



## ORDINARY MEETING OF COUNCIL

**Held at 1:00pm  
On 26 April 2017**

### **ROLL CALL**

**Councillors:**

Cr M Pearce (Mayor)  
Cr R Bell (Deputy Mayor)  
Cr B Crouch  
Cr M Dusing  
Cr N Ledger  
Cr L Sampson  
Cr I Strutt  
Cr T Toomey  
Cr K Ward

**Staff:**

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

# MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 April 2017

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The Meeting Commenced at: 12:33pm

## ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Bell (Deputy Mayor), and Councillors, B Crouch, M Dusting, N Ledger, L Sampson, I Strutt, T Toomey, K Ward, General Manager (Mr A Hopkins), Director-Infrastructure & Regulation (Mr T Seymour), Director Community and Governance (Ms T Kirkland), Chief Finance Officer (Mr S Paul), Minute Clerk (Mrs D Williams).

### 1. OPENING & WELCOME

### 2. PRAYER

### 3. ACKNOWLEDGEMENT TO COUNTRY

### 4. APOLOGIES

#### Apologies

There were no apologies.

### 5. REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

### 6. DISCLOSURES & DECLARATION OF INTERESTS

*At request of the Chair, the Minute Clerk tabled details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 26 April 2017 meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr B Crouch	Report 5	Non-pecuniary	Land owner in vicinity
Cr M Dusting	Report %	Non-pecuniary	Land owner in vicinity

### 7. CONFIRMATION OF MINUTES

Minutes to be confirmed or received and noted at Council Meeting held on 26 April 2017:

- Council Meeting held 28 March 2017 (to be confirmed)

With the following amendment from Cr T Toomey in the section, Questions for Next Meeting.: "Has Council applied for black spot funding for the intersection of King St and Maitland St, in view of the minimum crash history according to the Dept of Infrastructure and Development having been amended for 2016/2017 to reduce the number of casualty crashes required to be eligible for funding from 3 over 5 years to 2 over 5 years?"

**1.04/17** MOVED (Cr T Toomey/Cr K Ward)

- Closed Session Minutes of Council Meeting held 28 March 2017 (to be confirmed)

**2.04/17** MOVED (Cr I Strutt/B Crouch)

- Extraordinary Council Meeting – 11 April 2017 (to be confirmed)

**3.04/17** MOVED (Cr B Crouch/I Strutt)

**4.04/17** • Audit & Risk Committee Meeting Minutes 4 April 2017 – Unconfirmed (to be noted)  
MOVED (Cr B Crouch/N Ledger)

### 8. ANNOUNCEMENTS

Nil

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**9. TABLING OF REPORTS & PETITIONS**

Amendment to Officer's Recommendation of Report 5 was tabled.

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

Nil

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

Nil

**12. PRESENTATIONS**

Nil

**13. DEPUTATIONS**

Nil

**14. WRITTEN REPORTS FROM DELEGATES**

**Submitted by:** Cr Isabel Strutt, Cr Tara Toomey and Cr Natasha Ledger

**Subject:** 2017 International Womens' Day Luncheon in Uralla

**COUNCILLOR'S RECOMMENDATION:**

That Council note the report on the International Womens' Day Luncheon held on Friday 31 March 2017.

**COUNCIL RESOLUTION:**

That

1. Council note the report on the International Womens' Day Luncheon held on Friday 31 March 2017.
2. Council congratulate Councillors and organisers of the event.

