



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.

ORDINARY COUNCIL MEETING

23 February 2021

Commencing at 12:30pm

Kate Jessep
GENERAL MANAGER



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1 OPENING & WELCOME

2 PRAYER

3 ACKNOWLEDGEMENT OF COUNTRY

4 WEBCAST INFORMATION

5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Cr T O'Connor

6 DISCLOSURES & DECLARATIONS OF INTEREST

To be tabled at the Meeting.

7 CONFIRMATION OF MINUTES

Minutes to be confirmed at the 23 February 2021 Meeting of Council:

7.1 ORDINARY MEETING OF COUNCIL HELD 15 DECEMBER 2021

MINUTES of

ORDINARY MEETING OF COUNCIL

Held at 12:30pm 15 December 2020



Present at Meeting:

Councillors:

Cr M Pearce (Mayor)

Cr I Strutt (Deputy Mayor)

Cr R Bell

Cr R Crouch

Cr M Dusting

Cr N Ledger

Cr T O'Connor

Cr T Toomey

Cr L Sampson

Staff:

Ms K Jessep, *General Manager*

Mr S Paul, *Chief Financial Officer*

Mr T Seymour, *Director Development & Infrastructure*

Ms C Valencius, *Executive Manager Corporate Services*

Ms N Heaton, *Coordinator Governance & Risk*

Mr M Clarkson, *Manager Planning & Development*

Ms W Westbrook, *Minute Clerk*

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ATTENDANCE

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

1 OPENING & WELCOME

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

2 PRAYER

The Chair read the prayer.

3 ACKNOWLEDGEMENT TO COUNTRY

The Chair read the acknowledgement to country.

4 WEBCAST INFORMATION

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

5 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

The Chair advised there were no apologies received.

Chair advised receipt of a leave of absence.

MOTION Moved: Cr Dusting /Seconded: Cr Sampson

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

CARRIED UNANIMOUSLY

01.12/20

6 DISCLOSURES & DECLARATION OF INTERESTS

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

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

7 CONFIRMATION OF MINUTES

7.1 Ordinary Meeting of Council held 24 November 2020

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

AMENDMENTS

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

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

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

02.12/20

CARRIED UNANIMOUSLY

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

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

There were no amendments requested by Councillors.

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

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

03.12/20

CARRIED

8 TABLING OF REPORTS & PETITIONS

There were no reports or petitions tabled.

9 URGENT, SUPPLEMENTARY & LATE ITEMS/REPORTS OF BUSINESS

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

10 WRITTEN REPORTS FROM DELEGATES

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

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

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

04.12/20

CARRIED UNANIMOUSLY

10.2 Activities Summaries

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

COUNCILLOR NAME:		Mark Dusting
COUNCIL MEETING DATE:		15 December 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
8 December 2020	Councillor Strategic Planning Workshop - Industrial Land Staging - DCP Heritage Chapter - Waste Facilities Management - Continuous Improvement	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
9 December 2020	NEWA Admin	Phone
11 December 2020	NEWA Admin	Phone
14 December 2020	NEWA Admin Meeting	Uralla
15 December 2020	Council Ordinary Meeting	Uralla

COUNCILLOR NAME:		Robert Crouch
COUNCIL MEETING DATE:		15 December 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
1 December 2020	Councillors Tour of Project sites Uralla & Bundarra	Uralla & Bundarra
2 December 2020	Bundarra Central School Presentation	Bundarra
8 December 2020	Councillor Strategic Planning Workshop - Industrial Land Staging - DCP Heritage Chapter - Waste Facilities Management Continuous Improvement	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

COUNCILLOR NAME:		Levi Sampson
COUNCIL MEETING DATE:		15 December 2020
DATE	COMMITTEE/MEETING/EVENT	LOCATION
8 December 2020	Councillor Strategic Planning Workshop - Industrial Land Staging - DCP Heritage Chapter - Waste Facilities Management - Continuous Improvement	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

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

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

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

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

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

COUNCILLOR NAME:	Isabel Strutt	
COUNCIL MEETING DATE:	15 December 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
25 November 2020	Developers Forum	Uralla
27 November 2020	CWA Meeting – GM Guest Speaker	Uralla
1 December 2020	Councillors Tour of Project sites Uralla & Bundarra	Uralla & Bundarra
8 December 2020	Councillor Strategic Planning Workshop - Industrial Land Staging - DCP Heritage Chapter - Waste Facilities Management Continuous Improvement	Chambers
8 December 2020	Budget Review & Finance Committee Meeting	Chambers
8 December 2020	UTEC Meeting	Chambers
15 December 2020	Council Ordinary Meeting	Chambers

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

11 ITEMS PASSED IN BULK

No items were passed in bulk.

