeting

|             |                        |
|-------------|------------------------|
| Drawing     | Proposed Burial Layout |
| 102         |                        |
| Scale       | Issue                  |
| 1:2000 @ A3 | 15/6/20                |

OTHER ARCHITECTS PTY LTD  
G Mortlock NSW ARB 9875



The General Manager  
Uralla Shire Council  
PO Box 106  
Uralla NSW 2358

Dear Sir,

**Public Submission DA-44-2018 Natural Burial Ground – Private Cemetery and Shed**

I refer to the Document “New England Natural Burial Ground – Saumarez Ponds; Statement of Environmental Effects” prepared by Eco Logical Australia for Starfish Enterprises Network Ltd and Kevin Hartley dated July 2018 that has been used by the proponents to support DA-44-2018.

I understand that submissions have closed, however, there is one glaring technical omission that would preclude Council making an informed decision on the suitability of the soil in the area proposed for the cemetery. There are many other errors of fact that would further support the need for Council to request further investigation of the site before considering the project. Support for the current document would be inappropriate, under the circumstances. Other less contentious development could not pass on such a paucity of information.

**Soils**

The description of the soil profiles (Appendix C) is totally inadequate; a description required for the installation of a domestic wastewater system would entail considerably greater investigation, assessment and reporting than has been done for this cemetery. The use of poor quality photographs (p.45) to represent soil profiles is totally unacceptable and falls far short of what would be used to show some important soil profile characteristics. That there has been no delineation of the soil horizons using colour, texture, structure, roots, or any other typical characteristic would preclude the assessment that the site is suitable. That there has been no physio-chemical analysis of the soil cannot be overlooked during the consent process.

I object strongly to the use of a one-page document produced by me (Lanfax Laboratories) being used a validation of the suitability of the soil for the task (p.48). I was presented with two small plastic bags of soil, labelled as indicated and asked to determine soil texture and indicative permeability; nothing more. The samples were a clay loam and a medium clay which, for the use of soil texture categories are classified as Category 4 (clay loam) and Category 6 (medium clay); significantly different texture classes for well-known reasons. The first misinterpretation of the soil texture analysis in the SEE is that a medium soil is the result of alluvial actions (Appendix C, p 42) in this topography and geology. Soil science could not support this contention.

The SEE states (p. 42) “*A series of 5 test pits confirmed an average soil depth >2,300 mm.....Excavation revealed uniform, alluvial soils.....no active of ephemeral water storage or flow in any inspection pit down to a maximum excavation level of 2600 mm.*” It would be expected that data to support these assertions would be appended to the document. There is no evidence that a scientific approach to a description of any soil profile has been undertaken, perhaps the exact opposite.

Under a scientific approach to describing a soil profile, the inferences made in the SEE are relatively simple to qualify. However, the use of two soil samples, from unconfirmed depths within the profiles, as clay loam (Cat.4) and medium clay (Cat.6) strongly suggest the soil profile is NOT uniform and is likely to have easily identified horizon boundaries. Such differences in two samples suggests that not only are the soil profiles not uniform, but may be widely variable within the five test pits, and therefore across the proposed cemetery.

Reporting an analysis of the soil profile from a 'drillers log' (SEE, s.5.2.2, and Appendix C, p.42) misrepresents the description of a soil profile by a qualified person, with one of a soil that has been severely compromised (ground and pulverised) during the groundwater drilling operation. The absence of soil profile descriptions of the five test pits reinforces the risk that the soil profiles are not as reported in the SEE. The absence of soil chemical analysis completely dismisses the influence a soil may have on containing and restraining the movement of nutrients and contaminants away from the burial site.

### **Groundwater**

I am not an adjacent landowner, but the details of my groundwater bore (GW060708) are shown in Appendix 3, Figure 1, as if by some hydrogeological inference it had any bearing upon the groundwater contour at the proposed Cemetery. That there is no assessment of the phreatic surface of the groundwater, nor the likely direction of flow, possibly towards Saumarez Ponds, is an omission of fact and an absence of reasonable assessment. The mere horizontal separation of bores from the proposed cemetery tells little of the hydrogeology of the site. A reasonable interpretation of the soil profiles to the depths reported as 2.6 m, could provide some understanding of the localised groundwater regime; that was not done. Seasonal variability of the groundwater table is often reflected in easily identified soil characteristics.

### **Biodiversity**

The SEE (s.1.3, p.8) states that the 1.53 ha cemetery area, within a lot of 17.2 ha, (SEE p.8) "*aims to significantly increase the native floral diversity and fauna habitat of the area*". It is difficult to understand how the authors came to the conclusion that a change to 9% (including parking) of the 17 ha lot area, could make a difference to local biodiversity; or the relevance of such a suggestion.

### **Planting**

The SEE (p.9) states "*there will be a 12 m native planting buffer around the proposed development.*", but on page 41 under Site Description this area is "*a 15 m revegetated buffer zone*". A clarification of the buffer area is required, only one distance can be correct.

### **Operation**

The SEE (p. 17) states "*Burial pits of depth between 1.3 (best practice burials, see Appendix C) and 1.8 m will be excavated.*" It is not stated as to what determines the depth of burial. Is there a legislative requirement under the Health Act which mandates a minimum depth of cover over the casket? Given that the soil may be either clay loam or medium clay, as described in the SEE, then there must be some characteristic that relates to depth of burial being 1.3 m or 1.8 m to the bottom of the excavation. Such conditions are not revealed in the SEE, nor is the determination of depth based upon actual soil texture, or some other condition.

### **Existing Environment – Surface Water**

The classification of Saumarez Creek as an 'ephemeral stream' does not remove its classification under NSW Water Management Act 2000 which states that any activity within 40 m of the highest bank of the 'river' is a controlled activity and requires approval from the Office of Water. The term 'river' has significant broader definition under the Act. The northern end of the proposed cemetery land appears, from the Figure 2 to be within the 40 m. The proponents need to clarify that issue. Even planting of a dense buffer strip of trees may require Office of Water approval.

### **Scope of Works – Storage and amenities shed**

The SEE (s.2.1, p.9) indicates that a Clivus Multrum™ composting toilet will be installed. The approved conditions of accreditation for the Ecolet model require that "*All sullage water shall be disposed of by means of a disposal system designed to the satisfaction of the Local Authority.*"

<https://www.health.nsw.gov.au/environment/domesticwastewater/accreditations/wct009.pdf>

It is assumed that even if all the water from the composting toilet is evaporated, the water from the hand-wash basin will require dispersal to the land. It is usual to consider hand washing after ablutions to be contaminated. The SEE does not address this issue.

If the toilet model is the Clivus Multrum™ ECT 008 model, then the accreditation details indicate that a liquid drain to an absorption trench may be required. Which model of Clivus Multrum is planned will depend upon the projected usage, but these details are not provided.

The disposal of wastewater from a one-bedroom holiday cottage, under the LGA Reg. 2007, and Uralla Council's On-site Policy, require a more stringent interpretation of the soil and soil conditions than is offered in the SEE for a cemetery and toilet. As an application under s.68, an approval would have to be declined.

### **Ownership of cemetery**

It is obvious from the material offered in the SEE (Appendix B), that the owners of Lot 97 DP755811, whoever they may be, now or at some future time are always responsible for the cemetery and that Starfish Enterprises can simply abrogate any responsibility by deregistering as a trust and disappearing as an entity. If that is the case, then the owners of the lot may be liable for all ongoing maintenance into perpetuity. How can this be allowed to happen? Is it that the Promoter (Starfish Enterprises) controls all the strings (Terms, item 8 (d) and (e))?

### **Stormwater control**

It is unclear, where in the SEE, is the issue of stormwater flows through the proposed cemetery being controlled by either surface or sub-surface drainage controls. A drive-through culvert on Dumaresq Road directs flood waters directly into the proposed cemetery. Figure 2 shows overland flow depressions from the road intersection through the proposed cemetery, exiting on the eastern side and flowing into Saumarez Creek. While this culvert may only flow water after heavy rain, it is likely to contribute to elevated soil moisture in the proposed cemetery. The SEE does not make clear how the project intends to deal with these stormwater flows, irrespective of how intermittent they are.

### **Figure 3 (p11)**

There is no indication of the meaning of the yellow, white and blue lines for Figure 3. While one may presume they have some relationship to flooding, there is no reference to the methods by which they were calculated, or whether they are just estimates based upon some undisclosed knowledge, and therefore an estimate of probability of occurrence. Saumarez Creek, above the bridge on Dumaresq Road has a catchment of large catchment, although the SEE makes no reference to that area or its hydrological characteristics.

### **Contours**

From Figure 2 it is not possible to infer overland water flow paths because there are no contours from which such an assessment can be made. Figure 2 needs to be amended to show the contours, the interval of which reflects the landscape.

### **Summary**

The details, to which I have drawn your attention, are not only significant in their own right, as is the absence of any meaningful soil interpretation, but significant in the cumulative effect.

The absence of sound site and soil landscape conditions, with the inference that my assessment (Lanfax Labs) of two unknown soil samples (Appendix C, p. 48) validates the lack of soil data, is professionally worrying. I totally reject the use of the two soil tests as evidence of anything other than the results of two soil tests. That the soils were of clay loam and medium clay totally contradicts the SEE (Appendix C, p.41) where it states "*Excavations revealed uniform alluvial soils*".

As a comparison with the requirements for an on-site wastewater installation for a one-bedroom cabin, to be used only on weekends, the requirements under the existing legislation could not be arranged from the information provided in the SEE, let alone as validation of the site and soil conditions for the proposed cemetery.

As a professional soil scientist with good local knowledge, I am concerned about the paucity of information and the misinterpretations that are contained within the SEE.

I apologise for the late submission of this report and ask that you at least consider the points to which I have drawn your attention.

Yours faithfully,



Dr Robert Patterson FIEAust, CPSS(3), CPAg  
Soil Scientist and Environmental Engineer

16<sup>th</sup> March 2019



## 15.4 | Report - DIVISION DECISION

### Planning Proposal Additional Permitted Use Transport Depot

---

**Department:** Infrastructure & Development  
**Prepared by:** *Manager of Development and Planning*  
**TRIM Reference:** UINT/20/9587  
**Attachments:** UI/20/3810 - Planning Proposal  
 UI/20/3811 - Traffic Impact Assessment

---

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 2.2 Growing diversified employment, education and tourism opportunities  
**Strategy:** 2.2.1 Provide land use planning that facilitates employment creation  
**Activity:** 2.2.1.1 Optimise land use planning instruments to support employment creating business and industries  
**Action:** 2.2.1.1.1 Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents

---

#### 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:

**Proposal:** Planning proposal to amend the Uralla LEP Schedule 1 and maps for an Additional Permitted Use – Transport Depot at 140 Gostwyck Road Uralla  
**Property description:** Lot 206 - DP 1074880 - Assessment 10704  
**Applicant:** Macpherson's Walcha Pty Ltd  
**Owner:** Malcolm Macpherson and Tammy Levington  
**Zoning:** R5 Large Lot Residential  
**Date received:** 16 September 2020

#### RECOMMENDATION:

**That Council endorse Planning Proposal – Amendment to Schedule 1 of the Uralla LEP 2012, prepared by Barnson Pty Ltd for Macpherson's Walcha Pty Ltd and submit the document to the Department of Planning and Environment for a Gateway Determination.**

#### BACKGROUND:

Planning Proposal – Amendment to Schedule 1 of the Uralla LEP 2012, was received on 16 September 2020.

**REPORT:**

It is proposed to amend Schedule 1 'Additional permitted uses' of the Uralla Local Environment Plan to permit an additional use of 'transport depot' in relation to Lot 206 in DP 1074880 subject to Department of Planning and Environment for a Gateway Determination, public exhibition, and final Council determination.

The intention of the Planning Proposal is to provide storage for the applicant's buses when not in use. A Planning Proposal is required as transport depots are prohibited in the R5 Large Lot Residential zone.

The application is being recommended for endorsement as it is consistent with the identified objectives of the Uralla Shire Operational Plan 2020-2021.

Generally, the application is also consistent with the objectives of the New England North West Regional Plan 2036, the Uralla Local Strategic Planning Statement 2020, New England Development Strategy 2010, State Environmental Planning Policies, and Section 9.1 Ministerial Directions under the provisions of the Environmental Planning and Assessment Act 1979.

**KEY ISSUES:****Traffic**

The proposal is for bus storage while not in use; however, the appropriate classification is 'transport depot' under the definitions in the Uralla Local Environmental Plan 2012 (LEP). This corresponds with the provision of 25 bus parking spaces and predicted bus movements of only 8 per day. It is noted in the application that traffic generated by the development will fluctuate depending on seasonal requirements and specific events and engagements.

Daily average vehicle movements on Gostwyck Road were measured at 216 per day in 2018, and it is estimated that there will be an additional 16 movements generated by the development (accounting for bus movements and bus drivers personal vehicle movements), which equates to a circa 8% increase in overall movements. See the provided Traffic Impact Assessment as Attachment 2 to this report for further information.

**Visual amenity**

The proposed bus storage site should have minimal impact on the visual amenity of neighbouring residences as:

- The buses should be largely hidden in the viewshed from the residence at 130 Gostwyck Road as the existing dwelling and ancillary structures on 140 Gostwyck Road obstruct the view, and
- The buses should be largely hidden in the viewshed from the residence at 135 Gostwyck Road as there is two lines of mature vegetation obscuring the sightline.



**Figure 1: Visual Amenity Impacts**

**COUNCIL IMPLICATIONS:**

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

Should the Planning Proposal be endorsed and a favourable Gateway Determination be received a minimum public exhibition period of 28 days is applicable prior to a final decision by Council.

**2. Policy and Regulation**

Section 9.1 Ministerial Directions

State Environmental Planning Policies

New England North West Regional Plan 2036

New England Development Strategy 2010

Uralla Local Strategic Planning Statement 2020

Environmental Planning & Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Uralla Local Environmental Plan 2012

Uralla Development Control Plan 2011

**3. Financial (LTFP)**

Council staff will invoice the applicant on a cost recovery basis for time spent on the application. A \$4,500 deposit for these costs has been received as part of the application and as required by Council's Operational Plan 2020-2021.

**4. Asset Management (AMS)**

Nil

**5. Workforce (WMS)**

Nil

**6. Legal and Risk Management**

Nil

**7. Performance Measures**

Nil

**8. Project Management**

Nil

---

# Planning Proposal Report

**Additional Permitted Use  
140 Gostwyck Road  
Uralla**


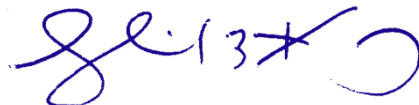
(Our Reference: 34297-PR01\_A)  
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## Disclaimer

This report has been prepared solely for MacPherson's Walcha Pty Ltd (the client) in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report. Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

|                         |                                                      |
|-------------------------|------------------------------------------------------|
| <b>Report Title:</b>    | Planning Proposal Report                             |
| <b>Project Name:</b>    | Additional Permitted Use – 140 Gostwyck Road, Uralla |
| <b>Client:</b>          | MacPherson's Walcha Pty Ltd                          |
| <b>Project No.</b>      | 34297                                                |
| <b>Report Reference</b> | 34297-PR01_A                                         |
| <b>Date:</b>            | 1/9/20                                               |
| <b>Revision:</b>        | Final                                                |

|                                                                                    |                                                                                                              |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Prepared by:                                                                       | Reviewed by:                                                                                                 |
|  |                          |
| Jack Massey<br>B. Urb & Reg. Planning<br>Senior Town Planner                       | Jim Sarantzouklis<br>B. Arts, Grad. Dip. Urb. Reg. Plan, Dip. EH&B<br>Surveying, MAIBS MEHA RPIA<br>Director |

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# 1 INTRODUCTION

## 1.1 Planning Proposal

Barnson Pty Ltd has been engaged by MacPherson's Walcha Pty Ltd to prepare a Planning Proposal (PP) that seeks to amend the *Uralla Local Environmental Plan 2012* (Uralla LEP) by creating an additional permitted use (transport depot) at 140 Gostwyck Road, Uralla.

The PP will amend both the LEP and associated LEP mapping. Plans associated with the PP are provided in **Appendix A** of this report.

The subject site for this PP is Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla.

Consistent with the NSW Government Planning & Environment's *Planning Proposals: A guide to preparing planning proposals* (the Guide), this PP has been prepared in the following format:

- Part 1 – Objectives or intended outcomes
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project Timeline

The completed Information Checklist provided in Attachment 1 of the Guide is provided in **Appendix B** of this report.

## 1.2 Proponent

The proponent for the PP is MacPherson's Walcha Pty Ltd.

## 1.3 Consultant

Barnson Pty Ltd

Jack Massey

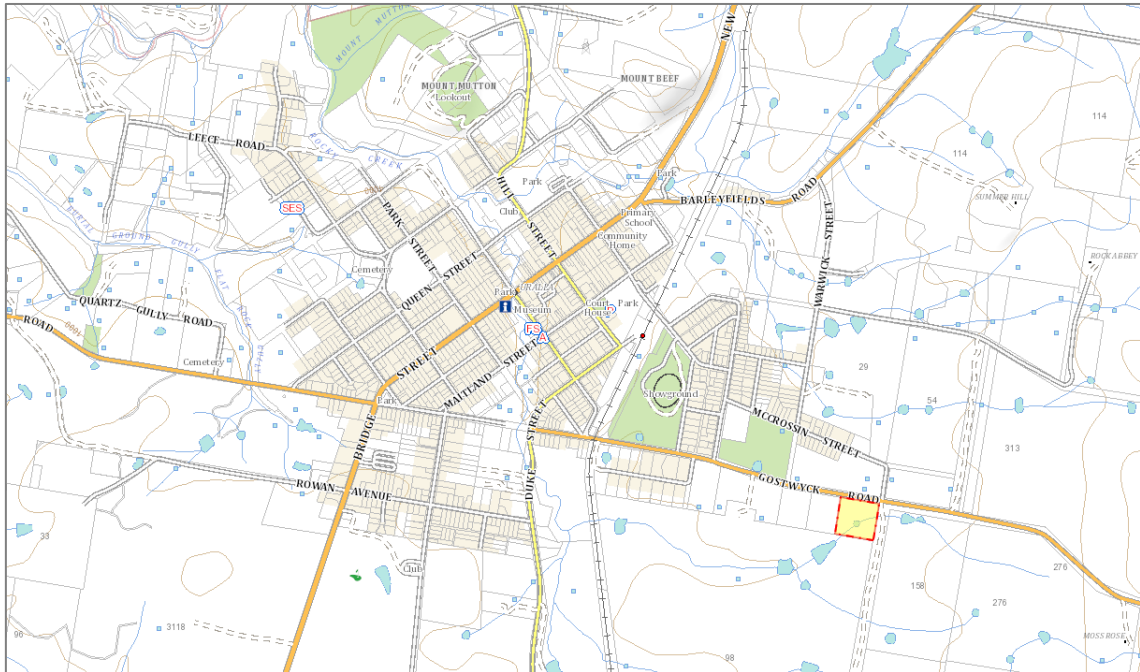
Suite 8 / 11 White Street

Tamworth NSW 2340

## 2 PLANNING PROPOSAL SITE

### 2.1 Location and Title

The subject of this PP is Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla. The site is located on the southern side of Gostwyck road on the outskirts of Uralla, as shown in **Figure 1** below.



Source: (NSW Government Spatial Services, 2020)

**Figure 1 – Site Location**

The site has an overall area of 2.797 hectares and is used for residential purposes and small acreage farming. The Certificate of Title and Deposited Plan for the property is provided in **Appendix C** of this report. Refer to **Figure 2** and **Plates 1-3** for photos of the site subject to this proposal.



Source: (Nearmap Limited, 2020)

Figure 2 – Site Aerial



Plate 1 – View of the existing access and dwelling on the site





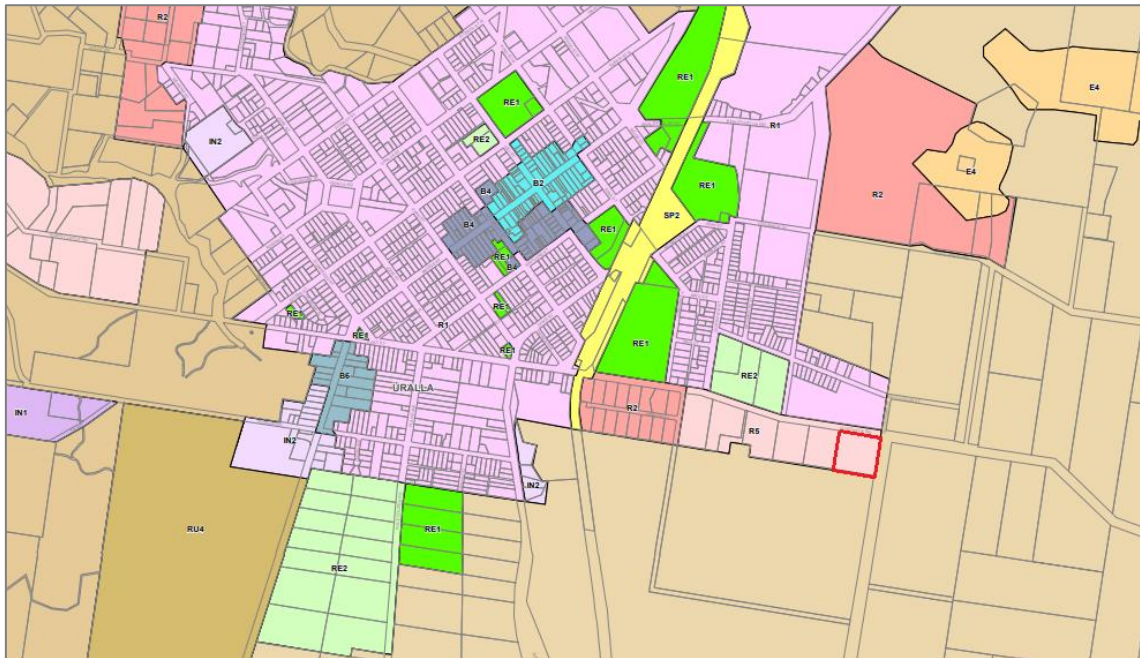
Plate 2 – View of the site from Gostwyck Road



Plate 3 – View of the site subject to the additional permitted use

## 2.2 Land Use

The site is located in an area characterised by large lot residential land holdings, residential areas to the north and west and scattered rural enterprises to the east and south. The site has historically been used for grazing purposes, and was recently subdivided to allow a dwelling and associated improvements to be constructed on the site. The site is zoned R5 Large Lot Residential. There is residential land to the north and west of the site, and RU1 Primary Production zoned land to the east and south.



Source: (NSW Planning & Environment, 2020)

Figure 3 – Zoning Map

## 2.3 Topography and Soils

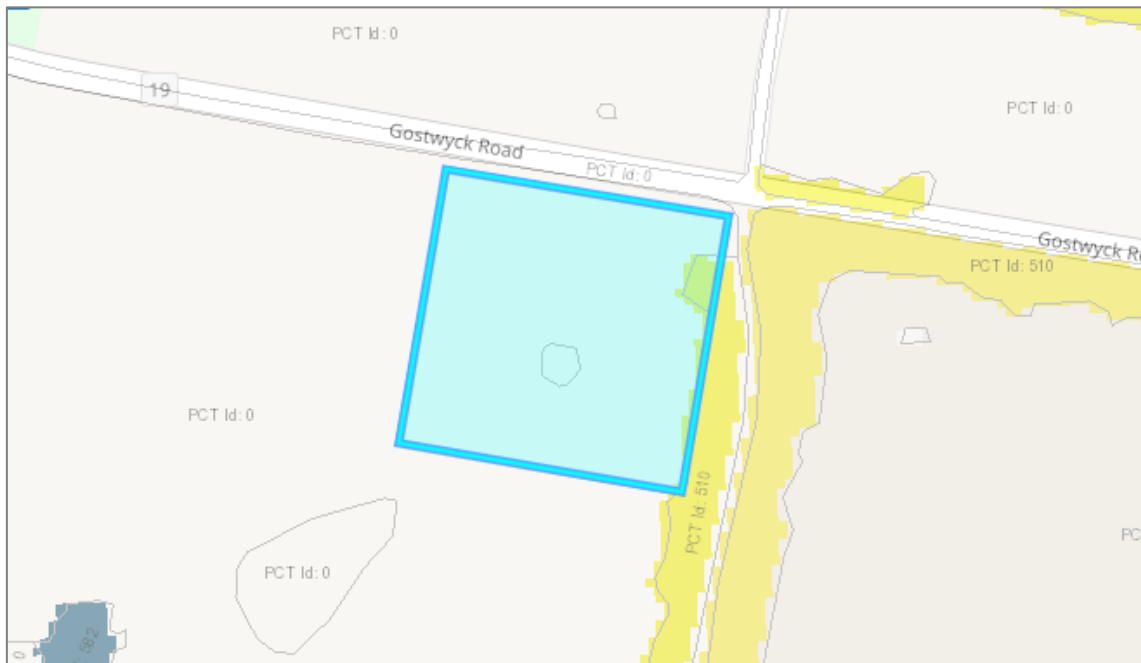
The site is relatively flat throughout, with some areas gradually falling towards the centre of the site where an established dam sits. Soils on the site appear to be stable.

## 2.4 Groundwater

There are no bores located on the site or within proximity.

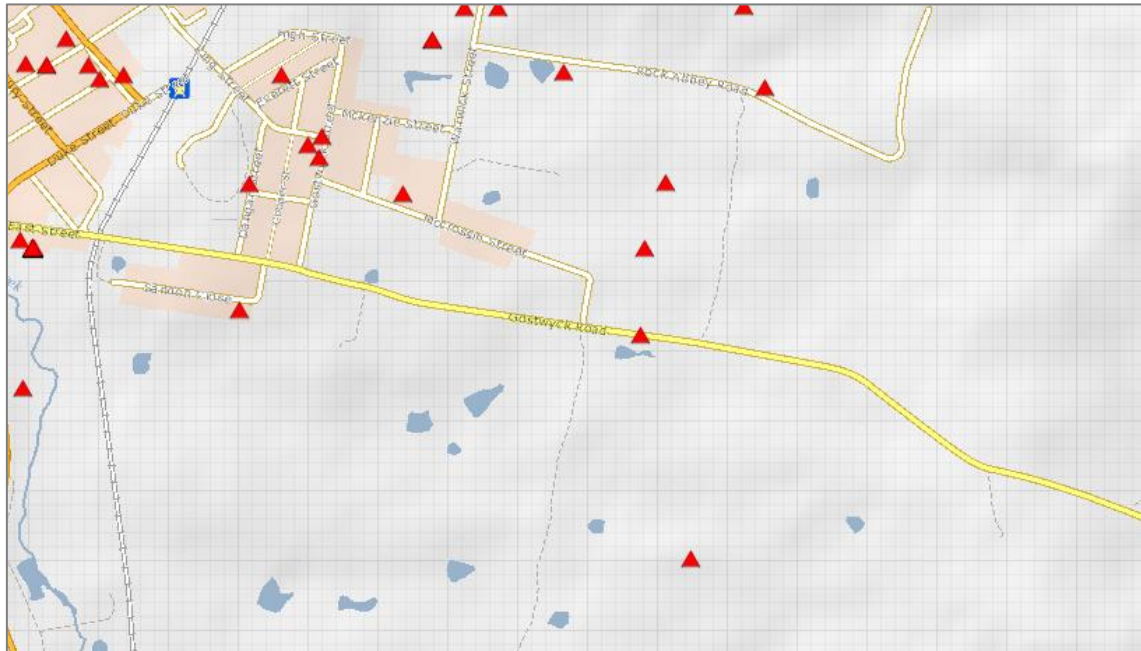
## 2.5 Flora and Fauna

The site contains minimal Plant Community Types (PCTs) as shown in **Figure 4** below. The site is heavily disturbed as a result of previous activities on the site. It is predominately grassland with scattered trees throughout. The grassland is frequently mown/slashed and well managed. No threatened species have been recorded on the site as shown in **Figure 5**.