**5.04/17 MOVED (Crs M Dusting/B Crouch) CARRIED**

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

<b>COUNCILLOR NAME:</b>		Michael Pearce
<b>COUNCIL MEETING DATE:</b>		26 April 2017
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
29/3/17	2AD Interview. Mayor's Office- Admin	Uralla
30/3/17	Mayor's Office- Admin	Uralla
31/3/17	UNE Graduation	Armidale
1/4/17	UNE Graduation Hats of to the Ladies Launch	Armidale Uralla
3/4/17	Mayor's Office- Admin Council Chambers Round table Youth Week discussions	Uralla
4/4/17	Mayors Office – Admin. Risk and Audit Committee meeting.	Uralla
5/4/17	Mayors Office – Admin Bundarra Library Launch.	Uralla Bundarra
6/4/17	Mayors Office - Admin	Uralla
7/4/17	Starfish Foundation Official launch. Youth Week Activities, Library.	Uralla
8/4/17	UNE Graduation	Armidale
10/4/17	Mayor's Office- Admin	Uralla

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<b>Date</b>	<b>Committee/Meeting/Event</b>	<b>Location</b>
11/4/17	Mayors Office – Admin. Councillor Strategic Workshop. Extra-Ordinary Council Meeting.	Uralla
12/4/17	Mayors Office – Admin 2AD Interview. Meeting, Bowling club.	Uralla
18/4/17	Mayor's Office- Admin. Meeting Uralla RSL Sub-branch.	Uralla
19/4/17	Mayor's Office- Admin	Uralla
20/4/17	Mayor's Office - Admin	Uralla
21/4/17	Launch, Gostwyk Station.	Uralla
24/4/17	Mayor's Office - Admin	Uralla
25/4/17	ANZAC Day activities	Uralla
26/4/17	Mayor's Office – Admin. Presentation by NAMOI Councils CEO. April Council Meeting.	Uralla

<b>COUNICLLOR NAME:</b>		<b>Bob Crouch</b>
<b>COUNCIL MEETING DATE:</b>		<b>26 April 2017</b>
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
01/04/17	Hats off to the Ladies Opening	Uralla
02/04/17	Bundarra RFS AGM	Bundarra
05/04/17	Bundarra Library Opening	Bundarra
05/04/17	NSW Farmers, Uralla Branch AGM	Uralla
06/04/17	Business Chamber Meeting	Uralla
08/04/17	Z Net AGM	Uralla
11/04/17	Council Workshop	Uralla
11/04/17	Extraordinary Council Meeting	
26/04/17	Ordinary Council Meeting	Uralla

<b>COUNICLLOR NAME:</b>		<b>Kevin Ward</b>
<b>COUNCIL MEETING DATE:</b>		<b>26 April 2017</b>
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
3/4/17	Youth Round Table Discussion	Council
5/4/17	Bundarra Library Services Demonstration	Bundarra CWA
11/4/17	Strategic Planning Session	Council
26/4/17	V.I.C. Public Meeting	Council

<b>COUNICLLOR NAME:</b>		<b>Tara Toomey</b>
<b>COUNCIL MEETING DATE:</b>		<b>26 April 2017</b>
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
31/03/17	March Ladies Luncheon	Uralla
01/04/17	Hats off to the Ladies	Uralla
06/04/17	Uralla Business Chamber Meeting	Uralla
10/04/17	Lantern Parade Debrief	Uralla
11/04/17	Council Workshop	Uralla
25/04/17	Dawn Service	Uralla
26/04/17	Council Meeting	Uralla

<b>COUNICLLOR NAME:</b>		<b>Isabel Strutt</b>
<b>COUNCIL MEETING DATE:</b>		<b>26 April 2017</b>

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DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/03/17	Council Meeting	Uralla
31/03/17	International Women's Day Luncheon	Uralla
01/04/17	Official Opening of "Hats off to the Ladies" Exhibition	Uralla
03/04/17	Youth Week Roundtable with the councillors	Uralla
04/04/17	Audit & Risk Committee Meeting	Uralla
05/04/17	Official opening of Bundarra Library and Computer Launch	Bundarra
09/04/17	Youth Week Family Fun Day	Uralla
11/04/17	Strategic Planning Workshop	Uralla
21/04/17	Official launch of "Henry and Grace" clothing range.	Gostwyck Station, Uralla
25/04/2017	Anzac Day March & Service	Uralla