12 MAYORAL MINUTE

12.1 MAYORAL MINUTE - Long Service Awards

MOTION Moved: Mayor Cr Pearce/ Seconded: Cr Ledger

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

05.12/20

CARRIED UNANIMOUSLY

12.2 MAYORAL MINUTE - Virtual ZOOM LGNSW Annual Conference Summary

MOTION Moved: Mayor Cr Pearce / Seconded: Cr Ledger

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

06.12/20

CARRIED UNANIMOUSLY

12.3 MAYORAL MINUTE - School Presentation Day 2020

MOTION Moved: Mayor Cr Pearce / Seconded: Cr Strutt

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

07.12/20

CARRIED UNANIMOUSLY

13 PUBLIC FORUM/PRESENTATIONS

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

The Chair introduced the Speaker.

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

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

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

The Chair introduced the Speaker.

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

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

The Chair resumed Standing Orders.

14 REPORT OF COMMITTEES

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

PROCEDURAL MOTION Moved: Cr Toomey / Seconded: Cr Strutt

To move to Committee of the Whole.

08.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Toomey/ Seconded: Cr Strutt

To resume Standing Orders.

09.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Dusting/ Seconded: Cr Ledger

That Council:

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

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

10.12/20

CARRIED UNANIMOUSLY

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

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

To move to Committee of the Whole.

11.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

To resume Standing Orders.

12.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

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

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

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

13.12/20

CARRIED UNANIMOUSLY

Cr Bell was absent at the time of voting.

Cr Bell returned to meeting 1:44pm.

15 REPORTS TO COUNCIL

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

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

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

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

Councillors held a detailed discussion in committee regarding the report.

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

The Chair outlined details of the discussion held in committee.

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

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

Development Assessment Report

DA Number: DA-87-2019 Council: Uralla Shire Council
 Location: 51 John Street URALLA
 Development Description: Dwelling, Garage and Strata Subdivision
 Title Details: Lot: 12 DP: 1198902

Property Details/History

	Checked	Comments
File History	No	
Title Plan	Yes	
Check Ownership	Yes	

Application Type

Is this application an Integrated Development Application? No
 Is it a BASIX affected development? Yes. Certificate 1049073S supplied.

Concurrence/Referral

Section 4.13 – EP & A Act

Does this application require concurrence or referral? No
 Is there any other issue that requires notation? No
 Does this application require referral for decision by Council? Yes

Local Environmental Plan

Section 4.15(1)(a)(i) – EP & A Act

This land is zoned: R1 General Residential

List the relevant clause/clauses applicable under the LEP

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

Development Control Plan

Section 4.15(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal? Yes

Chapter	Compliance	Comment
3	Yes	Setbacks are compliant. No unreasonable impacts on privacy.

Regional Environmental Plan

The proposed development is not inconsistent with the New England North West Regional Plan.

State Environmental Planning Policy

Is this proposal affected by a SEPP? No

Subdivision

Is this application for subdivision? Yes. Strata only.

How many new lots are being created? 1

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential environmental impacts? No

Environmental Impacts – Heritage

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	
Aboriginal	No	

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected? No

Bush Fire Prone Land

Section 4.15(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map? No

Infrastructure

Has an engineering assessment been completed? No

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

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 approval required? Yes

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

Notification

Section 4.15(1)(d) – EP & A Act

Was this application notified?	Yes
Is this application an advertised development application?	No
Were there any written submissions received?	Yes
If Yes, what was the number of submissions received?	3

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

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared?	Yes
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Public Interest

Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues?	No
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Site Suitability

Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this proposal	Yes
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Assessing Officer General Comment

ASSESSMENT – KEY ISSUES

No issues warranting further detailed consideration have been identified.

Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

No

Signed:



Matt Clarkson, Manager of Development and Planning

Date: 1.12.2020

UNCONFIRMED

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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

Erection of signs

Please Note: This does not apply in relation to:

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

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

Notification of Home Building Act 1989 requirements

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

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

136D Fulfillment of BASIX commitments

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

GENERAL CONDITIONS

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

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

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

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

12. The structures are to be inspected at the following stages of construction:
- before the pouring of footings**
 - before covering drainage (under hydrostatic test)
 - before pouring any reinforced concrete structure **
 - before covering the framework for any wall, roof or other building element **
 - before covering waterproofing in any wet area**
 - before covering any stormwater drainage connections
 - when the building work is completed and all conditions of consent have been addressed**
- ** denotes a critical stage inspection (a mandatory inspection under Section 6.3 of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.
- Council has limited capacity for inspections, which may only be on specific days. Please contact Council well in advance to arrange an inspection.
- *All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer
- Reason: To ensure compliance with appropriate standards.*
13. A Construction Certificate must be obtained from a Certifying Authority before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
14. Occupancy of the building is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued.
- Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*
15. Roof water from the dwellings and garages on both proposed strata lots is to be disposed of in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:
- (a) By piping to the John St culvert.
 - (b) By piping to a rainwater tank and then via the overflow to the John St culvert.
- Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*
16. Any rainwater tank must be installed so that it is:
- (a) Not interconnected in any way with Council's water supply without a backflow prevention device.
 - (b) If it is connected with Council's water supply, then it must have a backflow prevention device that is compliant with AS 3500 National Plumbing and Drainage Code – Compendium.
 - (c) The overflow is to be connected to the stormwater system.
- Reason: To prevent structural damage to buildings and protect public health.*
17. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.
- The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.
- Reason: Statutory requirement*

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

Reason: Statutory requirement

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

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

Reason: Statutory requirement

20. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

21. That two lots are created by the subdivision of Lot 12, DP 1198902 one of about 451m² and the other about 582m².

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

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

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

23. The developer must create an easement under Section 88B of the Conveyancing Act in the following context:

- (a) The purpose is an "easement for sewerage drainage" in favour of proposed Lot 1.
- (b) It must be located centrally over the sewage line located within proposed Lot 2.
- (c) It must have a minimum width of one metre.

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

24. A surveyor's plan must be submitted to Uralla Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Uralla Shire Council.

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

Reason: To ensure that development is adequately serviced by utilities

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

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

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

27. Prior to the issue of a subdivision certificate, an application for a subdivision certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant/developer is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.

Reason: To ensure provision of appropriate documentation.

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

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

and

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

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

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

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

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

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

30. The owner of the property is to ensure that any building is constructed:

- (c) to meet the setback requirements of the approved plans,
(d) to be located within the confines of the lot, and;
(e) so that it does not interfere with any easements or covenants upon the land.

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

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

32. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

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

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

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

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

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

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

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

Reason: To ensure compliance with approved plans.

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

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

Reason: Requirement of Council as the Road Authority.

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

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

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

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

Reason: To ensure that public infrastructure is maintained.

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

Reason: To provide appropriate access to the site.

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

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

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

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

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

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

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

ADVISORY NOTES – GENERAL

43. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
44. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
45. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
46. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
47. Telecommunications Act 1997 (Commonwealth): Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
48. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 approval must be obtained from Council. Please contact Council to obtain an application form.
49. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

END

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

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

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

AGAINST: NIL

ABSENT: Cr M Dusting

17.12/20

CARRIED

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

Cr Dusting returned to the meeting 2:00pm.

15.1 REPORT – Cash at Bank and Investments

MOTION Moved: Cr Ledger / Seconded: Cr Strutt

That:

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

18.12/20

CARRIED UNANIMOUSLY

15.2 Works Progress Report as at 30 November 2020

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

To move to Committee of the Whole.

19.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

To resume Standing Orders.

20.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

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

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

21.12/20

CARRIED UNANIMOUSLY

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

15.3 Information Report to November Council Resolution 15.11/20

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

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

To move to Committee of the Whole.

22.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

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

The meeting resumed at 2:31pm.

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

PROCEDURAL MOTION Moved: Cr Crouch / Seconded: Cr Toomey

To resume Standing Orders.

23.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Crouch/ Seconded: Cr Toomey

That Council:

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

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

Against: Crs Pearce; Strutt; Ledger; Disting.

Casting Vote - The Mayor voted – Against the motion

LOST

Cr Toomey Left the meeting 2:45pm.

MOTION Moved: Cr Disting/ Seconded: Cr Strutt

FORESHADOWED MOTION:

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

24.12/20

CARRIED

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

Cr Toomey was absent at the time of voting.

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

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

15.5 Draft Policy – Gifts and Benefits

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

25.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

26.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

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

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

27.12/20

CARRIED UNANIMOUSLY

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

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

28.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

29.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

Procedural Motion Moved: Cr Crouch/ Seconded: Cr Dusting

That the matter lay on the table.