Source: (NSW Office of Environment & Heritage, 2020)

**Figure 4 - PCT Mapping**



Source: (NSW Office of Environment & Heritage, 2020)

**Figure 5 - BioNet Atlas Search**



## 2.6 Noise Environment

A noise assessment has not been undertaken as part of this planning proposal. The site is located within an area characterised by residential activities and primary production. Noise levels are consistent with these land uses.

## 2.7 Natural Hazards

The site is not mapped as being bushfire prone or within a Flood Planning Area under the *Uralla Local Environmental Plan 2012*, NSW ePlanning Portal or the RFS' Online Mapping Tool.

## 2.8 Contamination

The site is not known to have previously contained any of the land uses listed in Table 1 of the *Contaminated Land Planning Guidelines* that are likely to cause contamination.

## 2.9 Services

The site is connected to all utility services, including electricity, telecommunications, reticulated water and sewerage, onsite rainwater tanks for harvesting and reuse, and suitable road access. An easement to drainage sewage is located on the site.

## 2.10 Access and Traffic

The site has frontage to Gostwyck Road, which is a bitumen sealed road. Vehicular access is gained off the southern side of Gostwyck Road via an existing access crossover.

As part of the future transport depot, a new access point shall be established, along with internal roads and manoeuvrability areas. A Traffic Impact Assessment has been provided in **Appendix D** of this report.

## 2.11 Heritage

A search of the State Heritage Inventory, *Uralla Local Environmental Plan 2012* and Aboriginal Heritage Information Management System (AHIMS) was undertaken for the site and immediate surrounds. There are no known items or places of European or Aboriginal cultural heritage significance that have been identified as being recorded on or within the vicinity of the site.

Refer to AHIMS Search provided in **Appendix E** of this report.

## 2.12 Background to Planning Proposal

The proponents, who own and live at the subject site, run a bus line company specialising in offering school and charter transport to the New England and North West community. The proponent has multiple bus storage sites throughout the region, however, requires an area in Uralla to store buses associated with the business. Accordingly, a portion of the site has been deemed appropriate for the storage of these buses (i.e. "transport depot" as defined under the *Uralla Local Environmental Plan 2012*).

## 3 PLANNING PROPOSAL PARTICULARS

### 3.1 General

The PP seeks Uralla Shire Council's support to create an additional permitted use for a transport depot on Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla. Specifically, the future land use shall provide onsite storage for a bus line company known as MacPherson's Walcha Pty Ltd.

### 3.2 The Need for the Planning Proposal

The need for the additional permitted use has resulted from the proponent requiring onsite storage for their bus line company, specifically to house buses when not in use. A number of sites were considered in the area prior to the submission of this PP, none of which were deemed suitable for the use. Security and surveillance in particular was a determining factor with choosing a site, and given the proponents live at the subject property, permitting the transport depot on their land was considered a more appropriate and better solution.

### 3.3 Services

The site is connected to utility services associated with the residential use of the land. As part of the future transport depot, no additional service connections or changes to any existing connections shall be undertaken. Stormwater shall be directed to the centre of the site towards the existing dam. Minor earthworks and regrading shall be undertaken (subject to a future Development Application) to achieve appropriate stormwater management mechanisms on the site, and to avoid any issues in the locality.

### 3.4 Traffic & Transport

As part of the future transport depot, a new access point shall be constructed off the southern side of Gostwyck Road. Additionally, internal driveway/s and onsite manoeuvrability shall be established to ensure buses can safely manoeuvre to and from the site in a forward direction. The choice of road base material onsite shall be chosen and subject to the lodgement of a Development Application, with associated impacts addressed at that stage.

A Traffic Impact Assessment based on the preliminary scope of works provided by the proponent has been undertaken and is provided in **Appendix D** of this report. The recommendations detailed within the report are provided below:

- The future driveway can accommodate the peak traffic generated by the development, and impact on the existing road performance would be minimal;
- Recommended that parking for bus drivers' vehicles be provided; and
- No intersections or turn treatments would be required for the road network.

Refer to Traffic Impact Assessment in **Appendix D** of this report.

## 4 LEGISLATIVE FRAMEWORK

### 4.1 Introduction

Schedule 1 of the *Uralla Local Environmental Plan 2012* (LEP) provides for additional permitted uses in the Local Government Area. It is proposed to apply a new additional permitted use to Schedule 1, with associated LEP mapping changes.

### 4.2 Existing Schedule 1 Additional permitted uses

The following Schedule 1 Additional permitted uses are identified under the LEP:

*Schedule 1 Additional permitted uses*

*1 Use of certain land at 136 Bridge Street, Uralla*

*(1) This clause applies to land at 136 Bridge Street, Uralla, being Lot 8, Section 21, DP 759022, identified with the number "1" on the [Additional Permitted Uses Map](#).*

*(2) Development for the purposes of a service station is permitted with development consent.*

### 4.3 Proposed Schedule 1 Additional permitted uses

The following shall be included as part of the Planning Proposal amendment:

*Schedule 1 Additional permitted uses*

*1 Use of certain land at 136 Bridge Street, Uralla*

*(1) This clause applies to land at 136 Bridge Street, Uralla, being Lot 8, Section 21, DP 759022, identified with the number "1" on the [Additional Permitted Uses Map](#).*

*(2) Development for the purposes of a service station is permitted with development consent.*

*2 Use of certain land at 140 Gostwyck Road, Uralla*

*(1) This clause applies to land at 140 Gostwyck Road, Uralla, being Lot 206, DP 1074880, identified with the number "2" on the [Additional Permitted Uses Map](#).*

*(2) Development for the purposes of a transport depot is permitted with development consent.*

## 5 PLANNING PROPOSAL

### 5.1 Part 1 - Objectives or Intended Outcomes

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 1 of a PP should consist of:

*“...a short, concise statement setting out the objectives or intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved. It should be written in such a way that it can be easily understood by the general community” (NSW Department of Planning & Environment, 2016).*

The objective of this PP is to amend the *Uralla Local Environmental Plan 2012* for an additional permitted use being a “transport depot” on Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla. The definition of a transport depot is as follows:

**transport depot** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

The plans provided in **Appendix A** illustrate the subject site, existing improvements and approximate location of the future transport depot. The intent is to provide an area on the site to house buses for a bus line company known as MacPherson’s Walcha Pty Ltd.

The need for the additional permitted use has resulted from the proponent requiring onsite storage for their bus line company, specifically to house buses when not in use. A number of sites were considered in the area prior to the submission of this PP, none of which were deemed suitable for the use. Security and surveillance in particular was a determining factor with choosing a site, and given the proponents live at the subject property, permitting the transport depot on their land was considered a more appropriate and better solution.

### 5.2 Part 2 - Explanation of Provisions

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 2 of a PP is to provide:

*“... a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending an existing LEP. ... explanation of provisions to identify what zones or development standards are being proposed” (NSW Department of Planning & Environment, 2016).*

The proposed outcome for the PP will be achieved by:

- Amending “Schedule 1 Additional permitted uses” of the LEP to include the subject site and associated transport depot additional permitted use. It is anticipated that the use shall be identified as Item 2 under Schedule 1; and
- Amending the Uralla LEP Additional Permitted Uses Map (Sheet APU\_004C) to include the above mentioned additional permitted use for Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla.

### 5.3 Part 3 - Justification

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 3 is to set out the case for the making of the proposed LEP. The following section provides a response to the questions outlined in the guide.

#### 5.3.1 Section A - Need for the Planning Proposals

##### **Q1. Is the planning proposal a result of any strategic study or report?**

No applicable studies or reports.

##### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Other options were considered as potential means for achieving the objective of the planning proposal. These were considered as follows:

- A number of sites in the Uralla LGA were considered in the area prior to the submission of this PP, none of which were deemed suitable for the use. Security and surveillance in particular was a determining factor with choosing a site, and given the proponents live at the subject property, permitting the transport depot on their land was considered a more appropriate and better solution; and
- A review of LEP definitions was undertaken prior to the preparation of this PP to determine if any land use definitions would fit the proponents development proposal. It was determined that a “transport depot” would best define the subject proposal, which ultimately was a prohibited land use in the relevant zone.

#### 5.3.2 Section B - Relationship to Strategic Planning Framework

##### **Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The following Assessment Criteria have been established by the guide and are considered below in relation to the PP:

###### **a) Does the proposal have strategic merit? Is it:**

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or

- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

#### Response

- The PP is considered to be consistent with the *New England North West Regional Plan 2036* as it will:
  - Facilitate the tourism and visitor sector by providing a service that supports transportation into and around these areas. This will encourage tourism development in natural areas and support conservation outcomes (Direction 8);
  - Supporting the accommodation, health, education, food and entertainment economies. The bus line company provides an essential service to support these sectors (Direction 9);
  - Being a bus line company, the proposal shall support the growth of freight and logistics connectivity and transportation needs for the community (Direction 13);
  - Efficient and practical transport connections to and from surrounding settlements shall be provided, which is consistent with this direction. Bus operations in the local area are scarce and the company provides essential routes and timetables for a number of sectors (Direction 15); and
  - Smaller centres, such as Uralla, can provide more affordable housing and lifestyle that should be supported with good access to the network of regional cities. The bus line company provides a higher-level service and connectivity to these areas (Direction 17).

#### b) Does the proposal have site-specific merit, having regard to the following:

- The natural environment (including known significant environmental values, resources, or hazards); and
- The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and
- The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangement for infrastructure provision.

### Response

The site is afforded with an existing single storey residential dwelling and associated outbuildings. The area is largely improved with large lot residential uses and expansive rural land holdings. There are no known significant future uses planned for the locality.

The PP is considered to have site specific merit given:

- The area, being dominated by large lot residential uses, contains a number of dwellings that often have sufficient area on their land to carry out home business, storage or the like. The inclusion of a transport depot on the subject site would not significantly impact upon any existing or future uses on the site or in the locality;
- There are no known environmental matters (values, resources or hazards) that would hinder any future development on the site;
- The bus line company provides a successful school and charter transport to the residential of the New England and North West, being an essential service and infrastructure provision for the community; and
- The site is suitably located for the intended additional permitted use.

### **Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

The recently adopted *Uralla Shire Local Strategic Planning Statement* forms the only in-force strategy applicable to this Planning Proposal. Comments in relation to the draft LSPS are provided below.

- Support and manage rural landscapes (Section 5.1)

This section of the statement details the importance of retaining agricultural land for the shire, whilst finding a balance to drive certain sectors such as tourism. The proposal would not impact on any potential productive land in the vicinity. Alternatively, the proposal shall utilise the vacant area to support an important business for the LGA. The proposal is considered consistent with this part;

- Support the visitor economy (Section 5.4)

This section states that the Uralla Shire has a number of major tourism drawcards, many of which are yet to emerge. With a booming tourism sector, the need for transportation is growing for the area. The subject planning proposal supports this and is therefore consistent with this part;

- Protect and enhance freight and transport infrastructure (Section 8.1)

This part states that "Safe and efficient transport of freight and passengers on these corridors is critical to the Shire's prosperity". The proposal is consistent with this part.

The adopted LSPS can be found on Council's website.



## Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

A summary assessment of *State Environmental Planning Policies* (SEPPs) is discussed below. The proposal is generally consistent with all relevant SEPPs.

| Table 1 – Application of SEPPs                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP                                          | Applicable | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Koala Habitat Protection 2019                 | Yes        | <p>The Koala Habitat Protection SEPP aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat.</p> <p>The subject site is predominately cleared with scattered isolated immature trees associated with the residential use of the land. There are no known feed tree species located on the site.</p> <p>As the PP relates to the creation of an additional permitted use, no vegetation removal is proposed. It is considered that future development can occur with minimal impact to existing vegetation or potential koala habitat.</p> |
| No 55 – Remediation of Land                   | Yes        | <p>SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health by specifying certain considerations that are relevant in rezoning land and in determining development applications.</p> <p>The land is not known to:</p> <ul style="list-style-type: none"> <li>• be within an investigation area, or</li> <li>• have been used for any purpose referred to in Table 1 of the Contaminated Land Planning Guidelines.</li> </ul> <p>As a result, a preliminary investigation is not required in relation to the Planning Proposal.</p>                                                                                                                                          |
| Primary Production and Rural Development 2019 | No         | <p>Although this SEPP would not apply to the site, the Planning Proposal has been prepared to ensure the principles are considered given the rural context of the area. A concept layout of the proposal has been provided on the Planning Proposal Plans in <b>Appendix A</b> of this report.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |

## Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table provides an assessment of the consistency of the PP with the Section 9.1 Directions issued by the Minister under Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

| Table 2 – Section 9.1 Directions                         |            |                                                                                                                                                                                                     |
|----------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Direction                                                | Applicable | Comment                                                                                                                                                                                             |
| <b>1. Employment &amp; Resources</b>                     |            |                                                                                                                                                                                                     |
| 1.1 Business & Industrial Zones                          | No         | Direction not applicable.                                                                                                                                                                           |
| 1.2 Rural Zones                                          | No         | Direction not applicable. R5 Large Lot Residential land is generally considered as a residential zone.                                                                                              |
| 1.3 Mining, Petroleum Production & Extractive Industries | No         | N/A – no mining, petroleum production or extractive industries proposed or affected.                                                                                                                |
| 1.4 Oyster Aquaculture                                   | No         | N/A – no oyster aquaculture proposed or affected.                                                                                                                                                   |
| 1.5 Rural Lands                                          | No         | Direction not applicable. R5 Large Lot Residential land is generally considered as a residential zone.<br><br>The development will not impact upon nearby rural lands.                              |
| <b>2. Environment &amp; Heritage</b>                     |            |                                                                                                                                                                                                     |
| 2.1 Environment Protection Zones                         | No         | N/A – the site is not within an environmentally sensitive area.                                                                                                                                     |
| 2.2 Coastal Management                                   | No         | N/A – not within the coastal zone.                                                                                                                                                                  |
| 2.3 Heritage Conservation                                | Yes        | The site is not known to contain any items of Aboriginal or European Heritage significance, refer <b>Section 2.11</b> .<br><br>No known items of heritage significance would be impacted by the PP. |
| 2.4 Recreation Vehicle Area                              | No         | N/A – The PP is not enabling land to be developed for the purpose of a RV area.                                                                                                                     |
| 2.5 Application of E2 and E3 zones                       | No         | N/A – not within Ballina, Byron, Kyogle, Lismore or Tweed LGAs.                                                                                                                                     |

| Table 2 – Section 9.1 Directions                                   |     |                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| and Environmental Overlays in Far north Coast LEPs                 |     |                                                                                                                                                                                                                                                                                     |
| 2.6 Remediation of Contaminated Land                               | No  | <p>The land is not known to:</p> <ul style="list-style-type: none"> <li>• be within an investigation area, or</li> <li>• have been used for any purpose referred to in Table 1 of the Contaminated Land Planning Guidelines.</li> </ul>                                             |
| <b>3. Housing, Infrastructure &amp; Urban Development</b>          |     |                                                                                                                                                                                                                                                                                     |
| 3.1 Residential Zones                                              | Yes | The planning proposal will make better use of the vacant land on the site to support an existing service for the community. The proposal shall not impact the existing residential land use on the site or in the locality. Existing services shall remain unchanged.               |
| 3.2 Caravan Parks & Manufactures Home Estates                      | No  | N/A – no caravan parks or manufactures home estates.                                                                                                                                                                                                                                |
| 3.3 Home Occupations                                               | No  | N/A – no home occupations proposed.                                                                                                                                                                                                                                                 |
| 3.4 Integrating Land Use and Transport                             | No  | The site currently has direct access to the local road network. The proposed additional permitted use will allow future vehicle access to be provided to and from the network with appropriate sight lines. Refer to Traffic Impact Assessment in <b>Appendix D</b> of this report. |
| 3.5 Development Near Regulated Airports and Defence Airfields      | No  | N/A – the site is not in the vicinity of a licensed aerodrome.                                                                                                                                                                                                                      |
| 3.6 Shooting Ranges                                                | No  | N/A – no impact on a shooting range.                                                                                                                                                                                                                                                |
| 3.7 Reduction in non-hosted short term rental accommodation period | No  | N/A – not within Byron LGA.                                                                                                                                                                                                                                                         |
| <b>4. Hazard and Risk</b>                                          |     |                                                                                                                                                                                                                                                                                     |
| 4.1 Acid Sulfate Soils                                             | No  | N/A – the site is not known to contain sulfate soils.                                                                                                                                                                                                                               |

| Table 2 – Section 9.1 Directions                                                 |                           |                                                                                               |
|----------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------|
| 4.2 Mine Subsidence and Unstable Land                                            | No                        | N/A – the site is not within a Mine Subsidence District or identified as being unstable land. |
| 4.3 Flood Prone Land                                                             | No                        | N/A – the site is not located within a Flood Planning Area (FPA).                             |
| 4.4 Planning for Bushfire Protection                                             | No                        | N/A – the site is not mapped as being bushfire prone land.                                    |
| <b>5. Regional Planning</b>                                                      |                           |                                                                                               |
| 5.1 Implementation of Regional Strategies                                        | (Revoked 17 October 2017) | -                                                                                             |
| 5.2 Sydney Drinking Water Catchments                                             | No                        | N/A – not within the Sydney drinking water catchment.                                         |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast       | No                        | N/A to the site.                                                                              |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast     | No                        | N/A to the site.                                                                              |
| 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) | (Revoked 18 June 2010)    | -                                                                                             |
| 5.6 Sydney to Canberra Corridor                                                  | (Revoked 10 July 2008)    | -                                                                                             |
| 5.7 Central Coast                                                                | (Revoked 10 July 2008)    | -                                                                                             |

| Table 2 – Section 9.1 Directions                                   |                            |                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.8 Second Sydney Airport: Badgerys Creek                          | (Revoked 20 August 2018)   | -                                                                                                                                                                                                                                                      |
| 5.9 North West Rail Link Corridor Strategy                         | No                         | N/A to the site.                                                                                                                                                                                                                                       |
| 5.10 Implementation of Regional Plans                              | Yes                        | The PP is not considered inconsistent with any Regional Plans or Strategies.                                                                                                                                                                           |
| 5.11 Development of Aboriginal Land Council land                   | No                         | N/A – The site is not located within any of the mapped areas under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> .                                                                                                                 |
| <b>6. Local Plan Making</b>                                        |                            |                                                                                                                                                                                                                                                        |
| 6.1 Approval and Referral Requirements                             | Yes                        | The PP would not impact on requirements for concurrence, consultation or referral of development applications to a Minister or public authority. The PP is not for designated development.                                                             |
| 6.2 Reserving Land for Public Purposes                             | No                         | The PP would not impact on any zonings or reservations of land for public purposes.                                                                                                                                                                    |
| 6.3 Site Specific Provisions                                       | Yes                        | The proposed additional permitted use will allow the transport depot to proceed under the LEP instrument. The proposal will comply with all local development standards and would not impact upon existing development on the site or in the locality. |
| <b>7. Metropolitan Planning</b>                                    |                            |                                                                                                                                                                                                                                                        |
| 7.1 Implementation of A Plan for Growing Sydney                    | No                         | N/A – not within the Sydney metropolitan area.                                                                                                                                                                                                         |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | (Revoked 28 November 2019) | -                                                                                                                                                                                                                                                      |
| 7.3 Parramatta Road Corridor Urban Transformation Strategy         | No                         | N/A – not within applicable LGAs.                                                                                                                                                                                                                      |

| Table 2 – Section 9.1 Directions                                                                                      |    |                                       |
|-----------------------------------------------------------------------------------------------------------------------|----|---------------------------------------|
| 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan                 | No | N/A – not within applicable LGAs.     |
| 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | No | N/A – not within applicable LGAs.     |
| 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan             | No | N/A – not within applicable LGAs.     |
| 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor                                                   | No | N/A – not within applicable LGAs.     |
| 7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and infrastructure Implementation Plan             | No | N/A – not within applicable LGAs.     |
| 7.9 Implementation of Bayside West Precincts 2036 Plan                                                                | No | N/A – not within applicable precinct. |
| 7.10 Implementation of Planning Principles                                                                            | No | N/A – not within applicable precinct. |

| Table 2 – Section 9.1 Directions                            |    |                                       |
|-------------------------------------------------------------|----|---------------------------------------|
| for the Cooks Cove Precinct                                 |    |                                       |
| 7.11 Implementation of St Leonards and Crows Nest 2036 Plan | No | N/A – not within applicable precinct. |
| 7.12 Implementation of Greater Macarthur 2040               | No | N/A – not within applicable precinct. |

### 5.3.3 Section C - Environmental, Social and Economic Impact

#### **Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

As outlined in **Section 2.5** of this report, the site is quite disturbed as a result of previous clearing and the residential land use. The site contains minimal PCTs and is not known to contain any previously identified threatened species. Given this and the nature of the PP, it is unlikely that critical habitat, threatened species, population or ecological communities or their habitats would be adversely affected as a result of the PP. Further assessment of biodiversity and clearing of vegetation would be required as DA stage for any future development.

#### **Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

As outlined in **Section 2.7** of this report, the site is not mapped as being within a Flood Planning Area (FPA), nor is it mapped as being bushfire prone land. There are no other known likely environmental effects that would occur as a result of the planning proposal.

#### **Q9. Has the planning proposal adequately addressed any social and economic effects?**

The proposed additional permitted use will have a positive social and economic impact. The viability and functionality of the bus line company is important for the LGA, and



utilising the site for the business will enhance their operation. The proposed additional permitted use will strengthen the economy by supporting a well established business that provided an essential service for the community and assist in boosting the tourism sector.

#### **5.3.4 Section D - State and Commonwealth Interests**

##### **Q10. Is there adequate public infrastructure for the planning proposal?**

The PP is not expected to result in a noticeable increase in demand for public infrastructure. Existing service infrastructure would be augmented to support future development and onsite management services shall be utilised. No limitations to existing services are known to exist.

##### **Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

No preliminary views were sought from any State or Commonwealth agencies as it was deemed to be unnecessary at this time given the scale and scope of the PP.

Pre and post Gateway consultation would be determined through the gateway process.

#### **5.4 Part 4 - Mapping**

The plans provided in **Appendix A** clearly outline the PP and associated likely development requirements. The plans include:

- Existing Site Plan;
- Concept Transport Depot Plan; and,
- LEP Additional Permitted Use Mapping.

Refer to **Appendix A** of this report.

#### **5.5 Part 5 - Community Consultation**

It is expected that the PP would not be a Low Impact Proposal and therefore community consultation would be undertaken in accordance with the requirements set out in *A Guide to Preparing Local Environmental Plans for "all other planning proposals"*.

The consultation would include:

- Notification in a newspaper that circulates in the area affected by the planning proposal;
- Notification on the website of the RPA; and

- Notification in writing to affected and adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.

## 5.6 Part 6 -Project Timeline

The following indicative project timeline is provided:

| Table 3 – Indicative Project Timing                                                                         |                                       |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------|
| Stage                                                                                                       | Timing                                |
| Anticipated commencement date (date of Gateway determination)                                               | TBA                                   |
| Anticipated timeframe for the completion of required technical information                                  | 2 weeks                               |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | 2 weeks                               |
| Commencement and completion dates for public exhibition period                                              | 4 weeks<br>(28 day exhibition period) |
| Dates for public hearing (if required)                                                                      | N/A                                   |
| Timeframe for consideration of submissions                                                                  | 3 weeks                               |
| Timeframe for the consideration of a proposal post exhibition                                               | 3 weeks                               |
| Date of submission to the Department to finalise the LEP                                                    | TBA                                   |
| Anticipated date RPA will make the plan (if delegated)                                                      | TBA                                   |
| Anticipated date RPA will forward to the Department for notification.                                       | TBA                                   |

## 6 CONCLUSION

It is recommended that the planning proposal that intends to amend the *Uralla Local Environmental Plan 2012* (LEP) by:

- Creating an additional permitted use (transport depot) at 140 Gostwyck Road, Uralla (as shown in the plans in **Appendix A** of this report);

is supported on the following grounds:

- It is consistent with the New England North West Regional Plan;
- It is consistent with the Uralla LSPS;
- It is consistent with the applicable SEPPs;
- It is generally consistent with the Section 9.1 directions;
- It will not have any adverse environmental impacts;
- It is not expected to have any adverse social or economic effects;
- There is adequate infrastructure for the proposal;
- The PP provides the best way to achieve the intended objective.

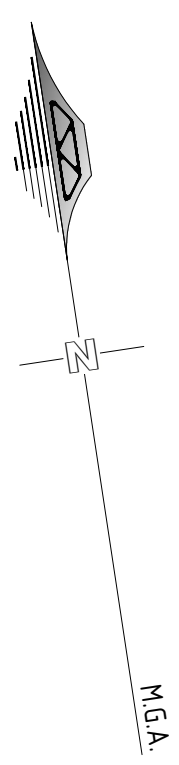
It is therefore requested that the PP be forwarded for Gateway Determination.

## 7 REFERENCES

- Nearmap Limited. (2020, August 12). *Nearmaps*. Retrieved from <http://maps.au.nearmap.com/>
- NSW Department of Planning & Environment. (2016). *Planning Proposals: A guide to preparing planning proposals*. Sydney: NSW Department of Planning & Environment.
- NSW Government. (2017, September 1). *Biodiversity Value Map*. Retrieved from <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap>
- NSW Government Spatial Services. (2020, August 12). *Six Maps*. Retrieved from <http://maps.six.nsw.gov.au/>
- NSW Office of Environment & Heritage. (2020).
- NSW Planning & Environment. (2020).
- NSW Rural Fire Service. (2020). *Planning for Bush Fire Protection: A Guide for Council's, Planners, Fire Authorities and Developers*. Sydney: NSW RFS.

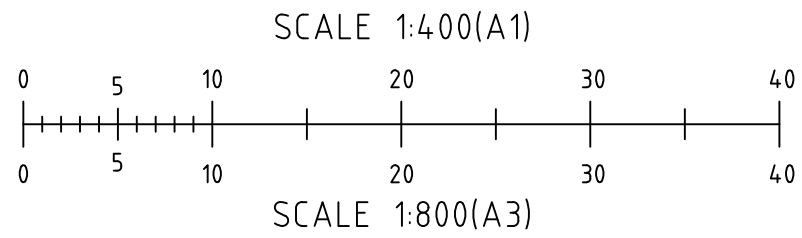
## Appendix A - Planning Proposal Plans





- NOTES:
- THIS PLAN HAS BEEN PREPARED FOR PLANNING PURPOSES. BARNSON IS NOT LIABLE FOR ANY LOSS OR DAMAGE RESULTING FROM THE USE OF THIS PLAN FOR ANY OTHER PURPOSE.
  - DIMENSIONS AND AREAS SHOWN ARE BY TITLE AND ARE SUBJECT TO CHANGE UPON THE COMPLETION OF A FULL CADASTRAL BOUNDARY SURVEY.