<b>COUNICLLOR NAME:</b>	<b>Mark Dusting</b>
<b>COUNCIL MEETING DATE:</b>	<b>26 April 2017</b>

DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/03/17	Council Meeting	Uralla
5/04/17	Bundarra Library	Bundarra
6/04/17	Business Breakfast	Uralla
10/04/17	Weeds Conference Meeting	Armidale
11/04/17	Strategic Planning Workshop	Uralla
26/04/17	New England Weeds Authority	Armidale
	Regional Weeds Committee LLS	Armidale

<b>COUNICLLOR NAME:</b>	<b>Robert Bell</b>
<b>COUNCIL MEETING DATE:</b>	<b>26 April 2017</b>

DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/04/17	Community Consultation Workshop	Uralla
25/04/17	Anzac Day Dawn Service	Uralla
	Anzac Day Service	Uralla

<b>COUNICLLOR NAME:</b>	<b>Natasha Ledger</b>
<b>COUNCIL MEETING DATE:</b>	<b>26 April 2017</b>

DATE	COMMITTEE/MEETING/EVENT	LOCATION
23/03/17	Jobs Australia Back Track BBQ	Armidale
24/03/17	Annual Rotary Arts Exhibition	Uralla
31/03/17	Ladies Lunch	Uralla
01/04/17	Hats off to the Ladies Dinner	Uralla
04/04/17	Audit & Risk Committee Meeting	Uralla
05/04/17	Bundarra Library Computer Launch	Bundarra
06/04/17	Digital Breakfast	Uralla
	Jobs Australia Meeting	Armidale
08/04/17	Znet Uralla AGM	Uralla
11/04/17	Extraordinary Council Meeting	Uralla
25/04/17	Anzac Day Dawn Service	Uralla
	Anzac Day March and Service	Uralla

**15. MAYORAL MINUTE**

There was no mayoral minute.

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**16. REPORTS FROM COUNCIL**

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

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 31 March, 2017 consisting of cash and overnight funds of \$2,098,183, term deposits of \$10,550,000 totalling \$12,648,183 of readily convertible funds.

**COUNCIL RESOLUTION:**

That:

Council note the cash position as at 31 March, 2017 consisting of cash and overnight funds of \$2,098,183, term deposits of \$10,550,000 totalling \$12,648,183 of readily convertible funds.

**6.04/17 MOVED (Crs K Ward/I Strutt) CARRIED**

**Department:** Infrastructure & Regulation  
**Submitted by:** Director Infrastructure & Regulation  
**Reference/Subject:** Report 2 - Works Progress Report as at 31 March 2017

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during March 2017, and works programmed for April 2017.

**COUNCIL RESOLUTION:**

That the report be received and noted for the works completed or progressed during March 2017, and works programmed for April 2017.

**7.04/17 MOVED (Crs B Crouch/I Strutt) CARRIED**

**Department:** Infrastructure & Regulation  
**Submitted by:** Director of Infrastructure & Regulation  
**Reference/Subject:** Report 3 - Development Approvals and Refusals for March 2017

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for March 2017.

**COUNCIL RESOLUTION:**

That Council receive and note the development approvals and refusals for March 2017.

**8.04/17 MOVED (Crs L Sampson/T Toomey) CARRIED**

**Department:** Infrastructure & Regulation  
**Submitted by:** Director Infrastructure & Regulation  
**Reference/Subject:** Report 4 - Heritage Advisory Services Summary – April 2017

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary for April 2017 be received and noted by Council.

**COUNCIL RESOLUTION:**

That the Heritage Advisory Services Summary for April 2017 be received and noted by Council.