30.12/20

CARRIED

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

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

Meeting resumed 2:28pm.

MINUTES 15 DECEMBER 2020 ORDINARY MEETING

15.7 Register Resolutions Actions Status

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

31.12/20

CARRIED UNANIMOUSLY

Councillors held a detailed discussion in committee regarding the report.

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

32.12/20

CARRIED UNANIMOUSLY

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Sampson / Seconded: Cr Toomey

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

33.12/20

CARRIED

15.8 Uralla Shire Council 2020 Summary of Achievements

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

34.12/20

CARRIED UNANIMOUSLY

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

35.12/20

CARRIED UNANIMOUSLY

16 MOTIONS ON NOTICE / QUESTIONS WITH NOTICE 16.1 Procurement

Favouring Local Suppliers – Cr Robert Cr Crouch

Moved: Cr Crouch / Seconded: Cr Ledger

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

36.12/20

CARRIED UNANIMOUSLY

16.2 Open Workshops to the Public – Cr Robert Crouch

MOTION Moved: Cr Crouch/ Seconded: Cr Ledger

That Council:

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

37.12/20

CARRIED UNANIMOUSLY

16.3 Policy – Code of Meeting Practice – Cr Tara Toomey

MOTION Moved: Cr Toomey/ Seconded: Cr Crouch

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

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

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

Procedural Motion Moved: Cr Strutt/ Seconded: Cr Dusting

That Council lay the matter on the table.

38.12/20

CARRIED

16.4 Councillors Expenses - CR Tara Toomey

MOTION Moved: Cr Toomey/ Seconded: Cr Bell

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

39.12/20

CARRIED

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

17 CONFIDENTIAL MATTERS

MOTION Moved: Cr Dusting/ Seconded: Cr Strutt

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

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

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

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

40.12/20

CARRIED UNANIMOUSLY

REPORT TO CLOSED SESSION

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

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

MOTION (Moved: Cr Bell / Seconded: Cr Ledger

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

41.12/20

CARRIED UNANIMOUSLY

PROCEDURAL MOTION Moved: Cr Dusting/ Seconded: Cr Strutt

To return to open session of Council.

42.12/20

CARRIED UNANIMOUSLY

PROCEDURAL MOTION Moved: Cr Dusting/ Seconded: Cr Strutt

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

43.12/20

CARRIED UNANIMOUSLY

MOVE TO OPEN SESSION

18 COMMUNICATION OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session:

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

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

19 CLOSURE OF MEETING

The meeting was closed at 4:35pm.

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

8 TABLING OF PETITIONS

Nil

9 URGENT, SUPPLEMENTARY AND LATE ITEMS OF BUSINESS

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 through 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

Nil

13 PUBLIC FORUM/PRESENTATION

14 REPORT OF COMMITTEES



14.1 BUDGET REVIEW & FINANCE COMMITTEE MEETINGS HELD

1. 8 DECEMBER 2020
2. 9 FEBRUARY 2021

Department:	Finance
Prepared by:	Chief Financial Officer
TRIM Reference:	UINT/21/1753
Attachments:	UINT/20/11325 Minutes BR&FC 8 December 2020
	UINT/20/11172 Tiered Water Pricing 8 December 2020
	UINT/21/266 Councillor request for information 22-December 2020
	UINT/21/1331 Minutes BR&FC 9 February 2021
	UINT/21/1165 Horizontal Service Review – Priority 3 Actions Summary

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	4.2.2	Operate in a financially responsible and sustainable manner

SUMMARY

The unconfirmed Minutes of the Budget Review & Finance Committee meetings held on 8 December 2020 and 9 February 2021 are attached for Council's information.

RECOMMENDATION

1. That the minutes of the Budget Review & Finance Committee meetings held on 8 December 2020, and 9 February 2021 be noted; and
2. Council endorse the following recommendations:
 - a) That Council undertake community consultation regarding the sustainability of the Shire's water supply with consideration of pricing options (8 December 2020 meeting);
 - b) That the service review information be developed in conjunction with the Integrated Water Cycle Management Strategy;
 - c) That Council work with ZNet and undertake community engagement on water price model structure options as part of the preparation of the 2021/22 Operational Plan.
 - d) Note the Budget Review Committee has reviewed the Horizontal Service Review – Priority 3 Actions Summary and recommend Council confirm the proposed actions marked R & I. (b,c & d are from 9 February 2021 meeting)

BACKGROUND

The Budget Review & Finance Committee met on 8 December 2020 and 9 February 2021. A series of recommendations were made in reports presented to those meetings and the Committee made certain recommendations in relation thereto. This report deals with those recommendations.