- (B) EASEMENT FOR OVERHEAD POWERLINES 10 WIDE & VAR. (DP 1074880)  
(C) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 1074880)  
(D) RESTRICTION ON THE USE OF LAND (DP 1074880) (BUILDING ENVELOPE)



**PRELIMINARY DRAWING**  
Not to be used for construction purposes



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Bathurst | Dubbo | Mudgee | Sydney | Tamworth

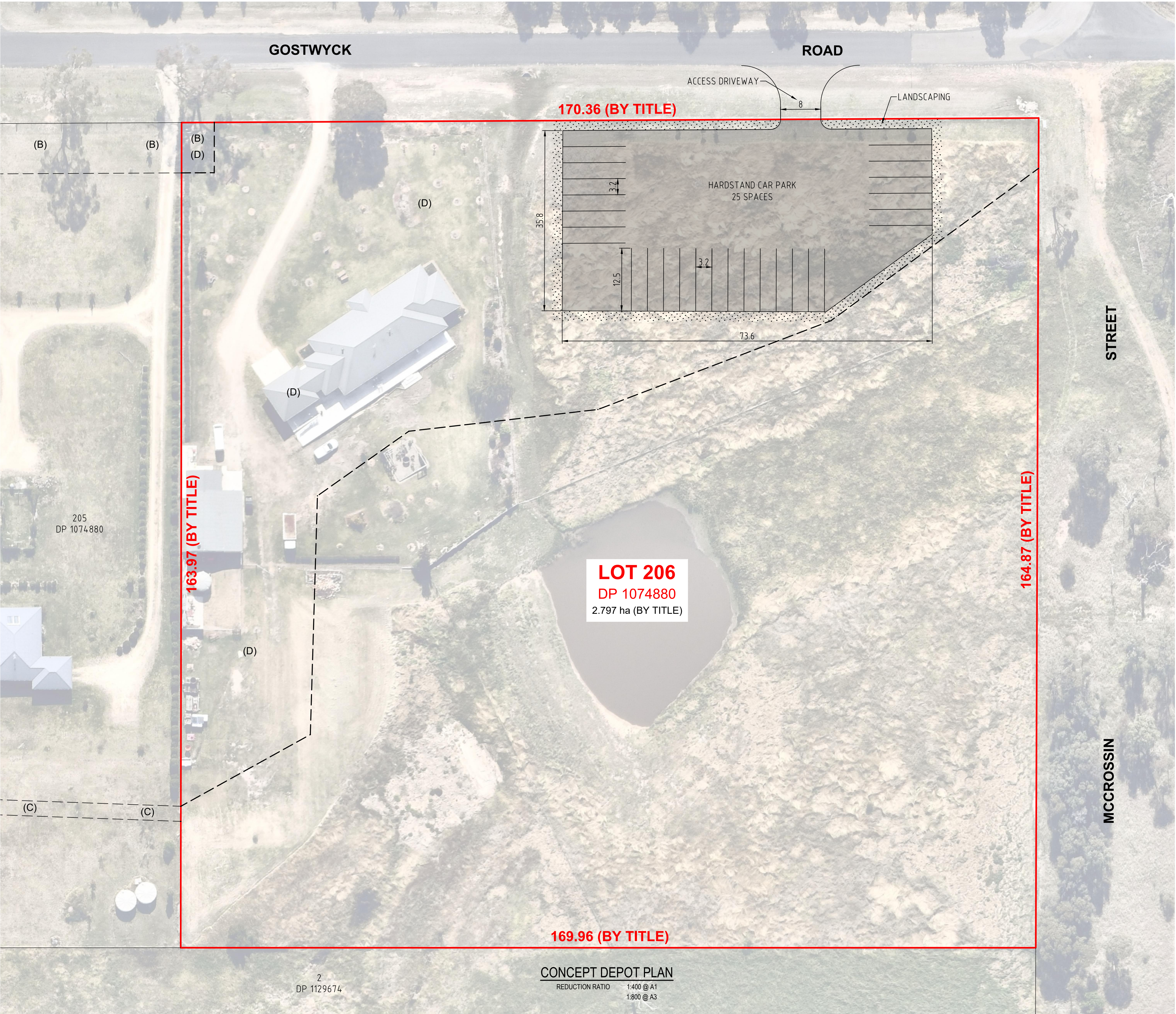
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH GENERAL BUILDING DRAWINGS, SPECIFICATIONS & OTHER CONSULTANTS DRAWINGS APPLICABLE TO THIS PROJECT. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE. DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. REPORT DISCREPANCIES TO BARNSON PTY LTD. NO PART OF THIS DRAWING MAY BE REPRODUCED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF BARNSON PTY LTD.

Client: **MACPHERSONS WALCHA PTY LTD**  
Project: **PROPOSED TRANSPORT DEPOT ON LOT 206 IN DP1074880**  
Drawing Title: **EXISTING SITE PLAN**

Rev A Date 24-08-2020 Amendment PRELIMINARY DRAWING

Design **JM** Certification  
Drawn **AA**  
Check **JM** Drawing Number  
Original Sheet Size = A1 **34297 - P02** Revision **A**





M.G.A.

(B) EASEMENT FOR OVERHEAD POWERLINES 10 WIDE & VAR. (DP 1074880)  
(C) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 1074880)  
(D) RESTRICTION ON THE USE OF LAND (DP 1074880) (BUILDING ENVELOPE)

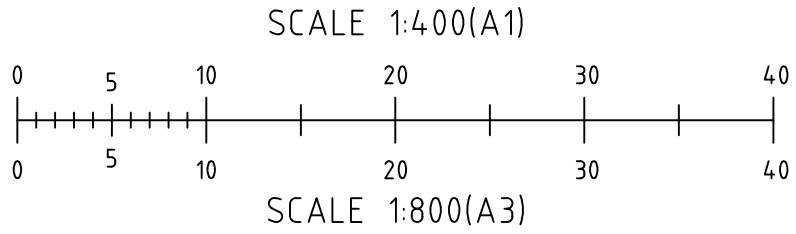
SCALE 1:400(A1)  
0 5 10 20 30 40  
0 5 10 20 30 40  
SCALE 1:800(A3)

**PRELIMINARY DRAWING**  
Not to be used for construction purposes





(B) EASEMENT FOR OVERHEAD POWERLINES 10 WIDE & VAR. (DP 1074880)  
(C) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 1074880)  
(D) RESTRICTION ON THE USE OF LAND (DP 1074880) (BUILDING ENVELOPE)



LEP ADDITIONAL  
PERMITTED USE PLAN  
REDUCTION RATIO 1:400 @ A1  
1:800 @ A3

**PRELIMINARY DRAWING**  
Not to be used for construction purposes



## **Appendix B - Planning Proposal Checklist**

## STEP 1: REQUIRED FOR ALL PROPOSALS

(under s3.33(2)(a-e) of the EP&A Act)

- |                                                                                                                                                                                                      |                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Objectives and intended outcome</li> <li>Mapping (including current and proposed zones)</li> <li>Community consultation (agencies to be consulted)</li> </ul> | <ul style="list-style-type: none"> <li>Explanation of provisions</li> <li>Justification and process for implementation (including compliance assessment against relevant section 9.1 direction/s)</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

| Planning Matters or Issues                                                                                                                                                                       | to be considered         | N/A                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| <b>Strategic Planning Context</b>                                                                                                                                                                |                          |                          |
| Consistent with the relevant regional, district or corridor/precinct plans applying to the site, including any draft regional/district or corridor/precinct plans released or public comment; or | <input type="checkbox"/> | <input type="checkbox"/> |
| Consistent with a relevant local council strategy that has been endorsed by the Department; or                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls; or             | <input type="checkbox"/> | <input type="checkbox"/> |
| Seeking to update the current planning controls if they have not been amended in the last 5 years                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Site Description / Context</b>                                                                                                                                                                |                          |                          |
| Aerial photographs                                                                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> |
| Site photos / photomontage                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Traffic and Transport Considerations</b>                                                                                                                                                      |                          |                          |
| Local traffic and transport                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| TMAP                                                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> |
| Public transport                                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Cycle and pedestrian movement                                                                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Environmental Considerations</b>                                                                                                                                                              |                          |                          |
| Bushfire Hazard                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| Acid sulphate Soil                                                                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> |
| Noise impact                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Flora and/or fauna                                                                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> |
| Soil stability, erosion, sediment, landslip assessment and subsidence                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> |
| Water quality                                                                                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Stormwater management                                                                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Environmental Considerations</b>                                                                                                                                                              |                          |                          |
| Flooding                                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> |
| Land/site contamination (SEPP55)                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Sea level rise                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Urban design Considerations</b>                                                                                                                                                               |                          |                          |
| Existing site plan (buildings, vegetation, roads, etc)                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Building mass/block diagram study (changes in building height and FSR)                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Lighting impact                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| Development yield analysis (potential yield of lots, houses, employment generation)                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Economic Considerations</b>                                                                                                                                                                   |                          |                          |
| Economic impact assessment                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> |
| Retail centres hierarchy                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> |
| Employment land                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Social and Cultural Considerations</b>                                                                                                                                                        |                          |                          |
| Heritage impact                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| Aboriginal archaeology                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Open space management                                                                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> |
| European archaeology                                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> |
| Social and cultural impacts                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| Stakeholder engagement                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Infrastructure Considerations</b>                                                                                                                                                             |                          |                          |
| Infrastructure servicing and potential funding arrangements                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Miscellaneous / Additional Considerations</b>                                                                                                                                                 |                          |                          |
| List any additional studies that should be undertaken post Gateway determination                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> |

## Appendix C - Title & Deposited Plans



# LAND REGISTRY SERVICES

## NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 206/1074880

| SEARCH DATE | TIME     | EDITION NO | DATE      |
|-------------|----------|------------|-----------|
| 11/8/2020   | 11:48 AM | 4          | 18/1/2019 |

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.  
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.  
LAND

LOT 206 IN DEPOSITED PLAN 1074880  
AT URALLA  
LOCAL GOVERNMENT AREA URALLA  
PARISH OF URALLA COUNTY OF SANDON  
TITLE DIAGRAM DP1074880

### FIRST SCHEDULE

TAMMY LEE LEVINGSTON  
MALCOLM JOHN MACPHERSON  
AS JOINT TENANTS (T AP4371)  
SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS SEE CROWN GRANT(S) WITHIN THE PART SHOWN  
SO INDICATED IN THE TITLE DIAGRAM
- 3 DP1074880 EASEMENT FOR OVERHEAD POWER LINE(S) 10 METRE(S) WIDE  
AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED  
IN THE TITLE DIAGRAM
- 4 DP1074880 EASEMENT TO DRAIN SEWAGE 3 METRE(S) WIDE APPURTENANT  
TO THE LAND ABOVE DESCRIBED
- 5 DP1074880 RESTRICTION(S) ON THE USE OF LAND
- 6 AB639032 COVENANT
- 7 AP4372 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

### NOTATIONS

UNREGISTERED DEALINGS: NIL  
\*\*\* END OF SEARCH \*\*\*  
Barnson Pty Ltd (Mudgee)

PRINTED ON 11/8/2020

GLOBALX TERRAIN PTY LTD - hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

Note: Information contained in this document is provided by GLOBALX TERRAIN PTY LTD (ABN 35 164 894 517), <http://www.globalxterrain.com/> an approved NSW Information Broker

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SIGNATURES AND SEALS ONLY.

*[Signature]*  
*[Signature]*

Plan Drawing only to appear in this space

\*OFFICE USE ONLY

DP1074880

Registered: 21-10-2004

Title System: TORRENS

Purpose: SUBDIVISION

Ref map: PARISH

Last Plan: DP675727 #

PLAN OF SUBDIVISION OF  
LOT 20 IN DP 875727

Lengths are in metres. Reduction Ratio 1:3000

L.G.A. URALLA  
Locality: URALLA  
Parish: URALLA  
County: SANDON

This is sheet 1 of my plan in  
(Delete if inapplicable) sheets.

Surveying Regulation, 2001  
ROSS STEWART GWATKIN  
BROWN & KRIPPNER PTY. LTD.  
of PO BOX 260 (DX6118) TAWMORTH 2340  
a surveyor registered under the Surveying Act, 2002, hereby certify  
that the survey represented in this plan is accurate, has been made  
in accordance with the Surveying Regulation, 2001 and was completed  
on 11th AUGUST, 2004  
The survey relates to LOTS 201-206 INCLUSIVE.

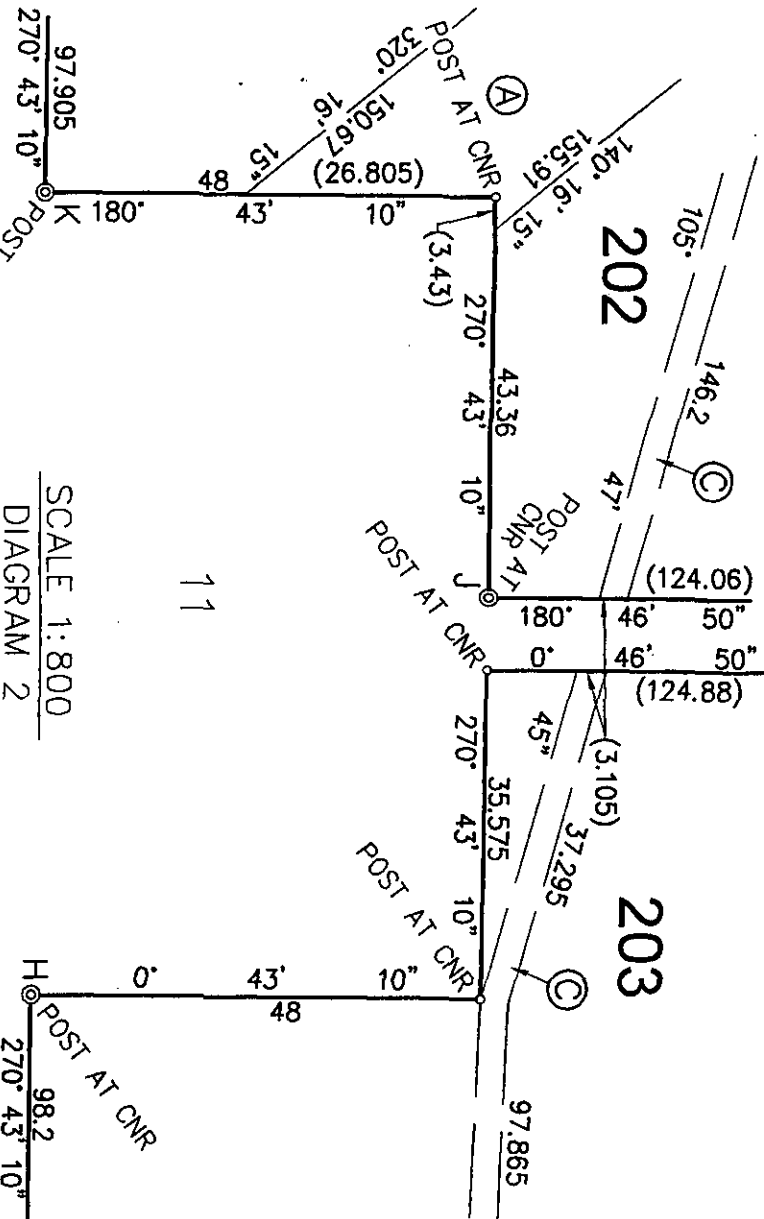
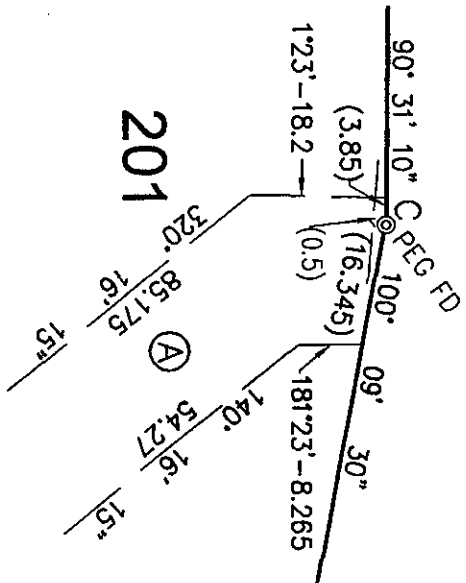
(Signature) *[Signature]* Dated: 18-8-04  
Surveyor Registered under the Surveying Act, 2002  
Deputy Line SSM 69806-SSM 63490  
Type: Urban/Rural (DP 8165886)

Plans used in preparation of survey/compilation.  
DP 815884  
DP 816586  
DP 875727

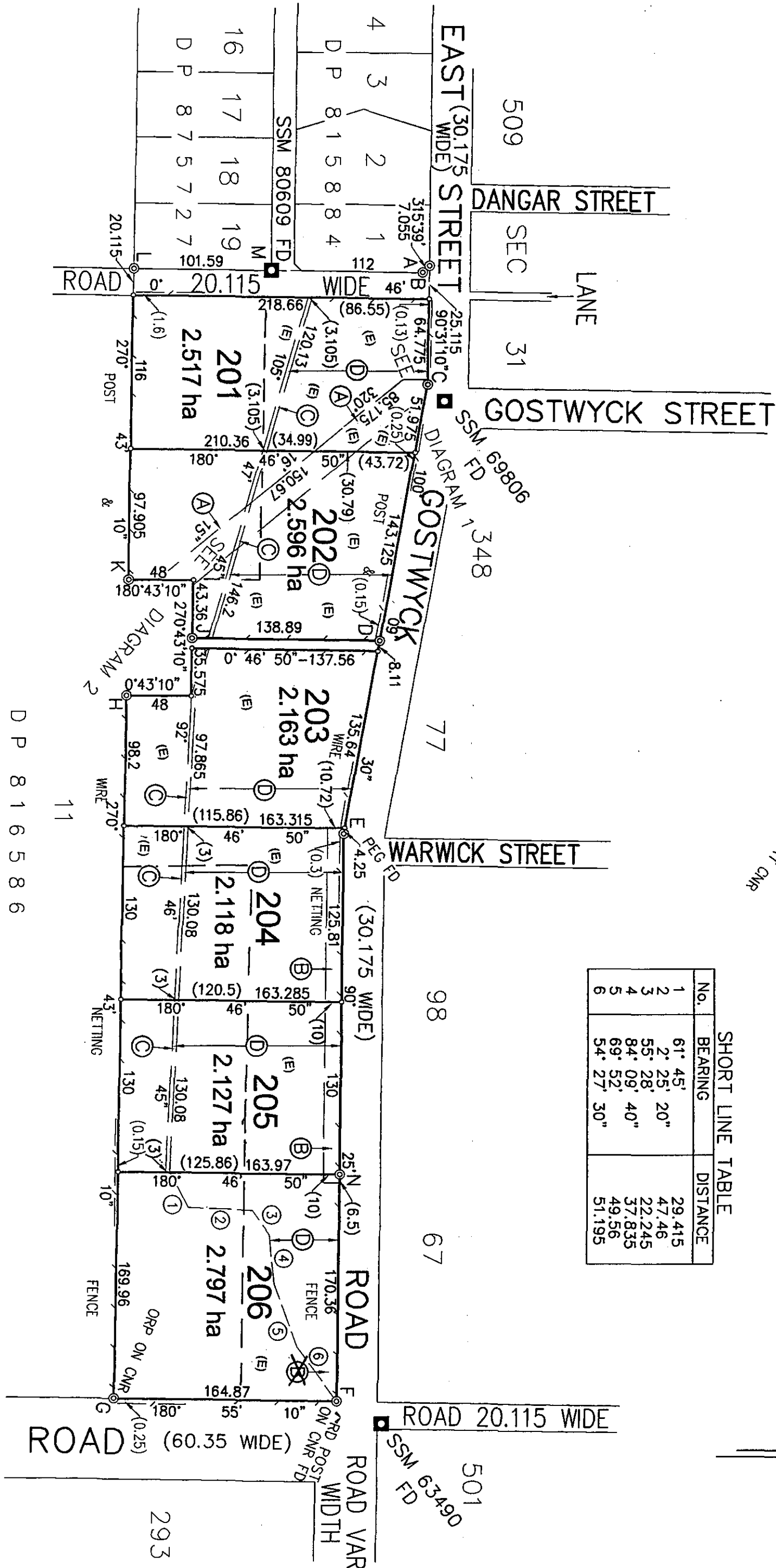
PANEL FOR USE ONLY for statements of intention to  
dedicate public roads, to create public reserves,  
to dedicate reserves, easements, restrictions on the use  
of land or positive covenants.  
PURSUANT TO SECTION 88B OF  
THE CONVEYANCING ACT, 1919,  
AS AMENDED, IT IS INTENDED  
TO CREATE: -

- EASEMENT FOR OVERHEAD  
POWER LINES 20 WIDE.
- EASEMENT FOR OVERHEAD  
POWER LINES 10 WIDE &  
VARIABLE.
- EASEMENT TO DRAIN SEWAGE  
3 WIDE
- RESTRICTIONS ON THE USE  
OF LAND.

DRAWING NUMBER: 998D0201



| No. | BEARING     | DISTANCE |
|-----|-------------|----------|
| 1   | 61° 45'     | 29.415   |
| 2   | 2° 25' 20"  | 47.46    |
| 3   | 55° 28'     | 22.245   |
| 4   | 84° 09' 40" | 37.835   |
| 5   | 69° 52'     | 49.56    |
| 6   | 54° 27' 30" | 51.195   |



SCHEDULE OF REFERENCE MARKS

| BEARING           | DISTANCE | DESCRIPTION                        |
|-------------------|----------|------------------------------------|
| A 253° 36'        | 5.11     | GI PIPE FD (0.3 DEEP) (DP 815884)  |
| B 269° 47'        | 0.72     | GI PIPE FD (0.3 DEEP) (DP 815884)  |
| C 244° 43'        | 4.75     | SSM 69806 FD (DP 816586)           |
| D 180° 47'        | 1.82     | GI PIPE FD (0.4 DEEP) (DP 816586)  |
| E 180° 14'        | 1.825    | BY SURVEY                          |
| F 190° 31'        | 1.055    | GI PIPE FD (0.2 DEEP) (DP 816586)  |
| G 49° 57'         | 1.35     | GI PIPE FD (0.25 DEEP) (DP 816586) |
| H 270° 43'        | 1.36     | GI PIPE FD (0.3 DEEP) (DP 816586)  |
| I 90° 43'         | 0.99     | GI PIPE FD (DP 816586)             |
| J 180° 47'        | 0.675    | GI PIPE FD (DP 816586)             |
| K 181° 40'        | 0.665    | BY SURVEY                          |
| L 270° 43'        | 1.0      | GI PIPE FD (DP 816586)             |
| M 236° 04'        | 1.765    | GI PIPE FD (DP 875727)             |
| N 165° 31'        | 0.89     | SSM 80609 FD (DP 875727)           |
| O AT INTERSECTION |          | GI PIPE                            |

SURVEY CO-ORDINATION INFORMATION

|                              |              |                             |
|------------------------------|--------------|-----------------------------|
| SSM 69806 - SSM 63490        | 92° 24'      | - 777.1                     |
| SSM 69806 - SSM 63490        | 92° 24'      | - 777.085 BY SURVEY         |
| SSM 69806 - HARNAM HILL [TS] | 184° 27' 10" | - DP 815884 & SURVEY        |
| SSM 69806 - SSM 80609        | 217° 30' 20" | - 149.06 DP 875727 & SURVEY |
| SSM 63490 - CNR F            | 206° 57' 45" | - 37.145 DP 816586 & SURVEY |

- EASEMENT FOR OVERHEAD POWER LINES 20 WIDE
- EASEMENT FOR OVERHEAD POWER LINES 10 WIDE & VAR.
- EASEMENT TO DRAIN SEWAGE 3 WIDE
- RESTRICTION ON THE USE OF LAND

Department of Lands Approval

I, *[Signature]*, in approving this plan certify that all necessary approvals in regard to the obligation of the land shown herein have been given.

Signature: *[Signature]*

Date: *[Signature]*

File Number: *[Signature]*

Office: *[Signature]*

Subdivision Certificate

I certify that the provisions of a.1094 of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed

SUBDIVISION *[Signature]* set out herein

(insert subdivision or new road)

Consent Authority: *[Signature]*

Date of endorsement: 20 September 2004

Accreditation no: 812004

Subdivision Certificate no: DA 33388

File no: *[Signature]*

Note: When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format approved by the Registrar-General.

\* Delete whichever is inapplicable.

SURVEYOR'S REFERENCE: L998.2

CHECKLIST

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

## **Appendix D - Traffic Impact Assessment**



## Appendix E - AHIMS Search

Barnson  
Suite 6 11 White Street  
Tamworth New South Wales 2340  
Attention: Jack Massey  
Email: jmassey@barnson.com.au

Date: 13 August 2020

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 206, DP:DP1074880 with a Buffer of 200 meters, conducted by Jack Massey on 13 August 2020.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

|   |                                                                       |
|---|-----------------------------------------------------------------------|
| 0 | Aboriginal sites are recorded in or near the above location.          |
| 0 | Aboriginal places have been declared in or near the above location. * |

### **If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

### **Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

---

# Traffic Impact Assessment Report

Transport Depot  
140 Gostwyck Road  
Uralla NSW 2358

(Our Reference: 34297-TIA01\_1)  
© Barnson Pty Ltd 2016. Confidential.

---

date

13.10.2020

reference

34297-TIA01\_1

receiver

MacPherson's Walcha  
Pty Ltd

**Traffic Impact Assessment Report  
Transport Depot  
140 Gostwyck Road  
Uralla NSW 2358**

With reference to the above, please find the following Traffic Impact Assessment report regarding the proposed development at 140 Gostwyck Road, Uralla NSW.

If you have any further enquiries regarding this matter, please contact the undersigned.

Yours faithfully

BARNSON PTY LTD



Luke Morris

BE MIEAust CPEng (Reg)

DIRECTOR

## Disclaimer

This report has been prepared solely for MacPherson's Walcha Pty Ltd (the client) in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report. Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

|                         |                                             |
|-------------------------|---------------------------------------------|
| <b>Project Name:</b>    | Transport Depot – 140 Gostwyck Road, Uralla |
| <b>Client:</b>          | MacPherson's Walcha Pty Ltd                 |
| <b>Project No.</b>      | 34297                                       |
| <b>Report Reference</b> | 34297-TIA01_1                               |
| <b>Date:</b>            | 13.10.2020                                  |
| <b>Revision:</b>        | Final                                       |

Prepared by:



Luke Morris  
BE MIEAust CPEng (Reg)  
DIRECTOR



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## APPENDICES

- Appendix A – Proposed Site plans
- Appendix B – Gostwyck Road Traffic Counts

## EXECUTIVE SUMMARY

This Traffic Impact Assessment (TIA) has been prepared for a proposed additional permitted use, being a transport depot, at Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla NSW. The transport depot will accommodate the parking of up to 25 buses while they are not in use.

The subject site has an area of approximately 2.8 ha, is zoned R5 Large Lot Residential and contains an existing dwelling. Access to the site is via Gostwyck Road.

This report has considered:

- Review of existing key transport network conditions;
- Calculation of the traffic generated by the proposed development;
- Assessment of parking provisions;
- Analysis of the development's impact on the surrounding road and intersection network with regards to capacity, condition, safety and efficiency; and
- Recommendations to mitigate or manage traffic impact.

Upon analysis, it has been determined that the proposed new driveway can accommodate the peak traffic generated by the development, and impact on the existing road performance will be minimal.

It is recommended that parking provisions for bus drivers' private vehicles be reviewed as part of the DA submission.

# 1 INTRODUCTION

## 1.1 Project Outline

The Planning Proposal seeks to create an additional permitted use for a transport depot on Lot 206 DP 1074880, being 140 Gostwyck Road, Uralla. Specifically, the future land use shall provide onsite storage for the bus line company MacPherson's Walcha Pty Ltd.

## 1.2 Purpose and Scope

This report has been commissioned by the applicant as part of a Planning Proposal for the subject site seeking approval for the proposed additional use; and provides an assessment of the traffic implications of the proposed development on surrounding traffic, transport and local road infrastructure.

This TIA has been prepared in accordance with:

- RMS Guide to Traffic Generating Developments (2002); and
- Uralla Shire Council's Development Control Plan adopted 19 December 2011.

## 2 EXISTING CONDITIONS

### 2.1 Location and Site

The subject site is located within the Uralla Shire Council LGA, on the southern side Gostwyck Road on the outskirts of Uralla.

The site has an area of 2.8 ha and currently accommodates a dwelling. It is located within a rural locality and is zoned R5 Large Lot Residential.