**9.04/17 MOVED (Crs B Crouch/I Strutt) CARRIED**

*Cr M Dusting declared conflict of interest*

*Cr M Dusting and Cr B Crouch left room at 12:56pm having declared an interest in the following report.*

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Department: Infrastructure & Regulation  
Submitted by: Health & Building Surveyor  
Reference/Subject: Report 5 - Division Decision – DA-8-2017 – 26 John Street Uralla –  
Dual Occupancy, Two Sheds & Strata Title Development

**OFFICER'S RECOMMENDATION:**

**That:**

- a) Council approve the development application DA-8-2017 for Staged Dual Occupancy including the demolition of 3 small sheds, construction of two separate double car garages and strata subdivision on Lot 2 DP 571495 known as 26 John Street, Uralla, subject to the following conditions:

***PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)***

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

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

***Erection of signs***

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

***Notification of Home Building Act 1989 requirements***

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:



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

### **GENERAL CONDITIONS**

7. The development must take place in accordance with the approved documents submitted with the application and subject to the conditions below to ensure the development is consistent with Council's consent.

Plan Reference
Site Plan & Dwelling Plans: Uniplan Group – Job No. 2185-1E, pages 1-5, dated 13 March 2017; Uniplan Group – Structural Details, Drawing No. 749402, 1 page, dated 10 December 2015
Garage Plans (6mx6m): Best Sheds – Job No. 502611, 11 pages including Engineering Schedule, dated 12 March 2017
Garage Plans (5mx10m): Best Sheds – Job No. 501902, 11 pages including Engineering Schedule, dated 4 November 2016

8. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.

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9. \*The **dwelling** 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 any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed\*\*

*\*\* denotes a critical stage inspection (a mandatory inspection under Section 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.*

*Applicants should give at least 24 hours notice to guarantee 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*

10. The **sheds** are to be inspected at the following stages of construction:

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

*\*\* denotes a critical stage inspection (a mandatory inspection under Section 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.*

*Applicants should give at least 24 hours notice to guarantee an inspection.*

11. The sheds are to be used for residential storage only and not as a dwelling, or an industrial purpose. Any other use will require consent from Council.

12. For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

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13. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
14. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
15. No tree removal is allowed from the road reserve unless prior consent has been given by Council.
16. Detailed Engineering Drawings are required for:
  - Stormwater drainage.
  - Driveway and driveway kerb and gutter crossing.
  - Sediment and erosion Control.

A Construction Certificate will be required for the Engineering works required for the subdivision. All works are to be carried out at the full cost of the developer.

All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.

***CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE***

17. The plans and specification accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1a and 10a building:

Amended plans are to be submitted to the Principal Certifying Authority for authentication of NCC compliance and issue of a Construction Certificate.

Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.
18. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction Certificate, to ensure pedestrian and vehicular safety during construction.

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19. The applicant shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's Managing Urban Stormwater - Soils and Construction, to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The Soil and Water Management Plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.
20. A detailed Site Plan is to be submitted with the Construction Certificate documentation clearly showing:
  - a) Driveway formation.
  - b) Location of services – water, sewer, interallotment drainage and telecommunications.
  - c) Landscaping. Landscaping details are to include a species list and plant size.
  - d) Any fencing details

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

21. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with the cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent.

For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

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22. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert contaminated run-off away from disturbed areas,
  - erect silt fencing along the downhill side of the property boundary,
  - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
  - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.

23. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenient. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

***CONDITIONS TO BE COMPLETED DURING CONSTRUCTION***

24. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
25. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
26. Materials must not be burned on site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
27. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.

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28. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.

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

If excavations associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, must preserve and protect the building from damage, and if necessary, underpin and support the building in an approved manner.

Notice of intention to do so must be given to the owner of the adjoining land at least seven days before the commencement of excavation work. The owner of the adjoining allotment of land is not liable for any part of the cost of work, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

30. Connection to the sewer main is required for the proposed new dwelling. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current sewer connection fee for 2016/17 is \$540.00.

31. Connection to the water main is required for the proposed new dwelling. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current water connection fee for 2016/17 is \$958.00.

32. All stormwater is to be connected to the kerb and gutter to Queen Street for the proposed new dwelling and garage and to John Street for the existing dwelling and its associated proposed new garage. This is to be completed to a standard approved by the Director of Infrastructure & Regulation and at the expense of the developer

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

33. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.