REPORT

The Budget Review & Finance Committee determined that Council should undertake community consultation in relation to the proposed water pricing options. It is expected that this will occur at the same time as consultation on the drafting of the 2021/22 Operational Plan, including the budget and review of the Long Term Financial Plan.

The Committee also determined that instead of engaging a consultant to undertake a review of the water and sewer service areas this financial year that the work could be undertaken as part of the development of the Integrated Water Cycle Management Plan (IWCM).

The priority 3 actions from the Horizontal Service Review were presented to the Committee seeking input on those actions marked R and I. The Committee proposed that the first two items be modified in recognition of work on the Visitor Information Centre project not being completed. The actions agreed to are summarised in the table below.

KEY ISSUES

- The Water Fund is budgeted to incur losses in each of the next ten years.
- The water service is being operated efficiently (staffing and operating costs are at or below others in the group of less than 1,500 properties).
- The draft Asset Management Plan (Water) provides for capital renewal and maintenance.
- An increase in revenue for the Water Fund is considered the most appropriate way to balance the operating result.
- Tiered water pricing together with appropriate increases to the current annual access charge is considered the most appropriate way to achieve the required revenue.
- The recommended fees and charges meet best practice management.
- Financial sustainability is one of the key risks that needs to be managed by Council.
- Without financial sustainability Council may not be able to remain independent.
- The continued review of costs and revenue raising opportunities needs to be undertaken as part of the process to determine if a SRV is necessary.
- The IWCM Strategy planning process will further develop the levels of service for Council's water supply and sewerage undertaking.
- The continued review of costs and revenue raising opportunities needs to be undertaken as part of the process to determine if a SRV is necessary.

COUNCIL IMPLICATIONS

1. Community Engagement/ Communication (per engagement strategy)

An engagement strategy is to be drafted to inform the community of any change in pricing. A quarterly report of the Operational Plan including strategies to achieve financial sustainability is presented to Council.

2. Policy and Regulation

Local Government Act 1993 (NSW) s 8A Guiding principles for councils; *s 8B* Principles of sound financial management, and
NSW Department of Planning, Industry and Environment Best Practice Management of Water Supply and Sewerage Guidelines

3. Financial (LTFP)

The introduction of tiered pricing of water will result in a balanced operating result for the Water Fund whilst also impacting negatively on the General Fund.
Potential savings and revenue raising opportunities as noted.

4. Asset Management (AMS)

Asset service level reduction is one method of reducing operating costs.
The LTFP estimates that approximately \$500,000 per annum of renewals/improvements will be needed in the Water Fund over the next ten years. Without additional revenue, these costs will have to be completed using borrowed funds which is not the most appropriate way to fund renewals.

5. Workforce (WMS)

Council would have to consult with staff and unions should Council move from a 9 day fortnight to 19 day month

6. Legal and Risk Management

Continued review of costs and revenue raising opportunities is necessary to confidently assess the risk of financial sustainability, and

Local Government Act 1993

8B Principles of sound financial management

The following principles of sound financial management apply to councils--

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community...
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following--
 - (i) Policy decisions are made after considering their financial effects on future generations,
 - (ii) The current generation funds the cost of its services.

59A Ownership of water supply, sewerage and stormwater drainage works

(1) Subject to this Division, a council is the owner of all works of water supply, sewerage and stormwater drainage installed in or on land by the council (whether or not the land is owned by the council).

(2) A council may operate, repair, replace, maintain, remove, extend, expand, connect, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of the council, the works are used in an efficient manner for the purposes for which the works were installed.

Comment

The introduction of tiered pricing will result in a balanced operating result and overcome the risk of a financially unsustainable business.

7. Performance Measures

Tiered water pricing and a balanced operating result aligns with best practice recommendations
Completion of all items marked I.

8. Project Management

Chief Financial Officer

14.1.1 Budget Review & Finance Committee Meeting 8 December 2020



MINUTES

Budget Review & Finance Committee

Meeting 8 December 2020, 12:30pm, Council Chambers

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ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr I Strutt (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, R Crouch, T Toomey, General Manager (Ms K Jessep), Director Infrastructure and Development (Mr T Seymour), Executive Manager Corporate Services (Ms C Valencius), Chief Financial Officer (Mr S Paul), 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 recognised the traditional custodians of the land.