Source: SIX Maps e-Topo, NSW Spatial Information Exchange, 2019

**Figure 1 Site aerial photograph**

Existing site access is from Gostwyck Road via a 4.5m wide dirt driveway as illustrated in **Figure 2**.





**Figure 2 Existing site access**

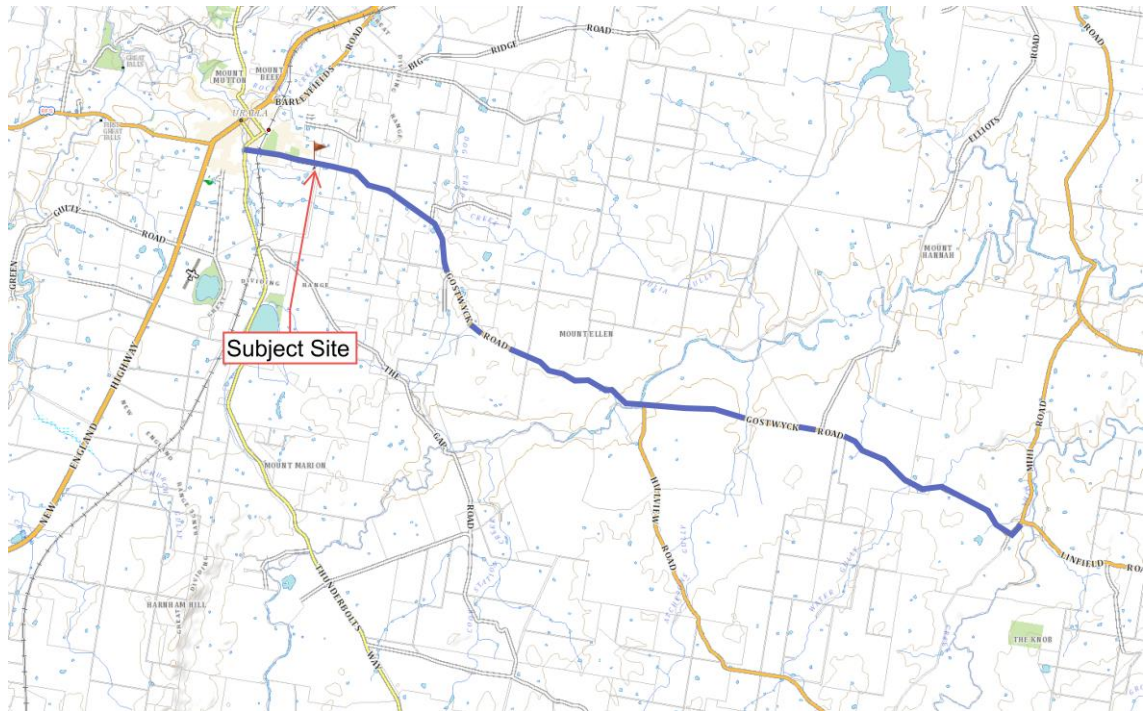
At the driveway location, Gostwyck Road is in good sealed condition and is approximately 7m wide with one lane in each direction and no linemarking. Exiting the driveway, sight distances exceed 250m in both directions.



**Figure 3 Existing driveway – view along Gostwyck Road**

## 2.2 Existing Traffic Hierarchy

The subject site is accessible only via Gostwyck Road, a local road that runs from Uralla towards the rural locality of Gostwyck to the south-east.



Source: SIX Maps e-Topo, NSW Spatial Information Exchange, 2019

**Figure 4 Site Road Hierarchy**

## 2.3 Traffic Volumes

### 2.3.1 Gostwyck Road Traffic

Traffic counts were conducted in 2018 on Gostwyck Road to the east of McCrossin Street. The data obtained is attached in Appendix B and is summarised below.

**Table 1 Summary of existing traffic volumes on Gostwyck Road**

| Daily Average (vpd) | PM Peak 4:30pm-5:30pm<br>(vph) |
|---------------------|--------------------------------|
| 216                 | 23                             |

All vehicle rates shown are for movements in both directions.

The speed limit on Gostwyck Road adjacent to the site is 100km/hr.

## 2.4 Public Transport

There are no existing regular public transport services in the vicinity of the subject site.



### 3 PROPOSED DEVELOPMENT

As outlined in Section 1.1, the proposed additional use is a transport depot for the fleet of buses operated by MacPherson's Walcha Pty Ltd. The development will cover the construction of parking provisions facilitating 25 buses, as well as a new site access point approximately 90m east of the existing residential driveway.

#### 3.1 Parking Provision Assessment

Overall, the proposal includes the provision of one parking bay per bus, for a total capacity of up to 25 buses.

Additional consideration will be given to the parking of bus drivers' private vehicles at the DA stage of the proposal.

#### 3.2 Traffic Generation

Traffic generated by the development will fluctuate depending on seasonal requirements and specific events and engagements. Two key traffic generation scenarios are outlined below:

1. Average trip generation: based on the client's previous experience, it is estimated that on an average day for the majority of the year, the site will generate 4 bus trips per day. These would comprise 4 exit movements travelling from the site towards Uralla at 7:30am and 4 entry movements returning to the site at 4:30pm.
2. Peak trip generation: the "worst case" scenario where each of the 25 available parking spots is filled by a bus, and each bus is performing 1 trip per day, giving 25 bus trips. Further, each bus requires a driver who arrives in their own private vehicle, giving an additional 25 private vehicle trips, and totalling 50 daily vehicle trips overall.

For the purposes of analysis, scenario 2 for peak trip generation is adopted. In order to conduct a conservative assessment, it is also assumed that all vehicle movements coincide with peak traffic on Gostwyck Road. A summary of vehicle movements generated by the proposed development is provided below.

Table 2 Summary of traffic generation

| Time        | Private vehicle movements | Bus movements | Total vehicle movements |
|-------------|---------------------------|---------------|-------------------------|
| 7:30-8:30am | 25                        | 25            | 50                      |
| 4:30-5:30pm | 25                        | 25            | 50                      |

#### 3.3 Gostwyck Road Analysis

Based on the above, the maximum peak traffic volumes on Gostwyck Road will be during the PM peak between 4:30pm-5:30pm, and will increase from 23vph to 73vph.

The peak hourly flows for a mid-block road at various Levels of Service (LoS) are set out in **Table 3** below.

**Table 3 Urban Road Peak Hour Flows per Direction**

| Level of Service | One Lane (veh/hr) | Two Lanes (veh/hr) |
|------------------|-------------------|--------------------|
| A                | 200               | 900                |
| B                | 380               | 1400               |
| C                | 600               | 1800               |
| D                | 900               | 2200               |
| E                | 1400              | 2800               |

Source: Guide to Traffic Generating Developments, RTA (2002)

From the above, it can be concluded that:

- Gostwyck Road currently operates at a Level of Service A;
- With the proposed change of use in operation, Gostwyck Road would continue to operate at a Level of Service A.

Therefore, no upgrades to Gostwyck Road are required.

### 3.4 Proposed Driveway/Intersection Analysis

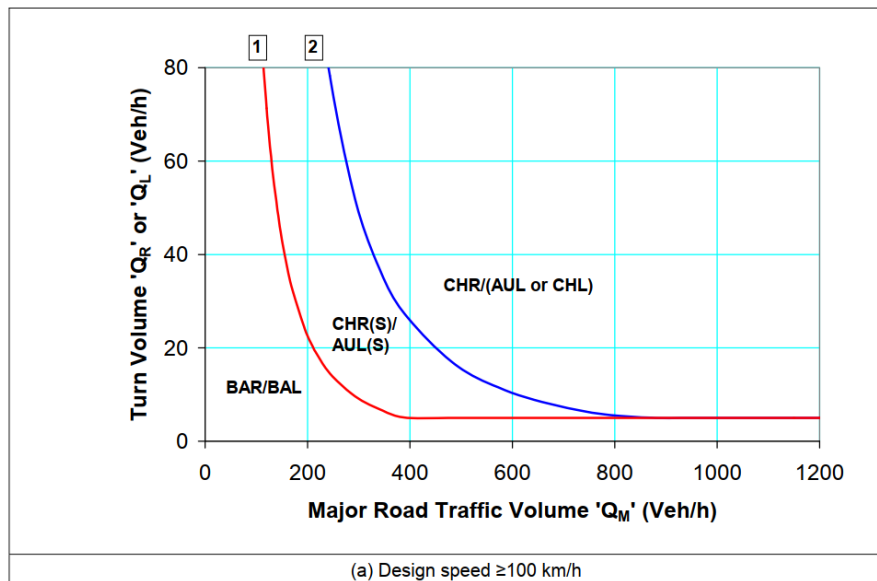
A new site access point is proposed to be constructed approximately 90m east of the existing driveway. The new driveway will be 8m in width to facilitate combined entry/exit movements.

From Section 3.2, the peak flows are summarised below:

**Table 4 Urban Road Peak Hour Flows per Direction**

| Existing through traffic (vph) | Proposed turning traffic (vph) |
|--------------------------------|--------------------------------|
| 23                             | 50                             |

From Figure 5 it can be determined that Basic Left (BAL) and Basic Right (BAR) turn treatments into and out of the subject site are adequate to accommodate the proposed traffic volumes, and no intersection upgrades are required.



Source: Figure 4.9, Guide to Road Design Part 4a, Austroads, 2010

**Figure 5 Warrants for turn treatments at unsignalised intersections**

### 3.5 Cumulative Impacts

There are no other known major developments currently being assessed by Uralla Shire Council in proximity to the subject site.

## 4 CONCLUSION

This Traffic Impact Assessment (TIA) has been prepared for a proposed additional permitted use, being a transport depot, at Lot 206 DP 1074880, known as 140 Gostwyck Road, Uralla NSW. The transport depot will accommodate the parking of up to 25 buses while they are not in use.

The subject site has an area of approximately 2.8 ha, is zoned R5 Large Lot Residential and contains an existing dwelling. Access to the site is via Gostwyck Road on the northern site boundary.

This report has considered:

- Review of existing key transport network conditions;
- Calculation of the traffic generated by the proposed development;
- Assessment of parking provisions;
- Analysis of the development's impact on the surrounding road and intersection network with regards to capacity, condition, safety and efficiency; and
- Recommendations to mitigate or manage traffic impact.

Upon analysis, it has been determined that the proposed new driveway can accommodate the peak traffic generated by the development, and impact on the existing road performance will be minimal.

It is recommended that parking provisions for bus drivers' private vehicles be reviewed as part of the DA submission.

Should you require any further information or clarification regarding this matter, please do not hesitate to contact the undersigned.

Yours faithfully

**BARNSON PTY LTD**



Luke Morris  
BE MIEAust CPEng (Reg)  
**DIRECTOR**

## **Appendix A - Proposed Site plans**

## **Appendix B - Gostwyck Road Traffic Counts**



## 15.5 | Report - Report on Notice of Motion 29.08/20

**Department:** Infrastructure & Development  
**Prepared by:** Manager of Development and Planning  
**TRIM Reference:** UINT/20/9691  
**Attachments:** Nil

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

|                  |           |                                                                                                           |
|------------------|-----------|-----------------------------------------------------------------------------------------------------------|
| <b>Goal:</b>     | 2.2       | Growing diversified employment, education and tourism opportunities                                       |
| <b>Strategy:</b> | 2.2.1     | Provide land use planning that facilitates employment creation                                            |
| <b>Activity:</b> | 2.2.1.1   | Optimise land use planning instruments to support employment creating business and industries             |
| <b>Action:</b>   | 2.2.1.1.1 | Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents |

### SUMMARY:

This report recommends that Council not pursue further development of a home-based enterprises policy as there is an adequate statutory framework for regulation of such development.

### RECOMMENDATION:

**That Council not pursue further development of a home-based enterprises policy.**

### BACKGROUND:

At the 25 August 2020, a Notice of Motion was presented to Council in relation to the development of a home-based enterprises policy. At OM29.08/20 it was resolved:

*"That Council have prepared, for consideration by an October Councillor's Strategic Planning Workshop, a policy that could facilitate the expansion and diversification of Uralla Shire's local economy by encouraging home-based enterprises, direct selling and working from home, taking advantage of e-commerce, new technologies and business models, while ensuring the maintenance of the amenity of the particular land use zone, in which the business is situated."*

Four Councillor workshops that addressed the home-based enterprises policy were undertaken on 22 September 2020, 29 September 2020, 6 October 2020, and 13 October 2020.

Council staff also sought independent legal advice in relation to whether online sales would be correctly defined as retail sales and as to whether the packaging of multiple goods not produced on-site could be legally categorised as a new product. The advice was that:

- Online sales are correctly categorised as retail sales, and
- Council has the discretion to categorise the packaging of multiple goods not produced on-site as a new product.

Council staff produced a draft Home-Based Enterprises Policy, however this has now been amended to an internal procedure document to guide staff in the interpretation of statutory instruments and regulation of home-based enterprises.

The Home-Based Enterprises Procedure defines “goods produced on-site” as:

*Any item manufactured or crafted on the premises, including repackaged or assembled combinations of components or articles not originating at the premises.*

The current statutory framework is considered sufficient for the regulation of home-based enterprises.

**KEY ISSUES:**

**Definition of retail** – Council staff sought legal advice from Mills Oakley and BAL Lawyers to determine whether online sales were correctly categorised as retail sales for the purposes of interpreting the Uralla Local Environmental Plan 2012 (LEP). Both firms advised that online sales were retail sales, and provided corresponding case law to support their advice.

**Goods produced on-site** - Council staff also requested Mills Oakley and BAL Lawyers to advise if the packaging of multiple goods not produced on-site could be legally categorised as a new product for the purposes of interpreting the LEP. Both firms advised that they were of the opinion that such a categorisation was legally possible.

**COUNCIL IMPLICATIONS:**

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

The Council website provides up-to-date information on home-based enterprise planning consent requirements and this webpage has been promoted on Council’s social media platforms. A media release will be prepared and issued on this agenda item following the Council meeting to promote the Council’s webpage information on this matter.

<https://www.uralla.nsw.gov.au/Council-Services/Building-Development/Do-I-need-approval/Information-for-Home-Based-Enterprises>

**2. Policy and Regulation**

The current statutory framework is sufficient for the regulation of home-based enterprises.

**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

## 15.6 | Report - Disclosure of Interest by Councillors and Designated Persons 2020

---

**Department:** Corporate Services  
**Prepared by:** Coordinator Governance & Risk  
**TRIM Reference:** UINT/20/8473  
**Attachments:** NIL

---

### **SUMMARY:**

The purpose of this report is to table the Declaration of Interest Returns in compliance with the provisions of Section 450A of the *NSW Local Government Act 1993* in relation to the keeping a register of, and the tabling of, pecuniary interest form by Councillors and designated persons.

### **RECOMMENDATION:**

**That Council:**

- a) **Note the Register of Disclosures by Councillors and designated persons for the period July 2019 – June 2020, as tabled; and**
- b) **Publish returns of interest made by Councillors and designated persons to the Uralla Shire Council website after redacting any information that applies the public interest test factors listed in the Table in section 14 of the Government Information (Public Access) Act 2009.**

### **BACKGROUND:**

Section 449(3) of the *Local Government Act 1993* requires Councillors (and designated persons), who hold that position on 30 June in each year, to lodge a “Disclosures by Councillors and Designated Persons Return”.

### **REPORT:**

All Councillors who held office at 30 June and designated persons were required to lodge such a return with the General Manager by 30 September 2020.

Designated persons identified by Council include the General Manager, senior staff, staff authorised to order goods over \$10,000 (inclusive of GST), staff involved in strategic planning, staff involved in assessing/issuing consents to development applications and staff involved in compliance/regulatory activities.

Designated persons are also required to lodge an annual register of interest by 30 September 2020 each year.

The purpose of these provisions is to facilitate transparency and accountability in local government decision making.

The obligations upon Councillors, the General Manager, Senior Staff and other designated persons to complete the annual Register of Interests is as much a protection for them as it is for the community should any decision they are involved be subject to a review process.

The Register of Disclosures is one of the important mechanisms in enhancing public confidence in local administration.

**CONCLUSION:**

Under the *Local Government Act 1993*, the returns are to be tabled at the first Council meeting following the last day for lodgement.

**COUNCIL IMPLICATIONS:**

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

The information provided will be redacted by applying the public interest test factors listed in the Table in section 14 of the Government Information (Public Access) Act 2009 and the forms will be uploaded on to the Council's website.

**2. Policy and Regulation**

Sections 449 and 450A of the *Local Government Act 1993* cover the compulsory lodgement of pecuniary interest annual returns.

**3. Financial (LTFP)**

Not applicable.

**4. Asset Management (AMS)**

Not applicable.

**5. Workforce (WMS)**

Not applicable.

**6. Legal and Risk Management**

Sections 449 and 450A of the *Local Government Act 1993* cover the compulsory lodgement of pecuniary interest annual returns. The Act details specific responsibilities of the General Manager in relation to the collection, reporting, tabling and public accessibility of the returns.

**7. Performance Measures**

Meeting statutory deadlines.

**8. Project Management**

Not applicable.

## 15.7 | Report - Community Grants Program 2020-21 - Individuals

---

**Department:** Corporate Services  
**Prepared by:** *Coordinator Communications and Engagement*  
**TRIM Reference:** UINT/20/9317  
**Attachments:** Nil

---

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 1.3 A diverse and creative culture  
**Strategy:** 1.3.3 Lobby government, companies and other individuals to secure funding for cultural and creative expression fields  
**Activity:** 1.3.3.1 Enhance opportunities for community cultural and creative expression  
**Action:** 1.3.3.1.1 Coordinate and deliver Council's annual community grants and financial assistance programs

---

### SUMMARY:

This report provides the outcome of the review by the Community Grants Assessment Panel, who received and assessed two applications under the Community Grants Program 2020-21 - Individuals category, to provide recommendations for determination by Council.

### RECOMMENDATION:

**That Council adopt the Community Grant Panel Committee recommendation to award funding allocations under the 2020-21 Community Grants Program – Individuals category to:**

- 1) Ms Pamela Meehan for the amount of \$300; and
- 2) Mr Trevor Watkins for the amount of \$300.

### BACKGROUND:

At its Ordinary Meeting held 22 September 2020, Council awarded grant funding to community groups under Round One of the Community Grants Program 2020-21 (resolution 10.09/20).

Following this determination, the Community Grants Program 2020-21 budget currently available is \$8,200.

In accordance with the Community Grants Guidelines, applicants within the Individuals category are able to make application at any time throughout the year, providing their application meets the guidelines criteria and is submitted at least four (4) weeks prior to the planned activity.

### REPORT:

Council has received two applications under the Community Grants Program 2020-21 - Individuals category as follows:

- 1) Ms Pamela Meehan requested the amount of \$300 to attend the Elders Olympics held in Nambucca Heads in April 2021; and



- 2) Mr Trevor Watkins requested the amount of \$300 to attend the Elders Olympics held in Nambucca Heads in April 2021.

The applications were reviewed by the Community Grants Assessment Panel, comprised of Councillors O'Connor, Ledger, and Crouch. Councillor Ledger declared a non-significant non-pecuniary conflict of interest in relation to one of the applicants.

The panel's assessment is set out in the table below.

| Applicant         | Amount requested | Purpose                          | Panel Assessment of Eligibility Criteria and Recommendation                                                                                 | Conditions of Grant                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------|------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ms Pamela Meehan  | \$300            | To attend at the Elders Olympics | <p>The application meets the Guidelines criteria.</p> <p>The Panel recommends the applicant be awarded \$300 to undertake the activity.</p> | <p>That in accordance with the Community Grants Guidelines, the funding is used solely for:</p> <ul style="list-style-type: none"> <li>- Travel requirements</li> <li>- Accommodation</li> <li>- Activity registration or entry fees</li> <li>- Purchase or hire of equipment or materials required to compete or participate in the development activity</li> <li>- Transportation of equipment or materials.</li> </ul> |
| Mr Trevor Watkins | \$300            | To attend at the Elders Olympics | <p>The application meets the Guidelines criteria.</p> <p>The Panel recommends the applicant be awarded \$300 to undertake the activity.</p> | <p>That in accordance with the Community Grants Guidelines, the funding is used solely for:</p> <ul style="list-style-type: none"> <li>- Travel requirements</li> <li>- Accommodation</li> <li>- Activity registration or entry fees</li> <li>- Purchase or hire of equipment or materials required to compete or participate in the development activity</li> <li>- Transportation of equipment or materials.</li> </ul> |

The Community Grants Assessment Panel agreed that the applications were eligible under the Community Grants Guidelines and provided their recommendation to Council that funds under the Community Grants Program 2020-21 – Individuals category be awarded as follows:

- 1) Ms Pamela Meehan for the amount of \$300 to attend the Elders Olympics held in Nambucca Heads in April 2021; and
- 2) Mr Trevor Watkins for the amount of \$300 to attend the Elders Olympics held in Nambucca Heads in April 2021.

Should the funding allocation be approved and a resolution passed by Council to award the grants, a letter of offer will be forwarded to each successful applicant along with conditions and offer acceptance documentation to be signed and returned to Council.

**KEY ISSUES:**

- Council runs a “non-recurrent” grants category for Individuals of up to \$300. Applications under the individual category can be submitted any time of year at least four (4) weeks prior to the planned activity. Eligible applications will be accepted until funds are expended for this category.
- Available funding in the Community Grants Program 2020-21 is currently \$8,200.
- The Community Grants Assessment Panel has assessed the applications and provided the recommendation to Council to grant two individuals a total of \$600.

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

Council’s Community Grants Program is advertised through the Council newsletter, media releases and social media.

**2. Policy and Regulation**

The Community Grants Program Policy can be viewed on Council’s website, refer: <https://www.uralla.nsw.gov.au/Council/Council-information/Policies-and-Codes>

**3. Financial (LTFP)**

Should Council adopt the Community Grant Panel’s recommendation, Council will commit a total of \$600 to award the two Individual grants. The Community Grants Program 2020-21 remaining budget will subsequently be \$7,600.

**4. Asset Management (AMS)**

N/A

**5. Workforce (WMS)**

N/A

**6. Legal and Risk Management**

N/A

**7. Performance Measures**

The participants’ attendance in the activity will be reported to Council and submitted within 60 days of attendance, as set out in the Letter of Offer.

**8. Project Management**

Coordinator Communications and Engagement

## 15.8 | Report - Enterprise Risk Management Policy

---

**Department:** Corporate Services  
**Prepared by:** *Coordinator Governance & Risk*  
**TRIM Reference:** UINT/20/9619  
**Attachments:** UINT/20/8908 – ERM Policy  
UINT/20/8903 – ERM Framework

---

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** A strong, accountable and representative Council  
**Strategy:** Identify and manage risk associated with all Council activities and ensures a safe and healthy work environment workforce

---

### SUMMARY:

The purpose of this report is to review the Enterprise Risk Management Policy.

### RECOMMENDATION:

**That Council place the renamed Enterprise Risk Management Policy version 5.0 on public exhibition for 28 days and, if no significant submissions are received, that the Policy be adopted.**

### BACKGROUND:

The Risk Management Policy was adopted at Council's Ordinary Meeting held on 24 April 2018 (Minute Number 19.04/18) and was not due for review until 2022. However, a review of the Risk Management documents was recently undertaken resulting in the drafting of an Enterprise Risk Management Framework and a re-write of the Policy. The updated policy can be more easily read by staff.

### REPORT:

Council's role is to provide guidance by means of policy statement. Policy statements are used to comply with statutory requirements and allows Council to maintain standards of good public administration. Additionally, it is a way to protect the organisation and provide the community with confidence that Council will undertake operations in a consistent, fair and equitable way.

A comprehensive review of the Enterprise Risk Management Policy (the Policy) has been undertaken to meet current standards. The Framework and the Policy were presented to the Audit, Risk and Improvement Committee for feedback at its meeting held on 13 October 2020. The Framework has been included within the attachments for Council's information only. The Policy was due for review in April 2022, however its review was brought forward to align with the review of Council's Framework.

### CONCLUSION:

The Enterprise Risk Management Policy has been reviewed, renamed and amended.

#### **COUNCIL IMPLICATIONS:**

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

The Policy is to be placed on public exhibition for a period of 28 days, seeking submissions from the community.

The Audit, Risk and Improvement Committee, the Senior Management Team and the Risk Management and Safety Officer have reviewed the Policy and provided comment. The Audit, Risk and Improvement Committee made specific recommendations – see separate agenda item.

The Policy has been designed so that it reads easily and is just one page in length to place on noticeboards.

**2. Policy and Regulation**

This Policy has been reviewed and updated.

**3. Financial (LTFP)**

There are no significant budgetary implications in adopting the Policy.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

This Policy applies to all the Workforce.

**6. Legal and Risk Management**

The following risks have been assessed:

Corporate Governance – the review of the Risk Management Policy ensures Council's Policy is up to date, effective and meets legislative and operational requirements.  
The risk is assessed as low.

**7. Performance Measures**

Nil.

**8. Project Management**

Nil.



---

**Policy:**

**Enterprise Risk  
Management Policy**

**2020**

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## INFORMATION ABOUT THIS DOCUMENT

|                                     |                                      |                                   |      |
|-------------------------------------|--------------------------------------|-----------------------------------|------|
| <b>Date Adopted by Council</b>      |                                      | <b>Resolution No.</b>             |      |
| <b>Document Owner</b>               | Executive Manager Corporate Services |                                   |      |
| <b>Document Development Officer</b> | Coordinator Governance & Risk        |                                   |      |
| <b>Review Timeframe</b>             | 4 Years                              |                                   |      |
| <b>Last Review Date:</b>            | 2020                                 | <b>Next Scheduled Review Date</b> | 2024 |


### **Document History**

| <b>Doc No.</b>   | <b>Date Amended</b> | <b>Details/Comments</b>                                                                                         |
|------------------|---------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Version 1</b> | 22 September 2014   | Resolution No.: 300/14                                                                                          |
| <b>Version 2</b> | 4 April 2018        | New draft Policy for consideration by the Audit, Risk and Improvement Committee at meeting 10 April 2018        |
| <b>Version 3</b> | 11 April 2018       | Modifications from Audit, Risk and Improvement Committee for public exhibition - Council Meeting 24 April 2018. |
| <b>Version 4</b> | 24 April 2018       | Resolution No.: 19.04/18                                                                                        |
| <b>Version 5</b> | September 2020      | Renamed and amended Policy supporting the Enterprise Risk Management Framework                                  |

### **Further Document Information and Relationships**

|                                                             |                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Related Legislation</b>                                  | Local Government Act 1993 and General Regulation 2005<br>Local Government (Financial Management) Regulation 1999<br>Environmental Planning and Assessment Act 1979<br>Environmental Planning and Assessment Regulation 2000<br>Work Health and Safety Act 2011 and Regulation 2017 |
| <b>Related Policies</b>                                     | All                                                                                                                                                                                                                                                                                |
| <b>Related Procedures/ Protocols, Statements, documents</b> | AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines<br>Risk Management Guidelines and Procedures<br>Trim Ref: UINT/20/8908                                                                                                                                           |

*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.*



Council's enterprise risk management framework provides the foundations and organisational arrangements for pursuing opportunities by designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation. Council understands that unmanaged, unrecognised risks can adversely impact its stakeholders and its ability to pursue opportunities to achieve strategic and operational objectives. Accordingly Council is committed to a whole of organisation approach to enterprise risk management.

**We are committed to integrated, consistent and efficient management of risks to support the achievement of our strategic and operational objectives and to maximise our opportunities.**

Council will develop a risk matrix to allow risk prioritisation. Key risks will be identified and managed to mitigate risks to meet the Council's risk appetite. Council will regularly review identified organisational risks as well as emerging risks to facilitate appropriate resource allocation and risk management.