**ADVISING:** *Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).*

34. Approval must be obtained from the pursuant to Chapter 7 of the Local Government Act 1993 for the installation of a manufactured dwelling with all relevant work completed in accordance with such approval.
35. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.
36. The Principal Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
37. The property number shall be clearly and permanently displayed on or adjacent to the doorway or on the street frontage to identify the premises to the public and to essential/emergency services. Numbers shall be 100mm high x 50mm wide (minimum) and of a colour contrasting with the surface to which they are affixed
38. A backflow prevention device suitable to the degree of hazard must be installed to the premises. The type device will be determined at the time of processing the application for a water service. All external hose taps must be fitted with a backflow prevention device in accordance with AS/NZS 3500.1:2003 before use or occupation of the building, to maintain public health.
- ADVISING:** *For information regarding the installation and type of backflow prevention device to be fitted, please contact Council.*
39. A new 1.8m high Colorbond fence is to be installed between Lot 2 & Lot 1 DP 517495 being 26 and 28 John Street, Uralla, dropping to a maximum height of 900mm 6 metres from the John Street boundary at the expense of the developer.

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40. A new vehicular crossing, including layback, is to be constructed from the street to the property boundary to provide effective all-weather access to the site and a safe and nuisance-free surface over Council's footpath.

The driveway is to be 3m wide at the rear of the layback and 3m wide at the property boundary, and is to be completed prior to the use or occupation of the building.

Note - Segmental paving may be used provided it is installed as part of a pavement design in accordance with the Cement & Concrete Association of Australia's "Guide to Design and Construction" for Interlocking Concrete Road Pavements, July 1986.

41. Construction of layback kerb and gutter is required for the new dwelling in Queen Street including road reinstatement and bitumen sealing and construction of paved or bitumen sealed driveway across the footpath area in accordance with the engineering design plans that were approved by the Director of Infrastructure & Regulation.

***CONDITIONS RELATING TO ONGOING OPERATIONS***

42. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display/erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008* for exempt development.

***CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE***

43. **Compliance with all conditions for Stage 1 is to be achieved prior to the issue of a Subdivision Certificate.**
44. Prior to the issue of a Subdivision Certificate, an Application for a Subdivision Certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.
45. The Subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. **These letters are to be provided to Council prior to the release of the Subdivision Certificate.**



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46. Prior to the Issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, Telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
47. A splay corner, 3 metres by 3 metres, is to be dedicated as road at the intersection of John and Queen Streets.

- b) Those persons who made a submission in relation to the Application be notified of the determination in writing as per the provisions of the *Environmental Planning & Assessment Act 1979* and Regulations.

**COUNCIL RESOLUTION:**

**That:**

- a) Council approve the development application DA-8-2017 for Staged Dual Occupancy including the demolition of 3 small sheds, construction of two separate double car garages and strata subdivision on Lot 2 DP 571495 known as 26 John Street, Uralla, subject to the following conditions:

***PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)***

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

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

***Erection of signs***

3. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

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- c) stating that unauthorised entry to the site is prohibited.
- 4. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**Notification of *Home Building Act 1989* requirements**

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

**GENERAL CONDITIONS**

- 7. The development must take place in accordance with the approved documents submitted with the application and subject to the conditions below to ensure the development is consistent with Council's consent.

**Plan Reference**

Site Plan & Dwelling Plans: Uniplan Group – Job No. 2185-1E, pages 1-5, dated 13 March 2017;  
Uniplan Group – Structural Details, Drawing No. 749402, 1 page, dated 10 December 2015

Garage Plans (6mx6m): Best Sheds – Job No. 502611, 11 pages including Engineering Schedule,  
dated 12 March 2017

Garage Plans (5mx10m): Best Sheds – Job No. 501902, 11 pages including Engineering Schedule,  
dated 4 November 2016

- 8. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.