4. WEBCAST INFORMATION

The Chair advised that the meeting is audio recorded and the recording is made available on Council's website after the meeting.

5. APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE

The Chair advised there were no apologies received.

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

6. DISCLOSURES & DECLARATION OF INTERESTS

There were no disclosures or declarations made.

7. CONFIRMATION OF MINUTES

MOTION (Moved: Cr Dusting / Seconded: Cr Strutt)

That the Committee confirm the minutes of the Budget Review and Finance Committee meeting held 13 October 2020 as a true and accurate record.

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

There were no Reports to Committee to the 8 December 2020 Meeting.

BRFC01.12/20

10. REPORTS

10.1 Tiered Water Pricing

Cr Ledger left the meeting 1:20pm

Cr Ledger returned to the meeting 1.22pm

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

That the Committee recommend to Council that council undertake community consultation regarding the sustainability of the Shire's water supply with consideration of pricing options.

CARRIED UNANIMOUSLY

BRFC02.12/20

11. NOTICE OF MOTION

There were no Motions on Notice to the 8 December 2020 Meeting.

12. CONFIDENTIAL BUSINESS

There were no confidential business items to the 8 December 2020 meeting.

12. MEETING CLOSE

The meeting closed at 1:44pm.

UNCONFIRMED

Report to Budget Review & Finance Committee

Report 1 | Tiered Water Pricing



Department: Finance
Prepared by: Corporate Accountant
TRIM Reference: UINT/20/11172
Attachments: Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	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 financial sustainability
Action:	4.2.2.1.10	Review all fees and charges on an annual basis for full cost recovery

SUMMARY

This business paper sets out the actions necessary to achieve Council's strategic objective of operating the Water Fund at a balanced operating position over the next ten years. It is proposed that Council introduce tiered pricing for water usage and increased access charges to generate sufficient income to cover operating expenditure.

RECOMMENDATION

That the Committee recommend to Council that:

1. Tiered pricing for water usage be introduced from 1 July 2021 as follows:
 - a. 0 to 250 kilolitres \$3.20 per kilolitre
 - b. Greater than 250 kilolitres \$6.80 per kilolitre
2. Bulk water charges are increased to \$6.80 per kilolitre (previously \$5.20)
3. Base access charges be varied as follows:
 - a. Per 20mm connection \$ 380.00
 - b. Per 25mm connection \$ 594.00
 - c. Per 32mm connection \$ 973.00
 - d. Per 40mm connection \$1,520.00
 - e. Per 50mm connection \$2,375.00
 - f. Per 80mm connection \$6,080.00

BACKGROUND

At the Ordinary Meeting of Council held on 25 February 2020, it was resolved to:

Set a strategic objective for both the Water and Sewer Funds to operate during the next ten years at a balanced operating position including the full funding of depreciation, amortisation and impairment of intangible assets and infrastructure, property, plant, equipment and the modelling of tiered water pricing.

This resolution recognised that the Water Fund could not continue to incur losses without affecting the financial sustainability of the Fund and ultimately threatening the ability of the Council to provide drinking water to residents connected to town water supplies.

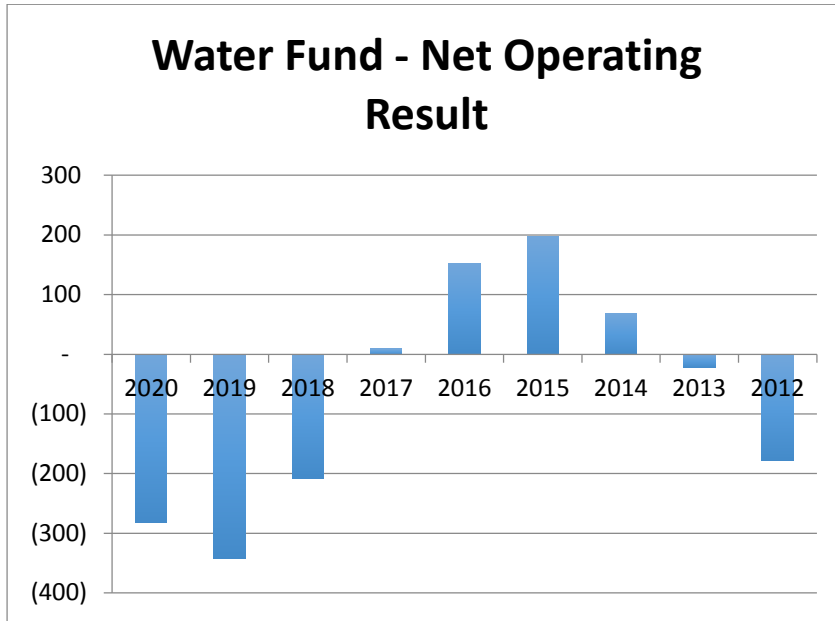
A series of reports have been presented to this Committee recommending that Council increase both water access charges and usage charges. At the 13 October 2020 Committee meeting, a recommendation was made to introduce tiered pricing for water usage of \$3.80 per kilolitre up to 250 kilolitres and \$5.60 per kilolitre