To demonstrate our commitment we will:

- ✓ Provide adequate training and equipment to our people so they can be accountable and responsible for the management and reporting of risks
- ✓ Create a culture where the identification and management of risk is embedded as an integral part of our business practice and decision making
- ✓ Apply risk tolerance levels as approved by the executive to enable appropriate management and reporting of risk
- ✓ Seek to fully understand risks that are material to our safety, our business or affect our community
- ✓ Continually improve the effectiveness of our management of risk to support the achievement of our strategic and operational objectives and to maximise our opportunities.
- ✓ Actively monitor the external and internal business environment to identify emerging risks.

In pursuit of the objectives of the Community Strategic Plan, we will comply with legislative and regulatory requirements and manage our risks to preserve and create value across the organisation.

This policy applies to all our employees and contractors and to any person or organisation that acts or represents us.

Signed by the Executive:

Adopted by Council: **Date**



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**Manual :**

**Enterprise Risk  
Management Framework**

**2020**

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|                                     |                                 |                                   |      |
|-------------------------------------|---------------------------------|-----------------------------------|------|
| <b>Date Adopted by Council</b>      |                                 | <b>Resolution No.</b>             |      |
| <b>Document Owner</b>               | General Manager                 |                                   |      |
| <b>Document Development Officer</b> | Coordinator Governance and Risk |                                   |      |
| <b>Review Timeframe</b>             | Annually                        |                                   |      |
| <b>Last Review Date:</b>            | Version 1                       | <b>Next Scheduled Review Date</b> | 2021 |

A review of this procedure will be conducted Annually or if:

- It becomes apparent that the process for managing asbestos is not adequate to protect workers,
- There are legislative changes that affect requirements for managing asbestos,
- The need for a review is raised through a council's consultation process.
- Council will review this procedure when there are legislative changes, a change in workplace arrangements or at least every 2 years to ensure it continues to be effective and relevant.  
Review and revision must be done in consultation with relevant workers.

#### ***Document History***

| <b>Doc No.</b>   | <b>Date Amended</b> | <b>Details/Comments eg Resolution No.</b> |
|------------------|---------------------|-------------------------------------------|
| <b>Original</b>  | September 2019      | Update risk matrix                        |
| <b>Version 2</b> | September 2020      |                                           |

#### ***Further Document Information and Relationships***

|                             |                                                                                                               |
|-----------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>Related Legislation*</b> | Local Government Act 1993 and General Regulation 2005<br>Work Health and Safety Act 2011 and Regulation 2017. |
| <b>Related Policies</b>     | Policy: Risk Management 2018<br>Policy: Work Health and Safety 2019                                           |

|                                                                     |                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                     | Fraud and Corruption Control 2018                                                                                                                                                                                                                                                                                                                                                        |
| <b>Related Procedures/<br/>Protocols, Statements,<br/>documents</b> | <ul style="list-style-type: none"> <li>• Code of practice: How to Manage Work Health and Safety Risks 2019 (SafeWork NSW)</li> <li>• ISO 31000:2009 Risk management — Principles and guidelines</li> <li>• Charter: Audit, Risk and Improvement Committee 2018</li> <li>• Office of Local Government – Internal Audit Guidelines 2010</li> <li>• Charter: Internal Audit 2020</li> </ul> |

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## 1 Introduction

### 1.1 Purpose

---

The purpose of Council's Enterprise Risk Management (ERM) Framework is to:

- Document Council's approach to risk management and overall risk management framework;
- Help Council maintain an internal control environment appropriate to the size, business mix and complexity of its operations;
- Help safeguard Council's key stakeholders; and
- Help achieve compliance to various external regulatory regimes.

The ERM Framework is one of a number of plans prepared by Council to cover its wide-ranging projects, programs and activities. These plans 'feed' into the Delivery Program and directly to the annual Operational Plan. The degree of detail provided in the plans increases as the planning process moves from strategic to direct service provision.

### 1.2 Definitions

---

|                  |                                                                                                                                 |
|------------------|---------------------------------------------------------------------------------------------------------------------------------|
| General Manager: | General Manager of Uralla Shire Council                                                                                         |
| Management:      | Council Staff involved in the coordination or administration to achieve Uralla Shire Council's corporate goals.                 |
| Employees:       | Staff employed at Uralla Shire Council.                                                                                         |
| Stakeholder:     | A person with an interest in Uralla Shire Council business which includes but is not limited to contractors and subcontractors. |

### 1.3 Risk Management Approach

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In accordance with the Risk Management Policy, Council will adopt a whole-of-organisation approach to managing its risks. This approach to risk management is known as Enterprise Risk Management (ERM)

ERM is a top-down approach to managing risks. It considers organisational strategy and should be focused on ways to mitigate risk and optimise opportunities important to Council and management. This framework supports the Enterprise Risk Management Policy.

Some major differences between Council's traditional risk management and enterprise risk management are shown in the table below:

**From**

Risk as individual hazards  
 Risk identification and assessment  
 Focus on all risks  
 Risk limits  
 Risks with no owners  
 Haphazard risk identification  
 Risk is not my responsibility

**To**

Risk in the context of business strategy  
 Risk “portfolio” management  
 Focus on critical risks  
 Risk strategy  
 Defined risk responsibilities  
 Monitoring and measurement  
 Risk is everyone’s responsibility

Council’s ERM approach is based on the following three key principles. Risk management is:

1. the responsibility of Councillors, Management and Employees;
2. integrated into all business activities and systems; and
3. based on the Australia/New Zealand Standard for Risk Management (AS/NZS 31000:2009).

Our approach emphasises that risk management is an integral part of the management process.

Adherence to the framework will enable us to fulfil our stewardship responsibilities of protecting resources from loss or misuse, ensuring the safety of Council officers, our stakeholders and the public, and generally encourage excellence in management, including innovation that may involve responsible risk taking.

## 1.4 Applying AS/NZS 31000:2009 to Council

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Under Council’s organisation-wide risk management approach there are a number of key activities that must be undertaken:

- Establish the context of risk – Council’s risk management framework is developed in the context of its activities and risk appetite. An appropriate risk structure helps to further establish the context. The risk management framework must as a minimum address high risk areas.
- Identify Risk – Each program is responsible for conducting an appropriate risk identification process. The process can be conducted during team meetings, general research or use of risk specialists;
- Analyse & Evaluate Risk – All risks are analysed by their likely impact on the organisation including reputation, the community, customers, staff , and the probability of occurrence;
- Treat Risk – Control measures that mitigate the impact and probability of the risk are also identified. Following assessment, a decision is made on whether to accept the level of residual risk or implement control measures to reduce the consequence and/or probability of the risk;
- Communicate and Consult – Council’s risk management framework will be communicated to Executive Team. A consultation process will incorporate that feedback into the framework; and
- Monitor and review – All staff are encouraged to raise emerging risk issues with their Manager. The Executive Team is close to the business and are involved in the ongoing risk assessment management of identified risks as well as better understanding and responding to emerging risks. Formal reporting occurs to keep key stakeholders up to date.

## 1.5 Risk Management Technology

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To assist in the management of risks identified, Council will utilise a risk register comprised on an excel spreadsheet that provides Council with a central repository for users to record strategic and operational risks, evaluate controls, audit controls, record incidents and produce various reports to track the progress of Council's risk management framework.

## 2 Risk Management Context

### 2.1 Scope

---

Council operates a wide range of diverse projects, programs and activities and has a large number of diverse stakeholders with varying needs and expectations. Therefore the scope of Council's organisation-wide risk management must encapsulate all activities. Specifically, the context of risk management will include:

|               |                                                                                                               |
|---------------|---------------------------------------------------------------------------------------------------------------|
| Governance    | Sound processes for decision-making i.e. the processes by which decisions are implemented or not implemented. |
| Compliance    | Meeting the expectations and requirements of those stakeholders who regulate the organisation.                |
| WH&S          | Target an injury free workplace through effective safety systems, training and an aligned safety culture.     |
| Financial     | Includes strategic and business planning, financing and accounting to meet legal and regulatory requirements. |
| Operational   | Includes programs, activities and processes to deliver internal and external services                         |
| Environmental | Given exposure or series of exposures that may damage human health or the physical environment                |

### 2.2 Objectives

---

In order to address the needs and wants of its various stakeholders, Council has developed a Ten Year Community Strategic Plan, Four Year Delivery Program and annual Operational Plan. These plans set out Council's Vision, Mission, Goals and Objectives and should be considered when setting objectives for an enterprise-wide risk management program.

Council states in its Enterprise Risk Management Policy that its commitments are to:

- ✓ Provide our people adequate training and equipment to be accountable and responsible for the management and reporting of risks;
- ✓ Create a culture where the management of risk is embedded as an integral part of our business practice and decision making;
- ✓ Apply risk tolerance levels as approved by the executive to enable appropriate management and reporting of risk;

- ✓ Seek to fully understand risks that are material to our safety, our business or impact on our community;
- ✓ Continually improve the effectiveness of our management of risk to support the achievement of our strategic and operational objectives and to maximise our opportunities; and
- ✓ Actively monitor the external or internal business environment to identify emerging risks.

## 2.3 Benefits of Managing Risks



## 2.4 Risk Appetite

An organisation's risk appetite or tolerance for risk will vary with its strategy, as well as its evolving conditions in the industry. Council's approach is to identify, analyse and prioritise risks and give most attention to those with a high priority.

Council is seeking to trying out new technologies that enable us to be a smart and adaptable business.

Council cares genuinely about the safety and wellbeing of our people and is averse to Work Health & Safety risks. Accordingly Council expects the necessary investment in mitigation techniques and strong controls to achieve a safe working environment. Whilst Council aspires to zero harm we have a focus on learning from high potential safety events. Council is open to innovative opportunities to improve the wellbeing of our workforce.

Council has very little appetite for risks which may compromise the safety and wellbeing of staff, the community, contractors and volunteers. Similarly, Council has very little appetite for risks that cause significant and irreparable damage to the environment and seeks to preserve and enhance it for future generations.

Council places great importance on compliance and has little appetite for any breaches in legal, regulatory and professional requirements.

Council has little appetite for risks that may have a significant adverse impact on its long term financial sustainability. However, Council encourages entrepreneurship and has a moderate appetite for risks arising from economic and property development opportunities.

While mindful that reputation risk is inherent in our business activities, we will take a cautious approach and not be constrained by reputation related risk in pursuing innovation. Council has considerable appetite for improvements and innovation in service delivery, technology and the efficiency of our operations.

Council's appetite is the amount of risk it is prepared to accept to achieve its strategic objectives. Having a documented risk appetite statement:

- allows for a better understanding of our strategic goals, culture, context and sensitivity to risk
- identifies different risk in different parts of the business
- informs the development of risk tolerances for various Council activities and decisions.

The risks to Council can be significant and a failure to properly manage these risks will impact its ability to deliver its strategic objectives.

Risk tolerances are the boundaries for risk taking.

The Strategic Risk Register is where the determined risk appetite and tolerances are captured for each risk.

High Appetite (open tolerance): Council will operate in this area or in this way after all options are considered and the most appropriate option selected for an acceptable level of reward or value for money. There is a willingness to take on risk for an acceptable level of reward. Council may have a high risk appetite when seeking to try out new technologies that enable us to be a smart and adaptable business.

Moderate Appetite (acceptable tolerance): Council will operate in this area or this way after risks have been effectively mitigated in order to pursue opportunities. This is generally adopted for corporate and management activities. As an example; Council encourages entrepreneurship and has a moderate appetite for risks arising from economic and property development opportunities.

Low Appetite (tolerable tolerance): Council may operate in this area or in this way where the value is assessed as worthwhile, and only after risks have been effectively mitigated or uncertainty minimised. This is adopted for core business activities and for activities in pursuing key strategic objectives. For example Council has little appetite for risks that may have a significant adverse impact on its long term financial sustainability. Council also places great importance on compliance and has little appetite for any breaches in legal, regulatory and professional requirements. Council also has very little appetite for risks which may compromise the safety and wellbeing of staff, the community, contractors and volunteers.

No Appetite (unacceptable tolerance): Council will not operate in this area, and has no willingness to take on any risk.

| <b>Risk Appetite approach</b>                  | <b>Risk Averse</b>                                                                                       | <b>Slightly Risk Averse</b>                                                                          | <b>Risk Neutral</b>                                                                                        | <b>Risk Tolerant</b>                                                                                          | <b>Risk Seeking</b>                                                                  |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Risk Taking vs. Reward</b>                  | Council takes caution and often accepts as little risk as possible                                       | Council takes a cautious approach to risk taking                                                     | Council is willing to take a balance approach to risk taking                                               | Council is willing to take greater than normal risks                                                          | Council believes aggressive risk taking is justified                                 |
| <b>Objective/ negative impact relationship</b> | Not willing to accept a small negative impact in order to pursue strategic sub-objective                 | Only willing to accept a small negative impact in order to pursue strategic sub-objective            | Potential negative impact in order to pursue strategic sub-objective completion given equal consideration  | Willing to accept some negative impact in order to pursue strategic sub-objective                             | Willing to accept a large negative impact in order to pursue strategic sub-objective |
| <b>Preferred risk response approach</b>        | Those risk that cannot be effectively treated or transferred are avoided                                 | Preference to avoid risk or transfer it to an outside party or use a secondary mechanism             | No Preference towards risk response approaches                                                             | Preference to accept or reduce risk through internal measures                                                 | Risk is accepted as much as council permits                                          |
| <b>Risk response decision criteria</b>         | Risk response actions are taken even through prevention costs are greater than expected incidence costs. | Incidence costs are given a relatively higher priority when risk response and actions are considered | Risk response actions are made based on cost effectiveness, management priorities, and potential outcomes. | Risk response reactions are taken when a strong case can be made for cost effectiveness of potential outcomes | Minimum if any risk response actions are taken                                       |

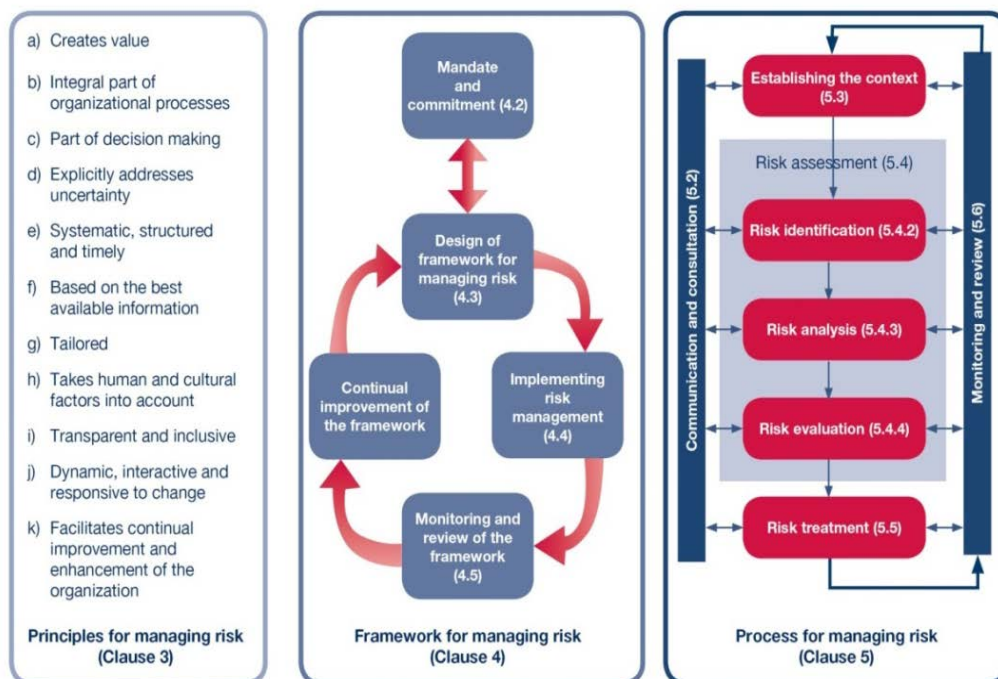
## 2.5 Risk Structure

An appropriate risk structure is critical to an effective ERM framework. It can aid in the risk identification process as well as the organisation of risk information. The structure can be determined in several ways. Risks can be categorised by locations, operations, perils, etc. As long as the structure allows thorough and consistent risk identification there is no one correct approach. There is an appendix of the ratings attached at the end of this framework.



### 3 Risk Management Process

Council's risk management process closely follows that set out in AS/NZ 31000:2009. The diagram below encapsulates the process.



Council's risk management framework will be communicated through:

- Executive
- Organisational communication mechanisms; and
- Staff training programs

### 3.2 Risk Identification

Risk identification involves analysing factors, circumstances, events and reliance that could give rise to a risk that business objectives are not achieved.

The concept of a risk portfolio assumes that various risks share certain characteristics and/or interdependencies. Risks are considered in groups, based on how they relate to each other, and within these groups one or more risks may rise or fall when other risks rise or fall. By understanding and mapping such interdependencies, managers can begin to parcel risks into broad categories that will influence how these risks are managed and optimised.

Each program is responsible for conducting an appropriate identification process. Council staff will undertake a range of activities to identify risks including group meetings, brainstorming workshops and periodic review of the risk register.

All risks identified are entered into the ERMS where they can be analysed and monitored. Once risks have been identified, they are analysed and the likelihood and potential impact evaluated.

### 3.3 Risk Analysis and Evaluation

This is an evaluation of a risk's probability of occurrence. At this point, no consideration is given to existing controls. All risk evaluation is conducted in the ERMS. In line with AS/NZS 31000:2009, we have rated the likelihood of a risk occurring as follows:

### 3.4 Likelihood Criteria

| Probability  | Frequency                         | Likelihood     |
|--------------|-----------------------------------|----------------|
| 95% to 100%  | Several time per week             | Almost Certain |
| > 70% to 95% | Monthly or several times per year | Likely         |
| > 30% to 70% | Once every 1-2 years              | Possible       |
| > 5% to 30%  | Once every 2-5 years              | Unlikely       |
| < 5          | Greater than once every 5 years.  | Rare           |

The impact of the risk is assessed in terms of physical cost (human & property) and dollar cost. All risk evaluation is conducted in ERMS using AS/NZS 31000:2009 principles to assist:

### 3.5 Consequence Criteria

| Uralla Shire Council Risk Categories | CONSEQUENCE TABLE |                                                                                   |                                                                                                   |                                                                                                  |                                                                                                      |                                                                                                           |
|--------------------------------------|-------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|                                      |                   | Minimal                                                                           | Minor                                                                                             | Moderate                                                                                         | Major                                                                                                | Catastrophic                                                                                              |
|                                      | People            | Minimal injury, no first aid required                                             | Minor injury; first aid required                                                                  | Injury or illness requiring medical attention                                                    | Significant injury or long term illness; hospitalisation                                             | Fatality; permanent disability, illness or disease                                                        |
|                                      | Environmental     | Minimal environmental impact; isolated and immediately reversible                 | Minor environmental impact; isolated and reversible or localised and immediately reversible       | Moderate environmental impact; localised and reversible or isolated and irreversible             | Significant environmental impact; regional and reversible or localised and irreversible              | Catastrophic environmental impact; national and reversible or regional and irreversible                   |
|                                      | Legal             | Isolated non compliance or breach; minimal failure of internal controls           | Contained non compliance or action with short term significance; some impact on normal operations | Significant claim or breach involving statutory authority or investigation; prosecution possible | Major breach with litigation/fines and long term significance; critical failure of internal controls | Extensive litigation/fines with possible class action; indictable offences                                |
|                                      | Financial         | Negligible financial loss; less than \$10,000; up to 10% of program/project value | Minor financial loss; \$10,000 - \$50,000; 10% - 15% of program/project value                     | Significant financial loss; \$50,000 - \$500,000                                                 | Major financial loss; \$500,000 - \$5m Impact on Councils reputational risk.                         | Extensive financial loss; in excess of \$5m. Would impact on the financial sustainability of the Council. |

|  |                                 |                |                                                                                                              |                                                                                                                                                             |                                                                                                                              |                                                                                                                                               |                                                                                                                       |
|--|---------------------------------|----------------|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
|  | <b>Reputation</b>               |                | Isolated, internal or minimal attention or complaint                                                         | Heightened local community concerns and criticism                                                                                                           | Significant public criticism and media attention. Loss of support from the community                                         | Serious public outcry, state media attention and long term and material loss of support from community                                        | Extensive public outcry; national media attention; loss of State government support with appointment of administrator |
|  | <b>Service Delivery</b>         |                | Isolated; internal or minimal impact on service delivery                                                     | Contained impact on service delivery of short term significance                                                                                             | Significant impact on service delivery involving investigation                                                               | Major impact on critical service delivery with long term significance                                                                         | Extensive impact/disruption to service delivery; threat to viability of critical program or whole of organisation     |
|  | <b>Technology &amp; Systems</b> |                | No measurable operational impact                                                                             | Minor downtime or outage in single area of the organisation; addressed with local management and resources                                                  | Significant downtime or outage in multiple areas of the organisation; substantial management required                        | Loss of critical functions across multiple areas of the organisation; long term outage; extensive management with external resources required | Extensive and total loss of critical and/or entire organisation; disaster management required                         |
|  | <b>Project Risk Management</b>  | <b>Cost</b>    | < 1 % of project or affected portion                                                                         | 1 - 2% of project or affected portion                                                                                                                       | 3 - 10% of project or affected portion                                                                                       | 11 - 30% of project or affected portion                                                                                                       | > 30% of project or affected portion                                                                                  |
|  |                                 | <b>Time</b>    | Up to 2 weeks                                                                                                | Up to 1 month                                                                                                                                               | 1-3 months                                                                                                                   | 3-12 months                                                                                                                                   | Project delayed for >12 months or terminated                                                                          |
|  |                                 | <b>Quality</b> | Elements of the project will not meet original design but still meet project scope/charter and AS Standards. | Elements of the project will not meet original design & require rectification to meet project scope/charter. (see also delay and/or financial implications) | Elements of the project only achievable with project variation to meet project scope/charter (see financial / delay impacts) | Key project outcome reduced/limited - project change approval required to original project scope/charter                                      | Key project outcome compromised/lost - project change approval required to original project scope/charter             |
|  |                                 | <b>PR</b>      | No dissatisfaction or opposition to a project.                                                               | Localised opposition to or dissatisfaction with the project.                                                                                                | Opposition to or dissatisfaction with the project from more than 1 group or more widespread.                                 | Extensive and ongoing opposition to or dissatisfaction with the project or a district wide reputational impact for Council.                   | Political action may stop the project.                                                                                |

Once the likelihood and consequence of a risk has been assessed, these can be placed in a Risk Matrix to determine the level of risk. The following diagram indicates a generalised rating of risk for Council, based on likelihood and consequence. The higher the number and letter, the higher the risk, please when writing short hand refer number and the letter assigned to each square:

### 3.6 Risk Management Matrix

|                  | CONSEQUENCE RATINGS |              |              |                    |                    |
|------------------|---------------------|--------------|--------------|--------------------|--------------------|
| LIKELIHOOD       | Minimal 1           | Minor 2      | Moderate 3   | Major 4            | Catastrophic 5     |
| Almost Certain A | Medium<br>A1        | Medium<br>A2 | High<br>A3   | Catastrophic<br>A4 | Catastrophic<br>A5 |
| Likely B         | Medium<br>B1        | Medium<br>B2 | High<br>B3   | Catastrophic<br>B4 | Catastrophic<br>B5 |
| Possible C       | Low<br>C1           | Medium<br>C2 | Medium<br>C3 | High<br>C4         | Catastrophic<br>C5 |
| Unlikely D       | Low<br>D1           | Low<br>D2    | Medium<br>D3 | High<br>D4         | High<br>D5         |
| Rare E           | Low<br>E1           | Low<br>E2    | Medium<br>E3 | Medium<br>E4       | High<br>E5         |

| Risk Rating       | Action required                                                                                                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Catastrophic Risk | Escalate to GM, and all relevant managers in department<br>Detailed action plan required to manage risk before progressing, with at least a monthly monitoring and reporting |
| High Risk         | Escalate to Executive manager<br>Detailed action plan must be implemented to reduce risk rating                                                                              |
| Medium Risk       | Escalate to area Manager Specify Management accountability and responsibility<br>Monitor trends and put in place improvement plans                                           |
| Low Risk          | Escalate to Supervisors<br>Manage by routine procedures                                                                                                                      |

### 3.7 Addressing Risk

Following identification of risk and evaluation of controls, an assessment is made on whether to accept the level of residual risk or to implement control measures that reduce the impact and/or probability of the risk.

While risks may be allocated to any member of management (risk owners) it is the ultimate responsibility of the respective Manager to implement risk treatment.

### 3.8 Monitor and Review

Council recognises the need to continually monitor the effectiveness of the ERM framework. To this end monitoring procedures have been established to enable regular assessment of the system and the identification of deficiencies or areas for improvement.

### 3.9 Involve all Staff

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Managers are close to the business and are involved with the risk assessment process on a day to day basis. Managers meet with their direct reports periodically. All staff are encouraged to raise possible risk issues with their Managers. Once risks are identified and evaluated, appropriate action is agreed and responsibilities allocated.

### 3.10 Monthly Reporting

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Managers produce monthly reports on their area of responsibility which includes any new or material changes to risks.

## 4 Roles and Accountabilities

The following is a summary of how roles are allocated as part of Council's response to risk:

| Response       | Responsibility                 | Person                        |
|----------------|--------------------------------|-------------------------------|
| Organisational | Risk Framework                 | Coordinator Governance & Risk |
| Operational    | Risk Assessment and Management | Council wide                  |
| Governance     | Risk Oversight                 | Audit                         |

### 4.1 Organisational

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#### 4.1.1 The General Manager

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The General Manager reports to Council and is responsible for:

- a risk management system is established, implemented and maintained in accordance with Council policy;
- assigning responsibilities in relation to risk management other than those set out in this Framework;
- providing Managers and staff support and training to undertake their responsibilities;
- reporting to the Audit, Risk and Improvement Committee (ARIC) annually on risk management activities undertaken during the year;
- Chairing the Risk Committee or appointing a suitable delegate to perform that duty.

#### 4.1.2 Risk Management and Safety Officer (RMSO)

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The RMSO reports via the Coordinator Governance & Risk to the Executive and Audit, Risk and Improvement Committee (ARIC). The RMSO is responsible for:

- coordinating Council's risk management activities, in conjunction with ARIC;
- maintaining Council's ERM Framework;
- providing support and advice to Managers in identifying, analysing, evaluating and treating risks;
- maintaining Council's electronic Risk Register
- managing Council's insurances portfolio, including claims management and monitoring of claims experience.

#### 4.1.3 Operational Staff

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All staff are responsible for:

- systematically identifying any risk that might impact on their objectives;
- maintaining an awareness of risks (current and potential) that relate to their area of responsibility;
- actively supporting and contributing to risk management; and
- advising their Managers of risk issues exceeding *medium* residual risk and/or unable to be risk managed to *medium/low* within extant resources and procedures.

#### 4.1.4 Audit Risk and Improvement Committee

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The ARIC Committee reports to the Council quarterly. The Committee is responsible for:

- reviewing Council's enterprise strategic risks, and providing risk identification and risk management advice to the Executive and council;
- reviewing the ERM Framework annually and recommending any changes;
- promoting a risk management approach.

#### 4.1.5 Managers (Risk Owners)

---

Managers / service area leads are responsible for:

- integrating risk management into all aspects of their projects, programs and activities;
- systematically identifying, analysing, evaluating and treating any risk that might affect their service delivery objectives; and
- preparing and implementing risk management practices and treatments that are:
  - consistent with Council requirements;
  - monitored to assess that management strategies remain effective; and
  - commensurate with the level of risk exposure.



## 4.16 Governance

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### Internal Auditor

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The Internal Auditor reports functionally to the Executive and ARIC. The Internal Auditor is responsible for:

- developing and implementing a three year Strategic Audit Plan;
- developing and implementing a detailed annual Internal Audit Work Program;
- providing advice to the Executive as requested, including the development of policies and procedures;
- liaising with the External Auditor and co-ordinating audit coverage;
- reporting to the Audit and Risk Committee on the findings and recommendations of audits conducted.