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9. \*The **dwelling** 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 any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed\*\*

*\*\* denotes a critical stage inspection (a mandatory inspection under Section 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.*

*Applicants should give at least 24 hours notice to guarantee 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*

10. The **sheds** are to be inspected at the following stages of construction:

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

*\*\* denotes a critical stage inspection (a mandatory inspection under Section 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.*

*Applicants should give at least 24 hours notice to guarantee an inspection.*

11. The sheds are to be used for residential storage only and not as a dwelling, or an industrial purpose. Any other use will require consent from Council.

12. For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

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13. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
14. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
15. No tree removal is allowed from the road reserve unless prior consent has been given by Council.
16. Detailed Engineering Drawings are required for:
  - Stormwater drainage.
  - Driveway and driveway kerb and gutter crossing.
  - Sediment and erosion Control.

A Construction Certificate will be required for the Engineering works required for the subdivision. All works are to be carried out at the full cost of the developer.

All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.

***CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE***

17. The plans and specification accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1a and 10a building:

Amended plans are to be submitted to the Principal Certifying Authority for authentication of NCC compliance and issue of a Construction Certificate.

Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.
18. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction Certificate, to ensure pedestrian and vehicular safety during construction.

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19. The applicant shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's Managing Urban Stormwater - Soils and Construction, to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The Soil and Water Management Plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.
20. A detailed Site Plan is to be submitted with the Construction Certificate documentation clearly showing:
  - e) Driveway formation.
  - f) Location of services – water, sewer, interallotment drainage and telecommunications.
  - g) Landscaping. Landscaping details are to include a species list and plant size.
  - h) Any fencing details

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

21. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with the cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent.

For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

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22. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert contaminated run-off away from disturbed areas,
  - erect silt fencing along the downhill side of the property boundary,
  - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
  - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.

23. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenient. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

***CONDITIONS TO BE COMPLETED DURING CONSTRUCTION***

24. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
25. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
26. Materials must not be burned on site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
27. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.

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28. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.

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

If excavations associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, must preserve and protect the building from damage, and if necessary, underpin and support the building in an approved manner.

Notice of intention to do so must be given to the owner of the adjoining land at least seven days before the commencement of excavation work. The owner of the adjoining allotment of land is not liable for any part of the cost of work, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

30. Connection to the sewer main is required for the proposed new dwelling. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current sewer connection fee for 2016/17 is \$540.00.

31. Connection to the water main is required for the proposed new dwelling. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current water connection fee for 2016/17 is \$958.00.

32. All stormwater is to be connected to the kerb and gutter to Queen Street for the proposed new dwelling and garage and to John Street for the existing dwelling and its associated proposed new garage. This is to be completed to a standard approved by the Director of Infrastructure & Regulation and at the expense of the developer

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

33. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.

**ADVISING:** Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).

34. Approval must be obtained from the pursuant to Chapter 7 of the Local Government Act 1993 for the installation of a manufactured dwelling with all relevant work completed in accordance with such approval.
35. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.
36. The Principal Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
37. The property number shall be clearly and permanently displayed on or adjacent to the doorway or on the street frontage to identify the premises to the public and to essential/emergency services. Numbers shall be 100mm high x 50mm wide (minimum) and of a colour contrasting with the surface to which they are affixed
38. A backflow prevention device suitable to the degree of hazard must be installed to the premises. The type device will be determined at the time of processing the application for a water service. All external hose taps must be fitted with a backflow prevention device in accordance with AS/NZS 3500.1:2003 before use or occupation of the building, to maintain public health.
- ADVISING:** For information regarding the installation and type of backflow prevention device to be fitted, please contact Council.
39. A new 1.8m high Colorbond fence is to be installed between Lot 2 & Lot 1 DP 517495 being 26 and 28 John Street, Uralla, dropping to a maximum height of 900mm 6 metres from the John Street boundary at the expense of the developer.