thereafter. In addition to the tiered pricing it was proposed that access charges also be increased to \$400 for single occupancy properties and \$270 per unit in a multi-occupancy property.

This is an update to the report presented to the 13 October 2020 Budget Review and Finance Committee Meeting with additional information examining the impact of ‘non-drought’ water usage, required revenue and various alternatives for water pricing, together with other revenue raising opportunities.

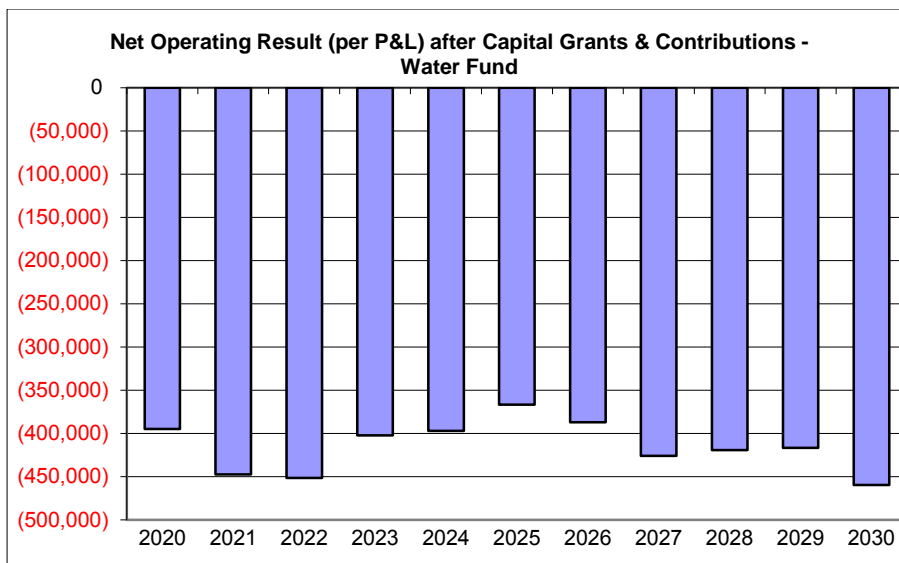
REPORT

Over the past three years the Water Fund has incurred an operating loss – see graph 1 below.



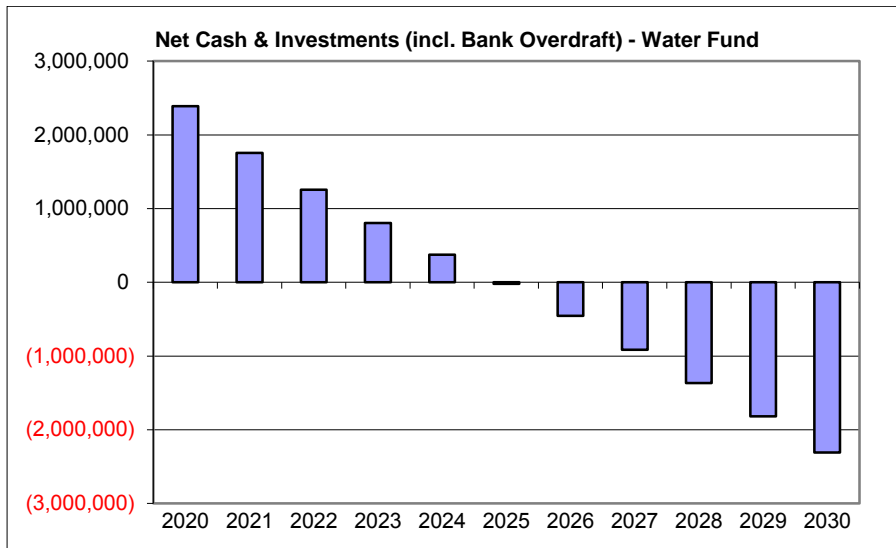
Graph 1 – Water Fund Actual Net Operating Results 2012 to 2020

In setting budgets for the past two years, recommendations have been made to increase charges by amounts of up to 15% p.a. over each of the ensuing four to five years. Council has resolved to only increase charges by 5% in each budget year (not forward years) resulting in continued operating losses over the term of the draft long term financial plan (LTFP) – see graph 2 below.