### External Auditor

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The External Auditor (AO) reports to the Council and the Office of Local Government. The External Auditor is responsible for:

- audit of the general purpose and special purpose financial statements of Council annually and provide an audit opinion;
- audit of the total permissible general income calculation;
- assurance examination of the controls in relation to the application for Payment of Pensioner Concession Subsidy;
- assurance examination of the reasonableness of the DWMS Reasonable Cost Calculations;
- auditing the expenditure of government grants requiring a separate audit report;
- providing a report to the Council and the Office of Local Government on the audit as required;
- providing advice to the General Manager on any matters arising during the course of the audit and not otherwise reported, including any suggestions for improvement in efficiency or economy of resources; and
- liaising with the Internal Auditor to co-ordinate audit coverage.

## 5 Embedding Risk Management

Council's risk management strategy has been developed in consultation with the Executive. All feedback has been considered and where appropriate incorporated into the strategy and framework.

The following key actions will be taken to help embed this risk structure within Council:

### **5.1 Council activities:**

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- provide ERM education at Council level;
- establish buy-in at Council level for risk appetite and risk strategy;
- develop “ownership” of risk management oversight by the Council; and
- review an annual enterprise risk register.

### **5.2 Management activities:**

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- create a high-level risk strategy (policy) aligned with strategic objectives;
- create a risk management organisational structure and clear reporting lines;
- develop and assign responsibilities for risk management; and
- communicate effectively with stakeholders.

### **5.3 Establish a common risk culture:**

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- use common risk language and concepts;
- communicate about risk using appropriate channels and technology;
- develop training programs for risk management;
- identify and train “Risk Owners”;
- provide success stories and identify quick wins;
- align risk management techniques with Council culture; and
- develop a knowledge-sharing system.

### **5.4 Create risk accountability/responsibility:**

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- include risk management activities/responsibilities in position descriptions;
- incorporate ERM concepts into personal goals; and
- empower Managers with defined risk boundaries.

### **5.5 Embed risk activities into ongoing business processes:**

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- align and integrate risk management activities within the governance framework and planning processes, at both the operational and strategic level; and
- continuous review of processes and systems.

## 5.6 Measure and monitor risk:

- identify key performance indicators and critical success factors related to risk;
- establish success measures for risk strategy and activities;
- provide a periodic process for measuring risk/return; and
- identify and implement monitoring processes and methods of feedback.
- using deep dives to improve risk management

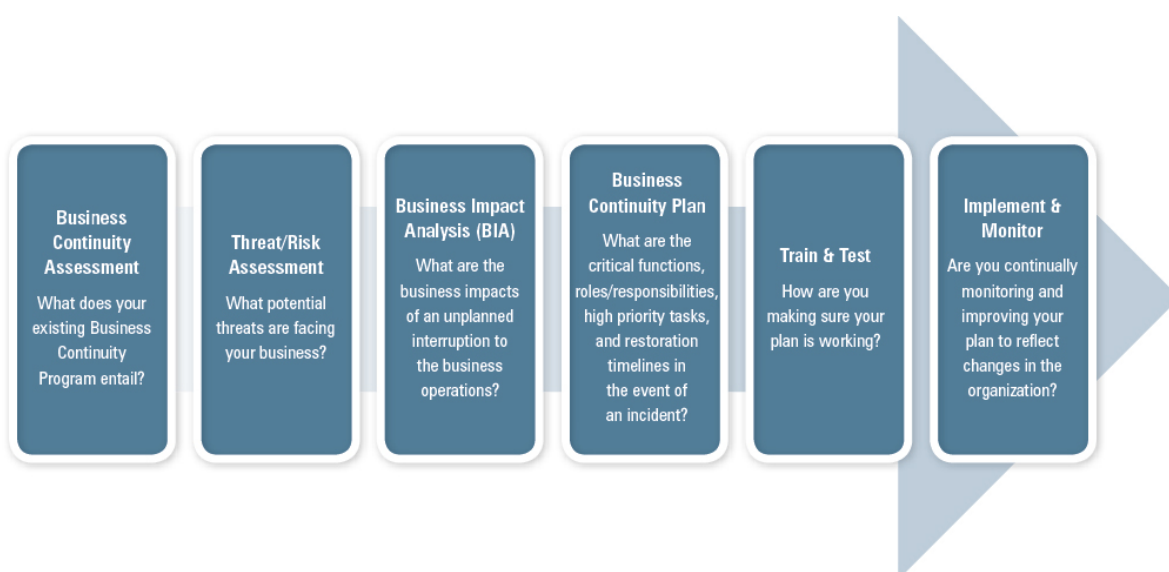
## 6 Business Continuity Management

Business Continuity Management (BCM) is an integral part of the ERM Framework and will provide stakeholders the continuation of essential services from the Council even in times of crisis.

Standards Australia has published a Handbook *HB 221-2004: Business Continuity Management*, which provides guidance on the analysis of BCM needs, and the development of a plan that identifies the processes and resources required to continue to meet critical objectives under any conceivable disaster.

### 6.1 Business Continuity Management involves the following steps:

- Perform a risk and vulnerability analysis;
- Conduct a business impact analysis;
- Develop response strategies;
- Develop resource requirements;
- Develop business continuity plans (BCPs);
- Develop communications strategy;
- Train staff, maintain and test plans; and
- Activate and develop plans.

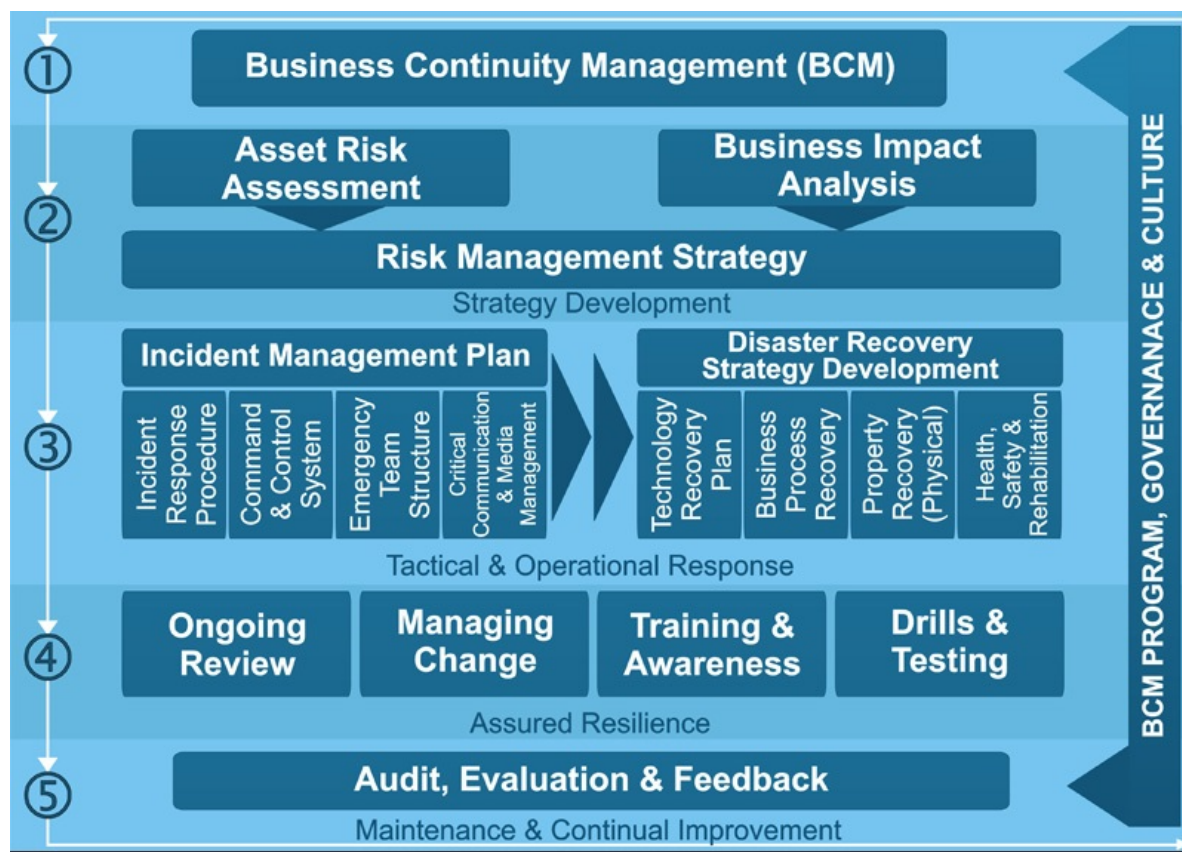


The steps are similar to, or an extension of those used during the risk assessment and treatment exercise. By undertaking the BCM analysis while completing a risk assessment, the processes and

resources essential to the operations of the Council are identified. The risks associated with these processes and resources must therefore receive the highest level of priority for treatment, continuous monitoring and improvement.

## 6.2 Business Continuity Plan (BCP)

BCPs are the outcome of the BCM process. They provide Council with a documented set of actions to prepare for and respond to business interruptions.



## 6.3 Succession Planning

Succession planning aims to have highly qualified people in all positions, not just today, but tomorrow, next year and five years from now. In today's organisations it is important to include key positions in a variety of job categories.

Succession Planning involves the following steps:

- Develop a Succession Planning Framework;
- Identify key positions and core competencies;
- Prepare individuals for increased leadership and managerial responsibilities;
- Develop and implement coaching and mentoring programs;
- Evaluate candidate performance;
- Communicate and implement the Succession Plan; and
- Review.

## 7 Insurance Matters

Insurance cover does not take the place of risk management and will not cover all risks of the Council. Insurance is only one method of treatment of identified risks. Nevertheless, it is an extremely important part of the Council's risk management strategy.

As most of the Council's high level insurable risk is transferred to reinsurers, there are stringent requirements for Council to meet in order for this cover to be effective. The main requirements relate to disclosure of all relevant information to the reinsurers at the time of renewal of the cover, and adequate and timely reporting of incidents and claims. These are discussed further below.

### 7.1 Insurance Premium and Data Requirements

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Every year around mid - March, Council's insurance broker will forward the annual insurance declaration document to Council for completion. The document is forwarded to Council and is required to be completed and returned by early May the same year.

The declaration asks for information regarding the Council's risks, activities and assets used for determining the annual premium as well as purchasing adequate reinsurance for the Council's risks.

It is essential that any changes to the Council's activities or assets are advised to the broker as soon as possible so that any alteration to cover can be arranged and if necessary "sign off" from the reinsurers be obtained.

### 7.2 Claims and Incident Reporting

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As with the requirement to notify the insurance broker of any changes to activities, it is essential that claims and incidents that could give rise to a claim are reported as soon as possible. This enables prompt action to be taken towards settling any claim and to avoid further loss or damage.

Council's "*Claims Information Procedures*" clearly set out the process that must be followed so that Council gathers and maintains the information and data needed to assist in defending a public liability or professional indemnity claim so that what is gathered constitutes admissible evidence. All managers and supervisors must be familiar with these procedures and must observe its requirements. The procedures are available on Council's intranet.

## 8 Associated Documents

There are a number of other documents and policies that connect closely to this ERM Framework. These provide additional guidance as to what should be done and how it should be done. Copies of all these documents are generally available on Council's intranet or by contacting the Risk Coordinator.

### 8.1 Enterprise Risk Management Policy

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This policy establishes the context for risk management activities at Council.

### 8.2 Risk Management Toolkit

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This is a practical procedure manual for people involved in the implementation of risk management initiatives within Council.

### 8.3 Claims Information Procedures

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These procedures provide direction for staff in the event of an incident occurring which could result in a claim being made against the Council.

### 8.4 Business Continuity Plan

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The Business Continuity Plan (BCP) is an integral part of the Council's ERM Framework. It sets out the ways by which Council will continue to provide services, even in times of crisis.

### 8.5 Succession Plan

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The Succession Plan is an important component of Council's Business Continuity Plan. It sets out Council's plans for ensuring that all mission critical positions in the organisation are filled, able to be filled, or maintained until filled.



## 9 Terminology

In order to standardise the terminology used in relation to risk management the following definitions, taken from AS/NZS 31000:2009 will be used:

|                            |                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Consequence</b>         | Outcome or impact of an event. There can be more than one consequence from one event. Consequences can range from positive to negative. Consequences can be expressed qualitatively or quantitatively.                                                                                                                                          |
| <b>Control</b>             | An existing process, policy, device, practice or other action that acts to minimise negative risk or enhance positive opportunities. The word 'control' may also be applied to a process designed to provide reasonable assurance regarding the achievement of objectives.                                                                      |
| <b>Control assessment</b>  | Systematic review of processes so that controls are still effective and appropriate. Periodic line management review of controls is often called 'control self assessment'.                                                                                                                                                                     |
| <b>Event</b>               | Occurrence of a particular set of circumstances. The event can be certain or uncertain. The event can be a single occurrence or a series of occurrences.                                                                                                                                                                                        |
| <b>Frequency</b>           | A measure of the number of occurrences per unit of time.                                                                                                                                                                                                                                                                                        |
| <b>Hazard</b>              | A source of potential harm.                                                                                                                                                                                                                                                                                                                     |
| <b>Inherent risk</b>       | The level of risk before implementation of risk treatment.                                                                                                                                                                                                                                                                                      |
| <b>Internal Control</b>    | The systems, policies and procedures used to govern the organisation's activities and processes to help achieve objectives and treat risk.                                                                                                                                                                                                      |
| <b>Likelihood</b>          | Used as a general description of probability or frequency. Can be expressed qualitatively or quantitatively.                                                                                                                                                                                                                                    |
| <b>Loss</b>                | Any negative consequence or adverse effect, financial or otherwise.                                                                                                                                                                                                                                                                             |
| <b>Monitor</b>             | To check, supervise, observe critically or measure the progress of an activity, action or system on a regular basis in order to identify change from the performance level required or expected.                                                                                                                                                |
| <b>Operational Risk</b>    | A risk to the delivery of a Council service. That is, what could stop the service being delivered.                                                                                                                                                                                                                                              |
| <b>Probability</b>         | A measure of the chance of occurrence expressed as a number between 0 and 1. Probability is the 'extent to which an event is likely to occur'. 'Frequency' or 'likelihood' rather than 'probability' may be used in describing risk.                                                                                                            |
| <b>Residual risk</b>       | Risk remaining after implementation of risk treatment.                                                                                                                                                                                                                                                                                          |
| <b>Risk</b>                | AS/NZS ISO 31000:2009 defines risk as "The effect of uncertainty on objectives"<br>While risk managers will continue to consider the possibility of risks occurring, they should now apply risk treatment options so that the uncertainty of their agency meeting its objectives will be avoided, reduced, removed or modified and/or retained. |
| <b>Risk analysis</b>       | Systematic process to understand the nature of and deduce the level of risk. Provides the basis for risk evaluation and decisions about risk treatment.                                                                                                                                                                                         |
| <b>Risk assessment</b>     | The overall process of risk identification, risk analysis and risk evaluation.                                                                                                                                                                                                                                                                  |
| <b>Risk avoidance</b>      | A decision not to become involved in, or to withdraw from, a risk situation.                                                                                                                                                                                                                                                                    |
| <b>Risk criteria</b>       | Terms of reference by which the significance of risk is assessed. Risk criteria can include associated costs and benefits, legal and statutory requirements, socioeconomic and environmental aspects, the concerns of stakeholders, priorities and other inputs to the assessment.                                                              |
| <b>Risk evaluation</b>     | Process of comparing the level of risk against risk criteria. Risk evaluation assists in decisions about risk treatment.                                                                                                                                                                                                                        |
| <b>Risk identification</b> | The process of determining what, where, when, why and how something could happen.                                                                                                                                                                                                                                                               |
| <b>Risk management</b>     | The culture, processes and structures that are directed towards realizing potential opportunities whilst managing adverse effects.                                                                                                                                                                                                              |

|                                  |                                                                                                                                                                                                                                                                                                                          |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk management framework</b> | Set of elements of an organisation's management system concerned with managing risk. Management system elements can include strategic planning, decision making, and other strategies, processes and practices for dealing with risk. The culture of an organisation is reflected in its risk management system.         |
| <b>Risk management process</b>   | The systematic application of management policies, procedures and practices to the tasks of communicating, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk.                                                                                                        |
| <b>Risk reduction</b>            | Actions taken to lessen the likelihood, negative consequences, or both, associated with risk.                                                                                                                                                                                                                            |
| <b>Risk retention</b>            | Acceptance of the burden of loss, or benefit of gain, from a particular risk. Risk retention includes the acceptance of risks that have not been identified. The level of risk retained may depend on risk criteria.                                                                                                     |
| <b>Risk sharing</b>              | Sharing with another party the burden of loss, or benefit of gain from a particular risk. Legal or statutory requirements can limit, prohibit or mandate the sharing of some risks. Risk sharing can be carried out through insurance or other agreements. Risk sharing can create new risks or modify an existing risk. |
| <b>Risk tolerance</b>            | The amount of risk an organisation is prepared to tolerate before action is required.                                                                                                                                                                                                                                    |
| <b>Risk treatment</b>            | Process of selection and implementation of measures to modify risk. The term 'risk treatment' is sometimes used for the measures themselves. Risk treatment measures can include avoiding, modifying, sharing or retaining risk.                                                                                         |
| <b>Stakeholders</b>              | Those people and organizations who may effect, be affected by, or perceive themselves to be affected by a decision, activity or risk. The term 'stakeholder' may also include 'interested parties'.                                                                                                                      |
| <b>Strategic risk</b>            | A risk to the council's ability to achieve its strategic objectives; that is, what would stop the Council functioning as body politic.                                                                                                                                                                                   |
|                                  |                                                                                                                                                                                                                                                                                                                          |

## Appendix's

### Risk Matrix Table

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| Risk Rating       | Action required                                                                                                                                                              |              |                                   |                  | CONSEQUENCE RATINGS |              |              |                    |                    |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------|------------------|---------------------|--------------|--------------|--------------------|--------------------|
| Catastrophic Risk | Escalate to GM, and all relevant managers in department<br>Detailed action plan required to manage risk before progressing, with at least a monthly monitoring and reporting | Probability  | Frequency                         | LIKELIHOOD       | Minimal 1           | Minor 2      | Moderate 3   | Major 4            | Catastrophic 5     |
|                   |                                                                                                                                                                              | 95% to 100%  | Several time per week             | Almost Certain A | Medium<br>A1        | Medium<br>A2 | High<br>A3   | Catastrophic<br>A4 | Catastrophic<br>A5 |
|                   |                                                                                                                                                                              | > 70% to 95% | Monthly or several times per year | Likely B         | Medium<br>B1        | Medium<br>B2 | High<br>B3   | Catastrophic<br>B4 | Catastrophic<br>B5 |
| High Risk         | Escalate to Executive manager<br>Detailed action plan must be implemented to reduce risk rating                                                                              | > 30% to 70% | Once every 1-2 years              | Possible C       | Low<br>C1           | Medium<br>C2 | Medium<br>C3 | High<br>C4         | Catastrophic<br>C5 |
| Medium Risk       | Escalate to area Manager Specify Management accountability and responsibility<br>Monitor trends and put in place improvement plans                                           | > 5% to 30%  | Once every 2-5 years              | Unlikely D       | Low<br>D1           | Low<br>D2    | Medium<br>D3 | High<br>D4         | High<br>D5         |
| Low Risk          | Escalate to Supervisors<br>Manage by routine procedures                                                                                                                      | < 5%         | Greater than once every 5 years.  | Rare E           | Low<br>E1           | Low<br>E2    | Medium<br>E3 | Medium<br>E4       | High<br>E5         |

| Uralla Shire Council Risk Categories | CONSEQUENCE TABLE       |         |                                                                                                              |                                                                                                                                                             |                                                                                                                              |  |                                                                                                                                               |  |                                                                                                                       |
|--------------------------------------|-------------------------|---------|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------|
|                                      |                         |         | Minimal                                                                                                      | Minor                                                                                                                                                       | Moderate                                                                                                                     |  | Major                                                                                                                                         |  | Catastrophic                                                                                                          |
|                                      | People                  |         | Minimal injury, no first aid required                                                                        | Minor injury; first aid required                                                                                                                            | Injury or illness requiring medical attention                                                                                |  | Significant injury or long term illness; hospitalisation                                                                                      |  | Fatality; permanent disability, illness or disease                                                                    |
|                                      | Environmental           |         | Minimal environmental impact; isolated and immediately reversible                                            | Minor environmental impact; isolated and reversible or localised and immediately reversible                                                                 | Moderate environmental impact; localised and reversible or isolated and irreversible                                         |  | Significant environmental impact; regional and reversible or localised and irreversible                                                       |  | Catastrophic environmental impact; national and reversible or regional and irreversible                               |
|                                      | Legal                   |         | Isolated non compliance or breach; minimal failure of internal controls                                      | Contained non compliance or action with short term significance; some impact on normal operations                                                           | Significant claim or breach involving statutory authority or investigation; prosecution possible                             |  | Major breach with litigation/fines and long term significance; critical failure of internal controls                                          |  | Extensive litigation/fines with possible class action; indictable offences                                            |
|                                      | Financial               |         | Negligible financial loss; less than \$10,000; up to 10% of program/project value                            | Minor financial loss; \$10,000 - \$50,000; 10% - 15% of program/project value                                                                               | Significant financial loss; \$50,000 - \$500,000                                                                             |  | Major financial loss; \$500,000 - \$5m Impact on Councils reputational risk.                                                                  |  | Extensive financial loss; in excess of \$5m. Would impact on the financial sustainability of the Council.             |
|                                      | Reputation              |         | Isolated, internal or minimal attention or complaint                                                         | Heightened local community concerns and criticism                                                                                                           | Significant public criticism and media attention. Loss of support from the community                                         |  | Serious public outcry, state media attention and long term and material loss of support from community                                        |  | Extensive public outcry; national media attention; loss of State government support with appointment of administrator |
|                                      | Service Delivery        |         | Isolated; internal or minimal impact on service delivery                                                     | Contained impact on service delivery of short term significance                                                                                             | Significant impact on service delivery involving investigation                                                               |  | Major impact on critical service delivery with long term significance                                                                         |  | Extensive impact/disruption to service delivery; threat to viability of critical program or whole of organisation     |
|                                      | Technology & Systems    |         | No measurable operational impact                                                                             | Minor downtime or outage in single area of the organisation; addressed with local management and resources                                                  | Significant downtime or outage in multiple areas of the organisation; substantial management required                        |  | Loss of critical functions across multiple areas of the organisation; long term outage; extensive management with external resources required |  | Extensive and total loss of critical and/or entire organisation; disaster management required                         |
|                                      | Project Risk Management | Cost    | < 1 % of project or affected portion                                                                         | 1 - 2% of project or affected portion                                                                                                                       | 3 - 10% of project or affected portion                                                                                       |  | 11 - 30% of project or affected portion                                                                                                       |  | > 30% of project or affected portion                                                                                  |
|                                      |                         | Time    | Up to 2 weeks                                                                                                | Up to 1 month                                                                                                                                               | 1-3 months                                                                                                                   |  | 3-12 months                                                                                                                                   |  | Project delayed for >12 months or terminated                                                                          |
|                                      |                         | Quality | Elements of the project will not meet original design but still meet project scope/charter and AS Standards. | Elements of the project will not meet original design & require rectification to meet project scope/charter. (see also delay and/or financial implications) | Elements of the project only achievable with project variation to meet project scope/charter (see financial / delay impacts) |  | Key project outcome reduced/limited - project change approval required to original project scope/charter                                      |  | Key project outcome compromised/lost - project change approval required to original project scope/charter             |
|                                      |                         | PR      | No dissatisfaction or opposition to a project.                                                               | Localised opposition to or dissatisfaction with the project.                                                                                                | Opposition to or dissatisfaction with the project from more than 1 group or more widespread.                                 |  | Extensive and ongoing opposition to or dissatisfaction with the project or a district wide reputational impact for Council.                   |  | Political action may stop the project.                                                                                |

| <b><u>Risk Appetite approach</u></b>           | <b>Risk Averse</b>                                                                                       | <b>Moderately Risk Averse</b>                                                                        | <b>Risk Neutral</b>                                                                                        | <b>Risk Tolerant</b>                                                                                          | <b>Risk Seeking</b>                                                                  |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Risk Taking vs. Reward</b>                  | Council takes caution and often accepts as little risk as possible                                       | Council takes a cautious approach to risk taking                                                     | Council is willing to take a balance approach to risk taking                                               | Council is willing to take greater than normal risks                                                          | Council believes aggressive risk taking is justified                                 |
| <b>Objective/ negative impact relationship</b> | Not willing to accept a small negative impact in order to pursue strategic sub-objective                 | Only willing to accept a small negative impact in order to pursue strategic sub-objective            | Potential negative impact in order to pursue strategic sub-objective completion given equal consideration  | Willing to accept some negative impact in order to pursue strategic sub-objective                             | Willing to accept a large negative impact in order to pursue strategic sub-objective |
| <b>Preferred risk response approach</b>        | Those risk that cannot be effectively treated or transferred are avoided                                 | Preference to avoid risk or transfer it to an outside party or use a secondary mechanism             | No Preference towards risk response approaches                                                             | Preference to accept or reduce risk through internal measures                                                 | Risk is accepted as much as council permits                                          |
| <b>Risk response decision criteria</b>         | Risk response actions are taken even through prevention costs are greater than expected incidence costs. | Incidence costs are given a relatively higher priority when risk response and actions are considered | Risk response actions are made based on cost effectiveness, management priorities, and potential outcomes. | Risk response reactions are taken when a strong case can be made for cost effectiveness of potential outcomes | Minimum if any risk response actions are taken                                       |

## 15.9 | Report - Code of Meeting Practice



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**Department:** Corporate Services  
**Prepared by:** Coordinator Governance & Risk  
**TRIM Reference:** UINT/20/09722  
**Attachments:** UINT/20/09721 - Code of Meeting Practice

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4.1 A strong, accountable and representative Council  
**Strategy:** 4.1.3 Provide open, accountable and transparent decision making for the community

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### SUMMARY

Council was required to adopt a Code of Meeting Practice that complied with the provisions of the prescribed Model Code. The Code of Meeting Practice was adopted in February 2019.

A person making an application to Council to speak at a public forum currently has to provide four days' notice. This period of time has been deemed too onerous and it is suggested that the timeframe be amended to one business day before the date of the meeting.

### RECOMMENDATION

- 1. That Clause 4.3 and 4.10 of the Code of Meeting Practice be amended to reflect at least one business days' notice instead of four; and**
- 2. That the Code of Meeting Practice be placed on public exhibition for a period of 28 days and if no significant submissions are received, that the Code of Meeting Practice as amended be adopted.**

### KEY ISSUES

The main issue is providing accessibility for the community to speak at a Council meeting on an item of business on the Council agenda. Providing four days' notice is considered to be unreasonable and excessive, particularly as this is usually before the actual issue of the business papers. The timeframe has been given due consideration and it is proposed that one business day is sufficient notice.

## COUNCIL IMPLICATIONS

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

The amended Code will be placed on public exhibition for a period of 28 days.

The document will be circulated to staff.

**2. Policy and Regulation**

Amendment to the Code of Meeting Practice.

**3. Financial (LTFP)**

Nil.

**4. Asset Management (AMS)**

Nil.

**5. Workforce (WMS)**

Nil.

**6. Legal and Risk Management**

Section 360 of *The Local Government Act 1993* states:

**Conduct of meetings of councils and committees**

(1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.

(2) The model code may contain both mandatory and non-mandatory provisions.

(3) A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.

(4) A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.

(5) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

Risk Management: The current process is rigorous and may prevent community members from having their say. Reducing the timeframe to one business day will improve the communication between the community and Council.