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40. A new vehicular crossing, including layback, is to be constructed from the street to the property boundary to provide effective all-weather access to the site and a safe and nuisance-free surface over Council's footpath.

The driveway is to be 3m wide at the rear of the layback and 3m wide at the property boundary, and is to be completed prior to the use or occupation of the building.

Note - Segmental paving may be used provided it is installed as part of a pavement design in accordance with the Cement & Concrete Association of Australia's "Guide to Design and Construction" for Interlocking Concrete Road Pavements, July 1986.

41. Construction of layback kerb and gutter is required for the new dwelling in Queen Street including road reinstatement and bitumen sealing and construction of paved or bitumen sealed driveway across the footpath area in accordance with the engineering design plans that were approved by the Director of Infrastructure & Regulation.

**CONDITIONS RELATING TO ONGOING OPERATIONS**

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**CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

43. **Compliance with all conditions for Stage 1 is to be achieved prior to the issue of a Subdivision Certificate.**
44. Prior to the issue of a Subdivision Certificate, an Application for a Subdivision Certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.
45. The Subdivision will be provided with reticulated electricity and suitable telephone provisioning. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity. The applicant shall provide evidence that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. **These letters are to be provided to Council prior to the release of the Subdivision Certificate.**

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46. Prior to the Issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, Telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
47. A splay corner, 3 metres by 3 metres, is to be dedicated as road at the intersection of John and Queen Streets.

**b) Those persons who made a submission in relation to the Application be notified of the determination in writing as per the provisions of the *Environmental Planning & Assessment Act 1979* and Regulations.**

**10.04/17 MOVED (Crs R Bell/K Ward) CARRIED**

**DIVISION DECISION:**

**FOR: N Ledger, L Sampson, R Bell, K Ward, I Strutt, M Pearce, T Toomey**

**AGAINST: Nil**

**ABSENT: B Crouch, M Dusting**

*Cr M Dusting and Cr B Crouch returned to the room at 1:00pm.*

**Department: Infrastructure & Regulation**

**Submitted by: Director Infrastructure & Regulation**

**Reference/Subject: Report 6 - Transport Asset Management Plan**

**OFFICER'S RECOMMENDATION:**

That Council:

1. Endorse the Transport Asset Management Plan - February 2017 (Version 6);
2. Publicly exhibit the Transport Asset Management Plan for a period of 28 days in accordance with the provisions of the Local Government Act; and
3. Give the General Manager delegated authority to adopt the Transport Asset Management Plan if no submissions are received.

**COUNCIL RESOLUTION:**

That Council:

1. Endorse the Transport Asset Management Plan - February 2017 (Version 6);
2. Publicly exhibit the Transport Asset Management Plan for a period of 28 days in accordance with the provisions of the Local Government Act; and
3. Give the General Manager delegated authority to adopt the Transport Asset Management Plan if no submissions are received.

**11.04/17 MOVED (Crs K Ward/R Bell) CARRIED**

**Department: General Manager's Office**

**Submitted by: General Manager**

**Reference/Subject: Report 7 - 2016/17 Operational Plan Performance Report – Third Quarter Progress Report**

**OFFICERS RECOMMENDATION:**

That Council receive and note the 2016/17 Operational Plan Third Quarter Progress Report.

**COUNCIL RESOLUTION:**

That Council receive and note the 2016/17 Operational Plan Third Quarter Progress Report.

**12.04/17 MOVED (Crs T Toomey/I Strutt) CARRIED**

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**17. MOTIONS ON NOTICE**

Nil

**18. SCHEDULE OF COUNCIL RESOLUTIONS**

As at 19 April 2017.

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

Cr T Toomey

1. Has Council applied for black spot funding for the intersection of King St and Maitland St, in view of the minimum crash history according to the Dept of Infrastructure and Development having been amended for 2016/2017 to reduce the number of casualty crashes required to be eligible for funding from 3 over 5 years to 2 over 5 years?

**RESPONSE:** No. Nominations for project proposals will be called for in May 2017. Staff will attend workshop on this. Additional signage and linemarking has been provided to the intersection on the King St approach from the SE.

2. Can you please advise if the Heritage Advisor is currently liaising with property owners in the Shire, other than those presented in the report to Council?

**RESPONSE:** In addition to the property owners in the report, the Heritage Officer met with a representative of the Masonic Lodge to take some before photos where works are proposed under the Councils Heritage Assistance Fund.

Cr I Strutt

1. Can Councillors please have a schedule of future actions in relation to the industrial land development provided to them?

**RESPONSE:** Under development.

Mayor Pearce

1. Uralla Sporting Complex request from Mr Ritchie to meet with the Mayor, Deputy Mayor, General Manager and Director of Infrastructure and Regulation.

**RESPONSE:** A consultation meeting was undertaken with representatives from junior rugby and cricket clubs. Mr Ritchie was unable to attend. Meeting with soccer representative is to be held on 20/4/17

Cr N Ledger

1. Request that future Council Meetings be held earlier, the suggestion being lunch at 12noon with meeting commencing at 12:30pm.

**RESPONSE:** Extraordinary Council Meeting has been held, with meeting commencement time being changed to 12:30pm.

**20. QUESTIONS FOR NEXT MEETING**

**Cr B Crouch**

1. Construction of disability access ramp Old Bank Building 98 Bridge St Uralla. I understand that a condition of the Approved DA for development of the old Bank Building includes cutting into the front of the building to install a disability ramp. Whilst I understand the need for disability access (although I have been advised disability access is available at the rear of the building) I share the view put to me that the historical significance of this building should take precedence and be preserved.

My questions are:

- (a) Is the information I have been given regarding the construction of the ramp correct?
- (b) What options are available to Council to ensure this historic building is preserved in as near

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to original condition as possible. Is not destroyed by the construction of a disability ramp?

2. Balala Composting: I have been advised that as a result of an expansion of Biada Chicken processing facilities at Tamworth the number of loads of DAF material being delivered to the Balala Composting Facility has increased substantially, increasing the concern of local residents regarding the impact on air and water quality.

Whilst I understand the application of the DAF material is a NSW EPA managed activity, I understand Council has some responsibility for policing air and water quality issues.

My questions are:

- (a) Does Council have any responsibility for regulating the volume of DAF delivered to the site?
- (b) Does Council have any responsibility for overlooking potential impact on air and water quality in this instance?
- (c) What actions can Council take to allay the concerns of residents in the Balala area to ensure that their quality of life and local water and air quality will not be further eroded by an increase in activity at this site?

3. Potential boundary adjustments with Armidale Regional Council and Tamworth Regional Council: The only reason given for Uralla Shire not meeting the NSW Government's Fit for Future Criteria was capacity. In order to better meet the criteria into the future there is an obvious need to increase capacity (population base) within the Shire. Impending boundary adjustments between Armidale Regional Council and Inverell Council provides a catalyst to explore options for Uralla Shire. Of particular relevance is that the transfer of the Tingha area will mean Armidale Regional Council plant will have to travel a considerable distance through Inverell or Uralla Shires to service residents in the Georges Creek Area.

Over the last couple of months I have been approached by residents in both Armidale Regional Council and Tamworth Regional Council areas about the potential to expand Uralla Shire Council Area.

My questions are:

- (a) Has any discussion taken place with either Armidale or Tamworth Regional Councils regarding potential boundary adjustments to enable services to residents to be delivered on a more cost effective basis?
- (b) What action can Council take to consult with potentially affected communities?
- (c) Could, in the next six months, Council schedule a workshop on how we may go about expanding the capacity of Uralla Shire?

**Cr N Ledger**

- 1. Please provide a budget for the cost of tar on Invergowrie roads, each individual road, order of priority and combined value.

**21. CLOSURE OF MEETING**

The meeting was closed at 2:05pm

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