**7. Performance Measures**

Meets the Integrated Planning and Reporting Strategy 4.1.3: 3 *Provide open, accountable and transparent decision making for the community.*

**8. Project Management**

N/A.



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**Policy:**

**Code of Meeting Practice**

**2019**

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## INFORMATION ABOUT THIS DOCUMENT

|                                     |                                                                                            |                                   |                |
|-------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------|----------------|
| <b>Date Adopted by Council</b>      | 26 February 2019                                                                           | <b>Resolution No.</b>             | 30.02/19       |
| <b>Document Owner</b>               | <i>Executive Manager Corporate Services</i>                                                |                                   |                |
| <b>Document Development Officer</b> | <i>Coordinator Governance and Risk</i>                                                     |                                   |                |
| <b>Review Timeframe</b>             | <i>Within 12 months following an ordinary election (Local Government Act 1993 s360(3))</i> |                                   |                |
| <b>Last Review Date:</b>            | February 2019                                                                              | <b>Next Scheduled Review Date</b> | September 2020 |

### ***Document History***

| <b>Doc No.</b> | <b>Date Amended</b> | <b>Details/Comments eg Resolution No.</b>             |
|----------------|---------------------|-------------------------------------------------------|
| <b>1</b>       | February 2019       | Draft Policy presented to Ordinary Meeting of Council |
| <b>2</b>       | April 2019          | Policy finalised following submission period          |

Prepared in accordance with the prescribed provisions of the NSW Model Code of Meeting Practice 2018, under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council).

|                                                             |                                                                         |
|-------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Related Legislation*</b>                                 | Local Government Act 1993<br>Local Government (General) Regulation 2005 |
| <b>Related Policies</b>                                     | Code of Conduct 2019                                                    |
| <b>Related Procedures/ Protocols, Statements, documents</b> | NSW Model Code of Meeting Practice 2018                                 |

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## 1. INTRODUCTION

This Code of Meeting Practice 2019 is prepared in accordance with the prescribed NSW Model Code of Meeting Practice 2018, under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council).

Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## 2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

**Transparent:** Decisions are made in a way that is open and accountable.

**Informed:** Decisions are made based on relevant, quality information.

**Inclusive:** Decisions respect the diverse needs and interests of the local community.

**Principled:** Decisions are informed by the principles prescribed under Chapter 3 of the Act.

**Trusted:** The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

**Respectful:** Councillors, staff and meeting attendees treat each other with respect.

**Effective:** Meetings are well organised, effectively run and skilfully chaired.

**Orderly:** Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

## 3. BEFORE THE MEETING

### Timing of ordinary council meetings

3.1 Ordinary meetings of the council will be held on the following occasions:

- February to November: on the fourth (4<sup>th</sup>) Tuesday of the month
- December – on the third (3<sup>rd</sup>) Tuesday of the month.
- January – No meeting held in January.
- Meetings to commence at 12:30pm and held at Uralla Shire Council Chambers.



### 3.2 N/A

*Note: Councils must use either clause 3.1 or 3.2*

*Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.*

### **Extraordinary meetings**

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

*Note: Clause 3.3 reflects section 366 of the Act.*

### **Notice to the public of council meetings**

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including Extraordinary meetings and of each meeting of committees of the council.

*Note: Clause 3.4 reflects section 9(1) of the Act.*

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

### **Notice to councillors of ordinary council meetings**

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

*Note: Clause 3.7 reflects section 367(1) of the Act.*

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

*Note: Clause 3.8 reflects section 367(3) of the Act.*

### **Notice to councillors of extraordinary meetings**

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

*Note: Clause 3.9 reflects section 367(2) of the Act.*

### **Giving notice of business to be considered at council meetings**

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the

notice of motion must be in writing and must be submitted eight (8) business days before the meeting is to be held.

- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

#### **Questions with notice**

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

#### **Agenda and business papers for ordinary meetings**

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and

- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.10.

3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.

3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

*Note: Clause 3.21 reflects section 9(2A) (a) of the Act.*

3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

### **Availability of the agenda and business papers to the public**

3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

*Note: Clause 3.23 reflects section 9(2) and (4) of the Act.*

3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

*Note: Clause 3.24 reflects section 9(2A) (b) of the Act.*

3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

*Note: Clause 3.25 reflects section 9(3) of the Act.*

3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

*Note: Clause 3.26 reflects section 9(5) of the Act.*

### **Agenda and business papers for extraordinary meetings**

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

### **Pre-meeting briefing sessions**

- 3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.35 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.36 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

## **4. PUBLIC FORUMS**

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the

meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.

- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received **at least one (1) business day** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than one (1) item of business on the agenda of the council meeting; additional items may be permitted if agreed by council.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs **at least one (1) business day** before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed five (5) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is

to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

- 4.14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to three (3) minutes at the discretion of the Chairperson.
- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to five (5) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

*Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.*



## 5. COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

*Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.*

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

- 5.3 N/A

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

*Note: Clause 5.7 reflects section 234(1) (d) of the Act.*

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

### The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

*Note: Clause 5.9 reflects section 368(1) of the Act.*

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

*Note: Clause 5.10 reflects section 368(2) of the Act.*

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

#### **Entitlement of the public to attend council meetings**

- 5.16 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

*Note: Clause 5.16 reflects section 10(1) of the Act.*

- 5.17 Clause 5.16 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.18 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
  - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

*Note: Clause 5.18 reflects section 10(2) of the Act.*

*Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.*

### **Webcasting of meetings**

- 5.19 All meetings of the council and committees of the council are to be webcast on the council's website. Uralla Shire Council meetings webcast will comprise of an audio recording of the meeting uploaded to the council website at a later time.
- 5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.22 A recording of each meeting of the council and committee of the council is to be retained on the council's website for [council to specify the period of time the recording is to be retained on the website]. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

### **Attendance of the general manager and other staff at meetings**

- 5.23 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.  
*Note: Clause 5.23 reflects section 376(1) of the Act.*
- 5.24 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.  
*Note: Clause 5.24 reflects section 376(2) of the Act.*
- 5.25 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.  
*Note: Clause 5.25 reflects section 376(3) of the Act.*
- 5.26 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

## **6. THE CHAIRPERSON**

### **The chairperson at meetings**

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.  
*Note: Clause 6.1 reflects section 369(1) of the Act.*
- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.  
*Note: Clause 6.2 reflects section 369(2) of the Act.*

### **Election of the chairperson in the absence of the mayor and deputy mayor**

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted: (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### **Chairperson to have precedence**

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## **7. MODES OF ADDRESS**

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson', as applicable.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4.1 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

## **8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS**

- 8.1 At a meeting of the Council, the general order of business is as fixed by resolution of the council.
- 8.2 The general order of business for an ordinary meeting of the council shall be:
- 01 Opening and welcome
  - 02 Prayer
  - 03 Acknowledgement of country
  - 04 Apologies and applications for a leave of absence by councillors
  - 05 Disclosures and declaration of interests
  - 06 Confirmation of minutes
  - 07 Urgent, supplementary and late items of business
  - 08 Written reports from delegates
  - 09 Mayoral minute
  - 10 Reports of committees
  - 11 Reports to council
  - 12 Motions on notice/Questions with notice
  - 13 Confidential matters
  - 14 Conclusion of the meeting
- 8.3 The order of business as fixed under 8.1-2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

## **9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS**

### **Business that can be dealt with at a council meeting**

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and

- (a) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### **Mayoral minutes**

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

### **Staff reports**

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

### **Reports of committees of council**

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.



## **Questions**

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10. RULES OF DEBATE**

### **Motions to be seconded**

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### **Notices of motion**

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

### **Chairperson's duties with respect to motions**

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

### **Motions requiring the expenditure of funds**

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/ or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

### **Amendments to motions**

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

### **Foreshadowed motions**

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

### **Limitations on the number and duration of speeches**

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.

- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## **11. VOTING**

### **Voting entitlements of councillors**

- 11.1 Each councillor is entitled to one (1) vote.

*Note: Clause 11.1 reflects section 370(1) of the Act.*

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

*Note: Clause 11.2 reflects section 370(2) of the Act.*

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### **Voting at council meetings**

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion

- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may

resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

11.11 N/A

*Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted*

### **Voting on planning decisions**

11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

*Note: Clauses 11.12–11.15 reflect section 375A of the Act.*

*Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.*

## **12. COMMITTEE OF THE WHOLE**

12.1 The council may resolve itself into a committee to consider any matter before the council.

*Note: Clause 12.1 reflects section 373 of the Act.*

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

*Note: Clauses 10.20–10.30 limit the number and duration of speeches.*

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## **13. DEALING WITH ITEMS BY EXCEPTION**

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

## **14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC**

### **Grounds on which meetings can be closed to the public**

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.

*Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.*

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

*Note: Clause 14.2 reflects section 10A(3) of the Act.*



### **Matters to be considered when closing meetings to the public**

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless
- (c) the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

*Note: Clause 14.3 reflects section 10B(1) of the Act.*

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

*Note: Clause 14.4 reflects section 10B(2) of the Act.*

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

*Note: Clause 14.5 reflects section 10B(3) of the Act.*

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

*Note: Clause 14.6 reflects section 10B(4) of the Act.*

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

*Note: Clause 14.7 reflects section 10B(5) of the Act.*

### **Notice of likelihood of closure not required in urgent cases**

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and

- (ii) should take place in a part of the meeting that is closed to the public.

*Note: Clause 14.8 reflects section 10C of the Act.*

### **Representations by members of the public**

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

*Note: Clause 14.9 reflects section 10A(4) of the Act.*

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by four (4) business days before the meeting at which the matter is to be considered.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.

- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.

- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the chairperson.

- 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

### **Expulsion of non-councillors from meetings closed to the public**

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who

fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### **Information to be disclosed in resolutions closing meetings to the public**

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

*Note: Clause 14.20 reflects section 10D of the Act.*

#### **Resolutions passed at closed meetings to be made public**

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

### **15. KEEPING ORDER AT MEETINGS**

#### **Points of order**

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### **Questions of order**

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### **Motions of dissent**

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### **Acts of disorder**

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
  - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
  - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or 15.11(b)
  - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and 15.11(e).

#### **How disorder at a meeting may be dealt with**

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### **Expulsion from meetings**

- 15.14 N/A

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

*Note: Councils may use either clause 15.14 or clause 15.15.*

- 15.16 Clause 15.15 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2) (a) of the Act.

- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

- 15.18 A member of the public may, as provided by section 10(2) (a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

#### **Use of mobile phones and the unauthorised recording of meetings**

- 15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

- 15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## **16. CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

## **17. DECISIONS OF COUNCIL**

### **Council decisions**

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

*Note: Clause 17.1 reflects section 371 of the Act*

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### **Rescinding or altering council decisions**

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

*Note: Clause 17.3 reflects section 372(1) of the Act.*

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

*Note: Clause 17.4 reflects section 372(2) of the Act.*

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

*Note: Clause 17.5 reflects section 372(3) of the Act.*

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

*Note: Clause 17.6 reflects section 372(4) of the Act.*

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

*Note: Clause 17.7 reflects section 372(5) of the Act.*

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

*Note: Clause 17.8 reflects section 372(7) of the Act.*

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than three (3) days after the meeting at which the resolution was adopted. (Note: subject to applicable legislative requirements relating to no commencement action on the resolution)

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

*Note: Clause 17.11 reflects section 372(6) of the Act.*

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 7.12(c).

#### **Recommitting resolutions to correct an error**

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution. 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.



- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## **18. TIME LIMITS ON COUNCIL MEETINGS**

- 18.1 Meetings of the council and committees of the council are to conclude no later than 5:00pm.
- 18.2 If the business of the meeting is unfinished at 5:00pm, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 5:00pm, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## **19. AFTER THE MEETING**

### **Minutes of meetings**

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.  
*Note: Clause 19.1 reflects section 375(1) of the Act.*
- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
- (a) details of each motion moved at a council meeting and of any amendments moved to it,

- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

*Note: Clause 19.3 reflects section 375(2) of the Act.*

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

*Note: Clause 19.5 reflects section 375(2) of the Act.*

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

#### **Access to correspondence and reports laid on the table at, or submitted to, a meeting**

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

*Note: Clause 19.8 reflects section 11(1) of the Act.*

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

*Note: Clause 19.9 reflects section 11(2) of the Act.*

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

*Note: Clause 19.10 reflects section 11(3) of the Act.*

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

#### **Implementation of decisions of the council**

19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

*Note: Clause 19.12 reflects section 335(b) of the Act.*

## **20. COUNCIL COMMITTEES**

### **Application of this Part**

20.1 This Part only applies to committees of the council whose members are all councillors.

### **Council committees whose members are all councillors**

20.2 The council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

20.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

### **Functions of committees**

20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

### **Notice of committee meetings**

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

### **Attendance at committee meetings**

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

### **Non-members entitled to attend committee meetings**

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

### **Chairperson and deputy chairperson of council committees**

20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

### **Procedure in committee meetings**

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.17 N/A

20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

### **Closure of committee meetings to the public**

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

### **Disorder in committee meetings**

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

### **Minutes of council committee meetings**

20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

20.24 N/A

20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## **21. IRREGULARITIES**

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

*Note: Clause 21.1 reflects section 374 of the Act.*

## 22. DEFINITIONS

**the Act** means the *Local Government Act 1993*

**act of disorder** means an act of disorder as defined in clause 15.11 of this code

**amendment** in relation to an original motion, means a motion moving an amendment to that motion

**audio recorder** any device capable of recording speech

**business day** means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales

**chairperson** in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code

**this code** means the council's adopted code of meeting practice

**committee of the council** means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1

**council official** has the same meaning it has in the *Model Code of Conduct for Local Councils in NSW*

**day** means calendar day

**division** means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion

**foreshadowed amendment** means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment

**foreshadowed motion** means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion

**open voting** means voting on the voices or by a show of hands or by a visible electronic voting system or similar means

**planning decision** means a decision made in the exercise of a function of a council under the *Environmental Planning and Assessment Act 1979* including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

**performance improvement order** means an order issued under section 438A of the Act

**quorum** means the minimum number of councillors or committee members necessary to conduct a meeting

**The Regulation** means the *Local Government (General) Regulation 2005*

**webcast** a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time

**year** means the period beginning 1 July and ending the following 30 June.

## 15.10 | Report - Resolution Action Status



**Department:** General Manager's Office  
**Prepared by:** Executive Assistant  
**TRIM Reference:** UINT/20/9864  
**Attachments:** UINT/20/9935

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4.1 A strong, accountable and representative Council  
**Strategy:** 4.1.1 Provide clear direction for the community through the development of the Community Strategic Plan, Delivery Program, and Operational Plan

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### SUMMARY:

The purpose of this report is to provide Council with the Resolution Action Status updates as at 27 October 2020.

### OFFICER'S RECOMMENDATION:

**That Council receive and note the Resolution Action Status as at 27 October 2020.**

### BACKGROUND:

Following every council meeting, the resolutions of council which require action are compiled into a single document. This document is referred to as the Resolution Action Status. The purpose of the Resolution Action Status is to track the progress of actions and provide confirmation to Council when these actions are complete. The Resolution Action Status is presented to Council at its ordinary meetings.

### REPORT:

The Resolution Action Status shows actions which are either currently pending or completed. Actions which were completed as at the date of the report to the last Council ordinary meeting, 22 September 2020, have been removed from the document.

- 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



# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                       | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                    | STATUS     |
|--------------|----------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 23 Mar 2015  | 26.03/15       | Land Disposal – Karava Place, Uralla                                               | That Council:<br>1. Give the General Manager delegation to negotiate payment options; and<br>2. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | MDP/DID             | 2/6/15      | Lot 103 – No agreement made. Property owners have so far declined to enter agreement.<br><br>Council's solicitor engaging with property owners to progress.                                                                 | B          |
| 23 Nov 2015  | 24.11/15       | Bergen Road Land Acquisition and Exchange for Road Works                           | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | DID                 | June 2021   | Survey plans completed. With Council's solicitors to progress. Delays associated with changes to road closure process and resourcing.                                                                                       | B          |
| 25 July 2016 | 18.07/16       | 2.18.06.10<br>Gazetting of Land Acquired for approaches to new Emu Crossing Bridge | That Council:<br>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.<br>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. | DID<br><br>DID      | June 2020   | 1. Noted.<br><br>2. August 2019. Department of Planning, Industry and Environment, Lands and Water has advised of no objection to the compulsory acquisition of Lot 110. Advice referred to Council solicitors to progress. | B<br><br>B |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                         | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                      | STATUS                                    |
|--------------|----------------|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 28 Feb 2017  | 23.02/17       | Dept: I&R Submitted by: Director I & R Reference/Subject: Report 13 - Uralla Local Traffic Committee | That:<br>1. The minutes of the Uralla Local Traffic Committee held on 6 December 2016 be noted by Council.<br>2. For the King St and Maitland St intersection, Council prepare a couple of intersection layouts incorporating traffic calming and considering pedestrian continuity for the consideration of the Traffic Committee in response to the recorded accident history.<br>3. Council drafts a Road Closure policy for review by the LTC.<br><br>4. That Council undertake further investigation regarding sight distances and other factors affecting traffic at the Bargibal access from Thunderbolts Way for submission to the next Local Traffic Committee Meeting. | DID                 |             | 1. Noted<br><br>2. Completed<br><br><br>3. Under preparation. Draft anticipated to be circulated to LTC in November 2020.<br>4. Completed                                                                                                                                                                                                                                                     | C<br><br>C<br><br><br>B<br><br>C          |
| 25 July 2017 | 22.07/17       | Dept: I&R: Submitted by: Dir I&R Reference/Subject: Report 11 - Uralla Sporting Complex              | That Council;<br>(a) endorse the proposed upgrades to the Uralla Sports complex including the construction of the canteen facilities and disabled toilets and access,<br>(b) provide additional seating around the perimeters of the fields and oval if residual funding is available, and<br>c) develop a plan of management for the sharing of the facilities among the user groups,<br><br>(d) staff investigate relocation and redevelopment of the playground area.                                                                                                                                                                                                         | MDP                 |             | a) Completed<br><br>b) Seating provided through SCCF Round 2 funding.<br><br>c) Draft complete. To be considered in conjunction with the current preparation of the Open Spaces Strategy.<br>d) Playground completed – turf to be placed in the spring. Funded under Stronger Country Communities Fund Round 1.<br><br>Further works to the playground have been undertaken under SCCF Round2 | C<br><br>C<br><br>B<br><br>C<br><br><br>C |

**Key A: Action B: Being processed C: Completed**

Uralla Shire Council – Schedule Of Actions – Page 3 of 22

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                             | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                                     | STATUS                            |
|--------------|----------------|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
|              |                |                                                                                                          | 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.<br>6. Incorporate minor "Fibonacci" design components within a prominent existing park or other public area within Uralla to gauge public interest in the concept.<br>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<br>8. and regional and town entry features. Advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of Fay Porter.<br>9. Provide a copy of this report and Council's resolution to the Uralla Township and Environs Committee |                     |             | 5. Pending – will be undertaken as part of the development of the Open Spaces Strategy<br><br>6. Added to project capital works future projects list subject to community feedback and funding.<br>7. Complete<br>8. Complete<br>9. Complete | B<br><br><br>B<br><br>C<br>C<br>C |
| 28 Nov 2018  | 29.11/18       | Dept: I & R<br>Submitted by: DID<br>Ref/Subject: Report 15 - Heritage Advisory Services Summary Nov 2018 | That;<br>1. The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and<br>2. That consideration be given to utilising the bronze plaques prepared for the Old Cemetery in Uralla as part of the Open Spaces Strategy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | DID/MDP             |             | 1. Complete<br><br>2. Pending Open Spaces Strategy preparation.                                                                                                                                                                              | C<br><br>B                        |

# RESOLUTION ACTION STATUS

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       | Submitted by: Cr Tara Toomey<br>Ref/Subject: Notice of Motion 1 – Bridge St Design Project                                                | That;<br>Should funding be received for the High Pedestrian Activity Area-Bridge Street Detailed Design, Council resolve to;<br>1) As part of the community engagement strategy for the project:<br>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.<br>b) Provide relevant additional information to any address where street frontage is impacted by the design.<br>c) Give consideration to suggestions and/or ideas which come from community consultation activities and provide feedback to the community which articulates that consideration.<br>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.<br>3) Request the design consultant address the potential for the project to increase traffic on local streets parallel to Bridge Street.<br>4) Refer the draft detailed design to the UTEC committee for comment.<br>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.<br>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.<br>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. | DID                 |             | Noted. Funding not yet received. To be added to Council's Capital Projects list for future funding opportunities. | B      |
| 26 Feb 2019  | 48.02/19       | Dept: Infrastructure & Development Submitted by: MDP Ref/Subject: Report 25 - Recommendations of UTEC November and December 2018 meetings | 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:<br>1. Council provide clear parameters to the Uralla Township and Environs Committee.<br>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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | MDP                 |             | 1. Completed<br>2. Pending Open Spaces Strategy preparation.                                                      | C<br>B |
|              |                |                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |             |                                                                                                                   |        |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                                                                                                  | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                                                                                                                           | STATUS            |
|--------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 25 June 2019 | 10.06/19       | Dept: Infrastructure & Regulation<br>Submitted by: MWWSS<br>Ref/Subject: Late Report 2 – Funding Approval Safe and Secure Water Program Bundarra Sewer Scheme                                                                 | <ol style="list-style-type: none"> <li>Note the advice from Hon. Minister Melissa Pavey MP regarding revised NSW Government funding of up to \$6.557 million to complete the Bundarra Sewerage Scheme; and</li> <li>Authorise the General Manager to undertake the necessary negotiations to extinguish the funding agreement with Infrastructure NSW and enter into a new funding agreement with NSW Department of Industry – Water.</li> </ol>                                              | MWWSS               |             | <ol style="list-style-type: none"> <li>Noted. Funding Deed under review.</li> <li>Infrastructure NSW funding deed finalised. NSW Dept of Planning Industry &amp; Environment - Water funding deed being finalised.</li> </ol>                                                                                                      | <p>C</p> <p>B</p> |
| 25 June 2019 | 16.06/19       | Dept: Corporate Services<br>Submitted by: A/CGR<br>Ref/Subject: Report 3 – Review of Council Policies – Update                                                                                                                | That council hold additional workshops to continue review of council's policy landscape.                                                                                                                                                                                                                                                                                                                                                                                                      | EMCS                | July 2019   | Additional workshops are currently being held to accommodate the back log due to COVID-19 deferrals<br>Code of Conduct – Adopted by Council<br>ARIC Charter and GM Performance Review Charter – Adopted                                                                                                                            | B                 |
| 27 Aug 2019  | 15.08/19       | Dept: Corporate Services<br>Submitted by: CGR<br>Reference/Subject: Report 5 – Complaints Management Policy 2019                                                                                                              | <p>That Council</p> <ol style="list-style-type: none"> <li>Receive a biannual report outlining: <ul style="list-style-type: none"> <li>The number of complaints received;</li> <li>The outcomes of complaints including matters resolved at the front line;</li> <li>Issues arising from complaints;</li> <li>Systemic issues identified; and</li> <li>The number of requests received for internal and/or external review of our complaint handling.</li> </ul> </li> </ol>                  | EMCS                | Aug 2019    | <ul style="list-style-type: none"> <li>Pending - CRM not yet implemented due to lack of resources. Expected to report to Council for the third quarter in 2021 Financial Year</li> <li>Recent discussion to identify how to consistently capture and identify complaints.</li> <li>Review the Complaints Policy in 2021</li> </ul> | B                 |
| 27 Aug 2019  | 31.08/19       | Dept: Infrastructure & Development<br>Submitted by: EMC<br><br>Reference/Subject: Report 12 – Public exhibition and consultation outcomes for proposed resignation of management from selected Council managed Crown Reserves | <p>That Council make a written application to the Minister for Department of Industry - Crown Lands requesting approval of Uralla Shire Council's resignation as Crown Land Manager of Crown land reserves identified as:</p> <ul style="list-style-type: none"> <li>Lot 31 DP 755838 Kentucky South Reserve;</li> <li>Lot 153 DP 755838 Kentucky South Reserve;</li> <li>Lot 7010 DP 93183 Bundarra CBD Reserve; and</li> <li>Lot 7002 DP 1072010 Rocky River Recreation Reserve.</li> </ul> | MDP                 |             | <p>Complete.</p> <p>Aboriginal Land Claims on three parcels being expedited.</p>                                                                                                                                                                                                                                                   | C                 |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                                                        | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                                                                                                                                                          | STATUS                             |
|--------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 26 Nov 2019  | 20.11/19       | Submitted by: Cr N Ledger Ref/Subject: Notice of Motion 3 - Water motion sewage treatment options                                                                                   | That council explore avenues to reuse water from the treated sewage effluent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | DID                 | Feb 2020    | Underway. Progressing option with UPC at the moment. ZNet plus seeking to determine community sentiment regarding reuse.                                                                                                                                                                                                                                          | B                                  |
| 26 Nov 2019  | 39.11/19       | Dept: Infrastructure & Development Submitted by: DID Ref/Subject: Report 7 - Works Progress Report as at 31 October 2019                                                            | That;<br>1. the report be received and noted for the works completed or progressed during October 2019, and works programmed for November 2019.<br>2. Council review the updated transport asset management plan in the New Year to confirm priorities.                                                                                                                                                                                                                                                                                                                                     | MCI                 | Feb 2020    | 1. Noted<br>2. Underway                                                                                                                                                                                                                                                                                                                                           | C<br>B                             |
| 17 Dec 2019  | 18.12/19       | Department: General Manager's Office Submitted by: Acting GM Reference/Subject: Report 7 – Report and Recommendations from the Drought Management Workshop held 10th December, 2019 | That;<br>1. Review the top 10 to 20 water users in Uralla and work with them to reduce their water use.<br>2. Investigate State or Federal funding for increasing the weir storage at Bundarra and other alternative water sources for Uralla.<br><br>3. Place information on water usage online in an easily accessible location.<br>4. Include contingency planning triggers in the Drought Management Plan. 100 days out of day 0 for normal usage and 40 days for emergency firefighting.<br>5. Review alternative water supply options.<br><br>6. Investigate the use of smart meters. | DID                 | Dec 2019    | 1. Users have been identified. Communications with users is pending.<br><br>2. Letter sent. To be included in IWCM strategy. Funding of \$1.5 million received for Uralla groundwater investigation<br>3. Complete<br>4. Pending. To be presented in future workshop.<br><br>5. Scope for the groundwater project for Uralla being finalised. IWCM<br>6. Underway | B<br>C<br><br>C<br>B<br><br>B<br>B |
| 17 Dec 2019  | 34.12/19       | Department: Infrastructure & Development Submitted by: DID Reference/Subject: Report 17 – Treated Sewage Effluent Options Report December 2019                                      | That Council approve funding from the Water Fund reserves of \$50,000 to fund a study to investigate effluent reuse and determine optimal options for reuse of the Uralla Sewage Treatment Plant effluent. Councillors thank the staff for the preparation of the report.                                                                                                                                                                                                                                                                                                                   | DID                 | Feb 2020    | Pending. Study deferred with the progression of the reuse scheme being developed with UPC.                                                                                                                                                                                                                                                                        | A                                  |



# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                  | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                        | STATUS                                                         |
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| 17 Dec 2019  | 38.12/19       | Department: Infrastructure and Development<br>Submitted by: DID<br>Reference/Subject: Late Report 2 – Drought Communities Extension Programme | <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Participate in the Drought Communities Extension Programme to undertake community infrastructure improvements, community facility improvements, community events (focused on drought preparedness and resilience), public land improvement, tourism and economic diversification, infrastructure and amenity upgrading and improvement;</li> <li>2. With the following list of projects in priority order, noting that the funding is unlikely to extend to all projects.</li> <li>3. Authorise a committee comprising of the Mayor, the Deputy Mayor, Director of Infrastructure and Development and the General Manager to determine the amount of funding to be attributed to each project and provide a monthly progress report.</li> <li>4. Secure the necessary human resources to: <ol style="list-style-type: none"> <li>a) Scope the necessary works and pricing to support the funding application(s);</li> <li>b) Assist in the preparation of the funding application;</li> <li>c) If successful, procure and coordinate the contractors and materials necessary to deliver the works; and</li> <li>d) Liaise with the stakeholders of the facilities and/or activities to which the funding will be directed.</li> </ol> </li> <li>5. 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.</li> <li>6. Approve the commencement of the works after internal assessment identifies the projects as eligible and prior to the funding agreement being finalised.</li> <li>7. Schedule a workshop on the possible options and refurbishment requirements for the Uralla Courthouse.</li> </ol> | DID                 | Feb 2020    | <ol style="list-style-type: none"> <li>1. In progress</li> <li>2. Noted</li> <li>3. Ongoing</li> <li>4. Application being lodged</li> <li>5. Noted</li> <li>6. Works commenced for some projects</li> <li>7. Pending</li> </ol> | <p>B</p> <p>C</p> <p>C</p> <p>C</p> <p>C</p> <p>C</p> <p>A</p> |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                             | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | RESPONSIBLE OFFICER | ACTION DATE                | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                    | STATUS     |
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| 04 Feb 2020  | X08.02/20      | Submitted by: Cr T Toomey<br>Reference/Subject: Notice of Motion 2 - Economic Reparations to Impacted Businesses                                         | That the General Manager:<br>1. contact each food or beverage business in the Uralla Shire reliant on town water<br>2. understand what the additional costs that transitioning to a new water source for their business have been<br>3. for food and beverage businesses who have not made the transition due to the cost, understand what the costs are<br>4. provide a report to the Council at the 24 March 2020 meeting seeking funding from the State and Federal Governments<br>5. continue to acknowledge and publicly thank those volunteers who have stepped in from the start and who continue to step in, to distribute the water and care for our community during this time | CCE                 | Feb 2020                   | - Pilot survey by independent consultant conducted in Feb/Mar 2020.<br>- Council received funding through the NSW Bushfire Community Resilience & Economic Recovery Fund to undertake Local business engagement and support project which is in progress.<br>- Volunteers publically acknowledged and thanked including at the 2020 Northern Inland Volunteer of the Year Awards. (Mayors Volunteer Awards) | B          |
| 04 Feb 2020  | X11.02/20      | Submitted by: Cr T Toomey<br>Reference/Subject: Notice of Motion 3 – Proactive Marketing to Recover Brand Damage                                         | That Council;<br>seek funding from the State and Federal government to meet the cost of:<br>a. The development of a Uralla Shire map which identifies businesses operating within the Uralla Shire; and<br>b. A visit by a travel writer who will ensure that their appraisal will appear in some form of media to promote Uralla Shire Council in a positive light; and<br>c. Creating a promotional social media video of Uralla Shire as part of a long term online campaign.                                                                                                                                                                                                         | CCE                 | June 2020                  | In Progress - Funding through the NSW Bushfire Community Resilience & Economic Recovery Fund.                                                                                                                                                                                                                                                                                                               | B          |
| 25 Feb 2020  | 30.02/20       | Department: Infrastructure & Development Submitted by: MDP<br>Reference/Subject: Report 15 – Amended Uralla Development Control Plan 2011 Amendment No 5 | That Council:<br>1. Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a second period of not less than 28 days; and<br>2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received from the public or the Department of Planning, Industry and Environment.                                                                                                                                                                                                                                                                                        | MDP                 | March 2020<br><br>Dec 2020 | Public exhibition 13 March - 27 May 2020. Extended exhibition on NSW Planning Portal.<br><br>Renewable energy amendments being incorporated in response to Councillor input. Draft heritage chapter supplied to Councillors for comment.                                                                                                                                                                    | C<br><br>B |

**RESOLUTION ACTION STATUS**

Key A: Action B: Being processed C: Completed

| MEETING DATE  | RESOLUTION NO. | REPORT TITLE                                                                                                                                                               | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | STATUS                                       |
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| 24 March 2020 | 05.03/20       | Submitted By: Mayor, Cr M Pearce Reference/Subject: COVID-19: Instrument of Delegation to the Mayor (Emergency Administrative Provisions)                                  | <p>That:</p> <ol style="list-style-type: none"> <li>1. Council adopt the Instrument of Delegation to the Mayor dated 24 March 2020 as detailed in Attachment 1 to this Mayoral Minute except as; develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council, to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area, and               <ol style="list-style-type: none"> <li>(i) to determine the process for appointment of the general manager by the council and to monitor the general manager's performance</li> </ol> </li> <li>2. That the General Manager provide a consolidated report once a month to all Councillors specifying any actions taken under this delegation as adopted by Council.</li> <li>3. Once activation of the current Business Continuity Plan ceases, a consolidated report to the first available meeting of Council will be submitted which lists all decisions made under this delegation.</li> </ol>            | GM                  | May 2020    | <p>To date, the Mayor has not been required to take any actions or exercise any delegated authorities under the Emergency Administrative Provisions adopted by Council on 24 March 2020.</p> <p>Resolution status is under review.</p>                                                                                                                                                                                                                                                                                                                                                                                      | B                                            |
| 05 May 2020   | 17.05/20       | Department: Infrastructure and Development Submitted by: MDP Reference/Subject: Report 7 - Recommendations of Uralla Township and Environs Committee February 2020 meeting | <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receive and note the minutes of February 2020 meeting of the Uralla Township and Environs Committee (UTEC), and:</li> <li>2.               <ol style="list-style-type: none"> <li>a) purchase two copies each of the authoritative publications "Colour Schemes for Old Australian Houses ISBN 0-9594923-3-x" and "More Colours for Old Australian Homes ISBN 1—875253-04-1" to hold in the library reference section and Council's Customer Service Section as well as provide copies of the heritage paints guidance brochure, prepared by staff, to the public on request;</li> <li>b) request a report to a Council meeting on a proposal to amend the UTEC constitution in respect to the election of the chairperson and quorum requirements, for Council consideration, before the term of the committee comes to an end on 30 June 2020;</li> <li>c) convene a workshop of councillors, Mrs Gwen Fuller, Uralla Garden Club, UTEC members and James Sinclair to develop options for Fuller Park;</li> </ol> </li> </ol> <p>write to Riley Watson asking him to provide his suggestions for skatepark additions to the Uralla Township and Environs Committee through Council.</p> | MDP                 | Dec 2020    | <ol style="list-style-type: none"> <li>1. Noted</li> <li>2.               <ol style="list-style-type: none"> <li>a) Publications have been purchased and made available; Heritage paints brochure available on website and hardcopy.</li> <li>b) Completed – workshop July 2020, report to Council Aug 2020.</li> <li>c) Letter of advice to convene workshop when appropriate has been sent to Gwen Fuller. Workshop has been COVID delayed.</li> <li>d) Attempts to contact have been made. Council will engage with a skate park designer to determine what improvements/additions could be made.</li> </ol> </li> </ol> | <p>C</p> <p>C</p> <p>C</p> <p>B</p> <p>C</p> |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                                                                                     | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                           | RESPONSIBLE OFFICER | ACTION DATE                                | COMMENTS                                                                                                                                                                                                                                                                                                                  | STATUS              |
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| 05 May 2020  | 18.05/20       | <b>Department: Infrastructure and Development</b><br><b>Submitted by: MDP</b><br><b>Reference/Subject: Report 8 - DIVISION DECISION – DA-44-2018 – Natural Burial Ground - 192 Dumaresq Road, Saumarez Ponds</b> | That Report 8 lay on the table and the development application be deferred until 03 July 2020, pending receipt of a geotechnical report outlined in NSW Public Health Regulation 2012.<br>Should the geotechnical report not be received before this time, the application be put back before Council for determination.                                                                                                                                     | MDP                 | June 2020<br><br>July 2020<br><br>Oct 2020 | Applicant contacted and invited to provide additional information.<br><br>Additional information received. Application must now go to DPIE for concurrence as it is a controlled activity under the Water Management Act 2000.<br>Amended plans received and concurrence no longer required. Report prepared for Council. | C<br><br>C<br><br>C |
| 26 May 2020  | 45.05/20       | Department: Infrastructure & Development Submitted by: MDP<br>Reference/Subject: Confidential Report 1 - Ward Bros Quarry                                                                                        | That Council:<br>1. Note the Debt Settlement Deed of Agreement between Ward Bros and Uralla Shire Council,<br>2. Authorise the Acting General Manager to sign the deed on behalf of Council, and<br>3. Review the S94 quarry operator charges and reporting arrangements to improve accountability and administrative obligations.                                                                                                                           | MDP                 | June 2020<br><br>Oct 2020                  | 1. Noted<br><br>2. Debt Settlement Agreement complete<br><br>Pending. Consultant engaged for 7.11 (S94) plans.                                                                                                                                                                                                            | C<br><br>C<br><br>B |
| 23 June 2020 | 07.06/20       | Department: Corporate Services<br>Submitted by: EMCS<br>Reference/Subject: Report of Committee 1 - Recommendations of the Audit, Risk and Improvement Committee                                                  | That Council:<br>1. Receive and note the Audit, Risk and Improvement Committee Biennial Report for the period 1 January 2018 to 31 March 2020 at Attachment A; and<br>Place the draft Audit, Risk and Improvement Committee Charter 2020 at Attachment B on public exhibition for a period of 28 days, and, subject to no submissions received during public exhibition, adopt the draft Audit, Risk and Improvement Committee Charter 2020 at Attachment B. | EMCS                | June 2020                                  | 1. Noted<br><br>Charter endorsed by Council Sep 2020                                                                                                                                                                                                                                                                      | C<br><br>C          |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                                              | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                         | STATUS |
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| 23 June 2020 | 26.06/20       | Department: Infrastructure and Development Submitted by: MDP Reference/Subject: Report 11 - Amended Uralla Development Control Plan 2011 Amendment No. 5                  | That Council defers consideration of this matter pending further response to questions to Council officers in respect to the Development Control Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | MDP                 | July 2020   | Noted                                                                                                                            | B      |
| 23 June 2020 | 27.06/20       | Department: Infrastructure & Development Submitted by: DID Reference/Subject: Report 12 - Request for Additional Plaque in Honour of Arnold Goode on Rotunda in Alma Park | That Council:<br>1. Supply and install the requested additional plaque in honour and recognition of the contribution Arnold Goode has made to the community as a local historian and model citizen of Uralla; and<br>2. Approve funding of \$500 to meet the costs for the supply and installation of the plaque.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | DID                 | July 2020   | 1. Plaque installed<br>2. Noted                                                                                                  | C<br>C |
| 25 Aug 2020  | 04.08/20       | Committee Report 1 - Budget Review & Finance Committee Report LTFP 2030<br><b>Department: Finance</b><br><b>Submitted by: CFO</b>                                         | That Council:<br>1.Set a strategic objective for the General Fund to achieve a balanced operating result before capital grants by 2022/2023 including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant equipment, and to build reserves of \$4 million over the remaining seven years of the long term financial plan (LTFP); and<br>2.To inform the implementation of the strategic objective, Council:<br>a) consider shire continuity and financial sustainability including a review of financial performance measures;<br>b) review service standards and councils operating costs;<br>c) undertake community engagement on the above and financial strategies;<br>d) prepare and endorse policy/plans to inform the construction of the LTFP; and undertake further community consultation on the LTFP. | CFO                 | Aug 20      | 1. Noted for inclusion in the preparation of the next budget & LTFP<br>2. Noted with follow-up at the October 2020 ARIC meeting. | B<br>B |

**RESOLUTION ACTION STATUS****Key A: Action B: Being processed C: Completed**

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                 | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                                                                       | STATUS                         |
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| 06.Aug 2020  | 05.08/20       | Report 1- ZNET Plus project "Let's Talk About Water"<br>Request for Council in kind support. | That Council endorse support of the ZNET Plus project "Let's Talk About Water" (2020) and, subject to both Council and ZNET Plus agreeing to only speak on behalf of their own areas of responsibility, provide in-kind resources as follows: <ol style="list-style-type: none"> <li>1. General Manager to allocate reasonable staff resources to attend meetings and provide Council perspective</li> <li>2. General Manager to allocate reasonable staff resources to provide Council technical review of publications to be used for consultation;</li> <li>3. General Manager to allocate staff resources to attend public meetings where appropriate and purpose of attendance is defined;</li> <li>4. Promotion of the project on Council's relevant platforms;</li> <li>5. ZNET Plus invited to workshop community engagement material with Councillors in advance of community engagement sessions with copies of workshop material provided to the General Manager at least five days in advance of the workshop;</li> <li>6. To provide access to the water infrastructure to the project team as far as it supports their work; and</li> <li>7. Uralla Shire Council to extend invitation to host a workshop at the end of the project for other regional councils.</li> </ol> | DID                 | Oct 20      | <ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. Noted</li> <li>4. Noted</li> <li>5. Completed</li> <li>6. Noted, per 1 and 2 above.</li> <li>7. Noted</li> </ol> | C<br>C<br><br>C<br>C<br>C<br>C |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                                                                                                              | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                                                                              | STATUS              |
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| 25 Aug 2020  | 15.08/20       | Item 8 - Report 1 - Draft Uralla Local Strategic Planning Statement 2020<br><b>Submitted by:</b> <i>Manager of Development and Planning</i><br><b>Department:</b> <i>Infrastructure &amp; Development</i> | That Council:<br>1. Following a detailed edit, by a sub-committee of council, on the draft Uralla Local Strategic Planning Statement 2020, place the document on public exhibition from 28th Aug for a period of not less than 28 days;<br>2. Undertake community consultation concurrently including directly requesting comment from key community organisations including NSW Farmers, Uralla Aboriginal Community, The Uralla Business Chamber, The local and District Rural Fire Service, Tourist operators, Real Estate Agents;<br>3. Write to the Department advising the status of developing the LSPS and that the submission may be delayed, due to COVID 19 protocols, until Council is satisfied that it has adequately taken into account community feedback. | MDP                 | Sept 30     | 1. Completed<br><br>2. Completed<br><br>3. Completed. LSPS adopted at September meeting                                                               | C<br><br>C<br><br>C |
| 25 Aug 2020  | 17.08/20       | Report 4 – Operational Plan Annual Performance<br><b>Submitted by:</b> <i>Executive Manager Corporate Services</i><br><b>Department:</b> <i>Corporate Services</i>                                        | That Council defer consideration of Report 4 2019-20 Operational Plan Annual Performance until after the content of the report is work-shopped with Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | EMCS                | Sept 20     | 1. Workshop held 15/9/20<br>Invitation to Councillors to provide feedback out of session emailed 15/9/20<br>Endorsed Sep 20<br>Extraordinary Meeting. | C                   |
| 25 Aug 2020  | 20.08/20       | Audit, Risk and Improvement Committee Charter 2020<br><b>Submitted by:</b> <i>Executive Manager Corporate Services</i><br><b>Department:</b> <i>Corporate Services</i>                                    | That Council defer consideration of report 6 Audit, Risk and Improvement Committee Charter 2020, until the Audit, Risk and Improvement Committee have reviewed the feedback, after the 27th August 2020 meeting and provided a recommendation to Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | CFO                 | Sept 20     | 1. Noted – See September 2020 Council report with recommendations from ARIC.                                                                          | 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              |
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| 25 Aug 2020  | 24.08/20       | Report 7 Continuation of Uralla Township and Environs Committee<br><b>Submitted by:</b> :<br><i>Executive Manager Corporate Services</i><br><b>Department:</b> <i>Corporate Services</i> | That Council:<br>1. Place the draft amended Uralla Township and Environs Committee Constitution 2020 Attachment C for public exhibition for a period of not less than 28 days;<br>2. Subject to no submissions received during public exhibition, adopt the Uralla Township and Environs Committee Constitution 2020 at Attachment C; an<br>3. Following adoption of the Uralla Township and Environs Committee Constitution 2020, contact the acting Committee Secretary to arrange the recommencement of Committee meetings in accordance with the Committee Constitution and current COVID-19 restrictions. | EMCS                      | Sept 2020   | 1. Public Exhibition period expired<br>2. No record of submissions received<br>3. Acting Committee Secretary contacted 21/10/2020 in view of recommending committee meetings | C                   |
| 25 Aug 2020  | 29.08/20       | Notice of Motion: A policy to facilitate working and online businesses from home<br><b>Submitted by:</b> <i>Cr T. O'Connor</i>                                                           | That Council have prepared, for consideration by an October Councillor's Strategic Planning Workshop, a policy that could facilitate the expansion and diversification of Uralla Shire's local economy by encouraging home- based enterprises, direct selling and working from home, taking advantage of e-commerce, new technologies and business models, while ensuring the maintenance of the amenity of the particular land use zone, in which the business is situated.                                                                                                                                   | Executive Team            | Oct 2020    | 1. Policy prepared however no longer required. Report prepared for the Council October meeting.                                                                              | C                   |
| 22 Sep 2020  | 04.09/20       | Report 13 – LGNSW Annual Conference 2020                                                                                                                                                 | That:<br>1) The Mayor and General manager attend the LGNSW Annual Conference on 23 November 2020; and<br>2) Should the Mayor be unable to attend the LGNSW Annual Conference, the Deputy Mayor attend as his proxy.                                                                                                                                                                                                                                                                                                                                                                                            | GM                        | 23 Nov 2020 | 1. Noted                                                                                                                                                                     | B                   |
| 22 Sep 2020  | 07.09/20       | Report 1 of Committees: Minutes of the Audit, Risk & Improvement Committee Meeting Held 27 August 2020 and Amended Charter                                                               | That the Minutes from the Audit Risk and Improvement Committee meeting held on 27 August 2020 be noted and:<br><br>(1) That the General Manager conduct a review and evaluation of the resourcing surrounding the work plan and recommendations to be made to Council on same.<br><br>(2) That the Audit Risk and Improvement Committee (ARIC) review and present a new (annual) workplan in consultation with relevant parties (audit/Council administration) for consideration at the next ARIC meeting.<br><br>(3) That the Charter be endorsed as amended.                                                 | GM<br><br>ARIC<br><br>G&R |             | 1. completed<br><br>2. Represented and endorsed by ARIC Oct 20 meeting.<br><br>3. Completed. Copy provided to ARIC                                                           | C<br><br>C<br><br>C |

# RESOLUTION ACTION STATUS

Key A: Action B: Being processed C: Completed

| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                                                               | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                     | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                               | STATUS     |
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|              |                |                                                                                                                            | (4) That the General Manager remove from the report on Internal Audit and Audit Office Management Letters Action Schedule, actions presented as completed.<br><br>(5) That Council's Internal Auditor provide a report to ARIC on the effectiveness of the Contract Register.                                                                          | GM<br><br>IA        |             | 4. Noted<br><br>5. CGR advised IA of resolution requesting report for February meeting | C<br><br>A |
| 22 Sep 2020  | 08.09/20       | Report 1 of Committees: Minutes of the Audit, Risk & Improvement Committee Meeting Held 27 August 2020 and Amended Charter | (6) That Council engage an Independent Auditor or Forensic Accountant to undertake a review of the process surrounding any possible deviation between the Transport Asset Management Plan (Feb2016 v6) and the related 2019-2020 budget allocations without Council's approval and report to ARIC on the results of the audit.                         | CFO                 |             | Commenced drafting RFQ for purpose of seeking quotes from independent professionals.   | B          |
| 22 Sep 2020  | 09.09/20       | Report 1 of Committees: Minutes of the Audit, Risk & Improvement Committee Meeting Held 27 August 2020 and Amended Charter | (7) That in relation to the sealing of the asphalt overlay of Hill Street between Bridge and Duke Streets, that Council's Internal Auditor undertake a review of the process for undertaking this work to examine whether a breach of established delegations was evidenced by the splitting of an order by Council Officers to avoid going to tender. | CFO                 |             | Email sent to internal auditor requesting him to undertake the assignment.             | B          |
| 22 Sep 2020  | 22.09/20       | Report 6 – Code of Conduct Annual Statistical Report                                                                       | That Council:<br>1) Receive and note the Code of Conduct Annual Statistical Report with the addition of the cost table 1 part (g), noting it includes a training cost; and<br>2) Provide the Office of Local Government with the Code of Conduct Annual Statistical report for the period 1 September 2019 to 31 August 2020, by 31 December 2020      | G&R                 |             | 1. Amended<br>2. Provided copy of the report to OLG and to ARIC                        | C          |
| 22 Sep 2020  | 25.09/20       | Report 7 – Amendments to the Code of Conduct                                                                               | 3) Expressions of Interest be sought for Code of Conduct Reviewers and report back to Council.                                                                                                                                                                                                                                                         | G&R                 |             | 1. Commence EOI in Jan 2021                                                            | A          |

# RESOLUTION ACTION STATUS

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| MEETING DATE | RESOLUTION NO. | REPORT TITLE                                                                      | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | RESPONSIBLE OFFICER | ACTION DATE  | COMMENTS                                                                                                                                                                   | STATUS |
|--------------|----------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 22 Sep 2020  | 26.09/20       | Report 8 – Schedule of Ordinary Meetings 2020-2021                                | That Council:<br>1) Adopt the Ordinary meeting cycle for 2020-2021 as follows<br><br>Tuesday 27 October 2020<br>Tuesday 24 November 2020<br>Tuesday 15 December 2020<br>Tuesday 23 February 2021<br>Tuesday 23 March 2021<br>Tuesday 27 April 2021<br>Tuesday 25 May 2021<br>Tuesday 22 June 2021<br>Tuesday 27 July 2021<br>Tuesday 24 August 2021<br>Tuesday 28 September 2021<br>2) Place a Public Notice on Council's website, social media platform, Council newsletter and in local print media detailing the date, commencement time and venue of each Ordinary Meeting scheduled for the 2020-2021 period, in accordance with clauses 3.4-3.6 of the Uralla Shire Council Code of Meeting Practice.                                                                                                                                  | G&R                 |              | 1. Placed on Council Website, on schedule of meetings page and created event for each meeting. Calendar invites sent to all Councillors and senior staff. Chambers booked. | C      |
| 22 Sep 2020  | 32.09/20       | Report 10 - NSW Bushfire Community Resilience and Economic Recovery Fund Projects | That Council:<br>1) Request an extension to the project completion date from 31 Dec 2020 to 30 June 2021<br>2) Request the following minor amendments to the funding agreement in regards to its activity scope and budget allocation within the total grant amount of \$100,000:<br>a. Project 1 – Addition of gap analysis in liaison with Uralla Shire community including community organisations and the business community including the Uralla Shire Business Chamber, include the impacts of COVID-19 and the engagement of a Googlemaps and analytics consultant to work with businesses.<br>b. Project 2 – Include print cost in the budget allocation.<br>c. Project 4 – Add a 100 photo stock of tourism photos by a professional photographer for marketing Uralla Shire and produce one video with shorter social media edits. | CCE                 | October 2020 | 1. Communicated with the funding partner and awaiting reply.<br>2. Communicated with the funding partner and awaiting reply.                                               | C      |
| 22 Sep 2020  | 35.09/20       | Report 11 - Resolution Action Status at 22 Sep 2020                               | That Council receive and note the Resolution Action Status as at 22 September 2020. Including amendment to 6 Aug 2020 06.08/20 - replace with correct report title – ZNET Plus (Please note resolution number changed to 05.08/20 after adjournment motion carried was allotted a resolution number)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | EA                  |              | 1. Completed                                                                                                                                                               | C      |

| RESOLUTION ACTION STATUS                      |                |                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |             |                                                                                         |                     |
|-----------------------------------------------|----------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|-----------------------------------------------------------------------------------------|---------------------|
| Key A: Action B: Being processed C: Completed |                |                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |             |                                                                                         |                     |
| MEETING DATE                                  | RESOLUTION NO. | REPORT TITLE                                                                                         | COUNCIL RESOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                             | RESPONSIBLE OFFICER | ACTION DATE | COMMENTS                                                                                | STATUS              |
| 22 Sep 2020                                   | 36.09/20       | Report 12 – Council and Uralla Shire Business Chamber support                                        | 2) Note that the General Manager will give a presentation to the Uralla Shire Business Chamber on this report.                                                                                                                                                                                                                                                                                                                                 | GM                  |             | 1. Pending                                                                              | A.                  |
| 29 Sep 2020                                   | X04.08/20      | Report 1-Late Report - Local Strategic Planning Statement Recommendation                             | That Council<br>1. adopt the draft Uralla Local Strategic Planning Statement 2020, as amended, as a first step in the continuing process of community consultation and feedback to enhance the strategic plan;<br>2. by 30 January 2021 commence public consultation to revise the LSPS to reflect community views as required by the initial instruction from the NSW Government;<br>3. By 30 June 2021 submit a revised version of the LSPS. | MPD                 |             | 1. Noted<br><br>2. Pending<br><br>3. Pending                                            | C<br><br>A<br><br>A |
| s29 Sep 2020                                  | X07.09/20      | Report 1 -2019-20 Operational Plan Annual Performance                                                | That Council receive and note the 2019-20 Operational Plan Annual Progress Report as at 30 June 2020, as amended, including the Councils' key activities, projects, programs and/or achievements for the 2019-20 year which will be reported in the Council's Annual Report.                                                                                                                                                                   | CFO                 |             | 1. Noted                                                                                | C                   |
| 29 Sep 2020                                   | X09.09/20      | <b>CONFIDENTIAL REPORT</b><br>Report 1- Bundarra Sewerage Scheme – Award of Tender                   | That the report for the Bundarra Sewerage Scheme – Award of Tender lay on the table and that Council engage a suitably qualified consultant to review the tender process.                                                                                                                                                                                                                                                                      | MWWSS               |             | Consultant engaged                                                                      | B                   |
| 29 Sep 2020                                   | 10.09/20       | <b>CONFIDENTIAL REPORT</b><br>Report 2 – Commonwealth Home Support Program – Proposed Auspice Change | That Council:<br>1. Endorse the Department of Social Services intent to offer on behalf of the Department of Health to novate the remaining 50% of a local service provider's current 2020/21 Commonwealth Home Support Program grant to Uralla Shire Council from 1 Jan 2021, and<br><br>2. Delegates the General Manager to execute the resultant offer of a Deed of Funding Variation with the Department of Health                         | GM                  |             | 1. Noted – DSS advised of Council resolution.<br><br>2. Pending offer of Deed from DSS. | C<br><br>A          |

## 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           |
| • EA    | Executive Assistant                        | 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     |
| • MCI   | Manager Civil Infrastructure               | Infrastructure and Development     |
| • AM    | Asset Manager                              | Infrastructure and Development     |
| • MDP   | Manager Development and Planning           | Infrastructure and Development     |
| • EMC   | Environmental Management Coordinator       | Infrastructure and Development     |
| • MWWSS | Manager Waste, Water and Sewerage Services | Infrastructure and Development     |
| • EMCS  | Executive Manager Corporate Services       | Corporate Services                 |
| • CCE   | Coordinator Communications and Engagement  | Corporate Services                 |
| • TPOO  | Tourism Promotion and Operations Officer   | Corporate Services                 |
| • CTI   | Coordinator Technology and Information     | Corporate Services                 |
| • CGR   | Coordinator Governance and Risk            | Corporate Services                 |
| • RMSO  | Risk Management and Safety Officer         | Corporate Services                 |
| • MMG   | Manager McMaugh Gardens Aged Care          | McMaugh Gardens Aged Care Services |
| • MCC   | Manager Community Care                     | Community Care Services            |

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**16. MOTIONS ON NOTICE/QUESTIONS WITH NOTICE**

**16.1 There are no Motions on Notice or Questions with Notice**

**17. CONFIDENTIAL MATTERS**

**17.1. There are no Confidential Matters**

**18. COMMUNICATION OF COUNCIL DECISIONS**

**19. CONCLUSION OF THE MEETING**

**END OF BUSINESS PAPER**