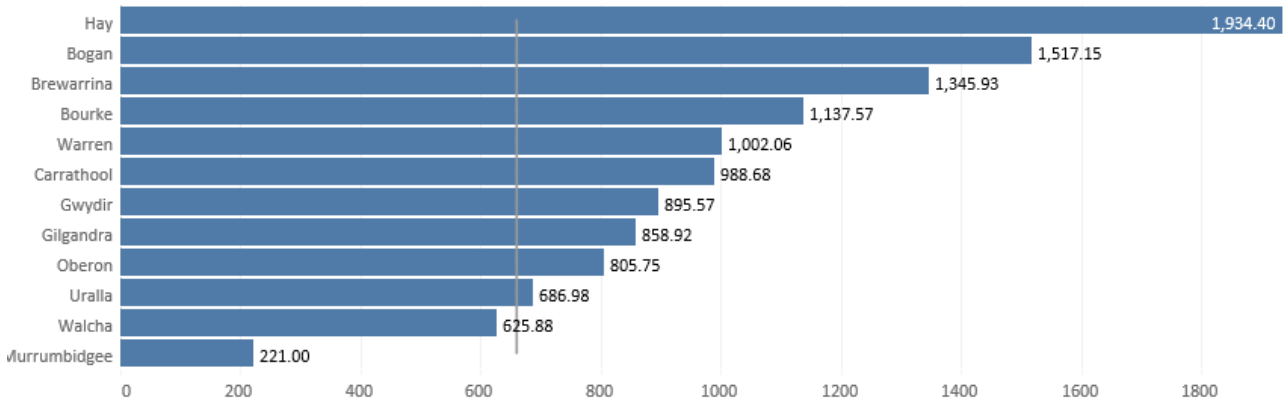
Graph 2 – Water Fund Projected Operating Results 2021 to 2030

The draft LTFP to 30 June 2030 (Base Case) predicts that the Water Fund will incur losses of between \$367,000 and \$460,000 per annum. Assuming the need for infrastructure renewals and upgrades of between \$220,000 and \$587,000 per annum, the cash position of the Fund will deteriorate from available funds of \$2.391 million to borrowings of approximately \$2.0 million – see graph 3 below.



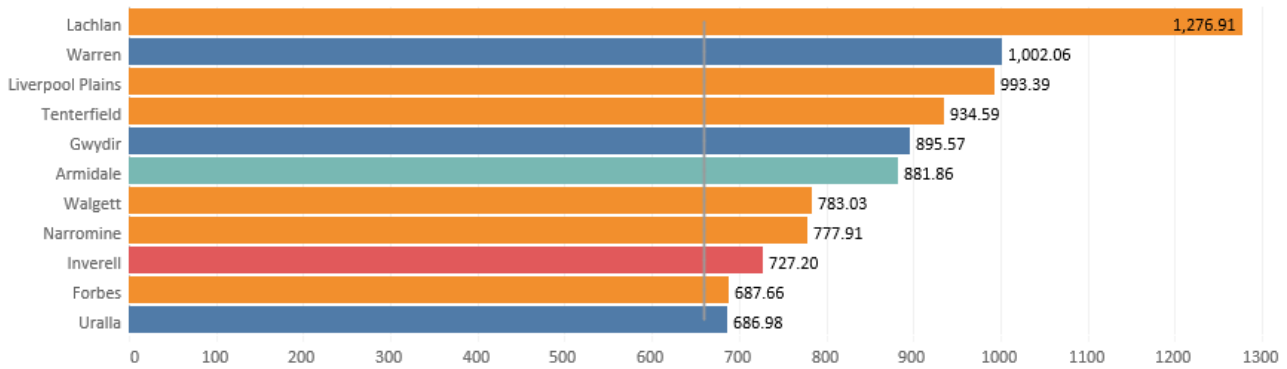
Graph 3 – Water Fund Projected Net Cash & Investments 2021 to 2030

Information obtained from the NSW Department of Planning, Industry and Environment² indicates that Uralla Shire Council currently (based on 2018-19 data) has the third-lowest median residential bill for water amongst LWU’s with less than 1,500 connections – see Graph 4 below.



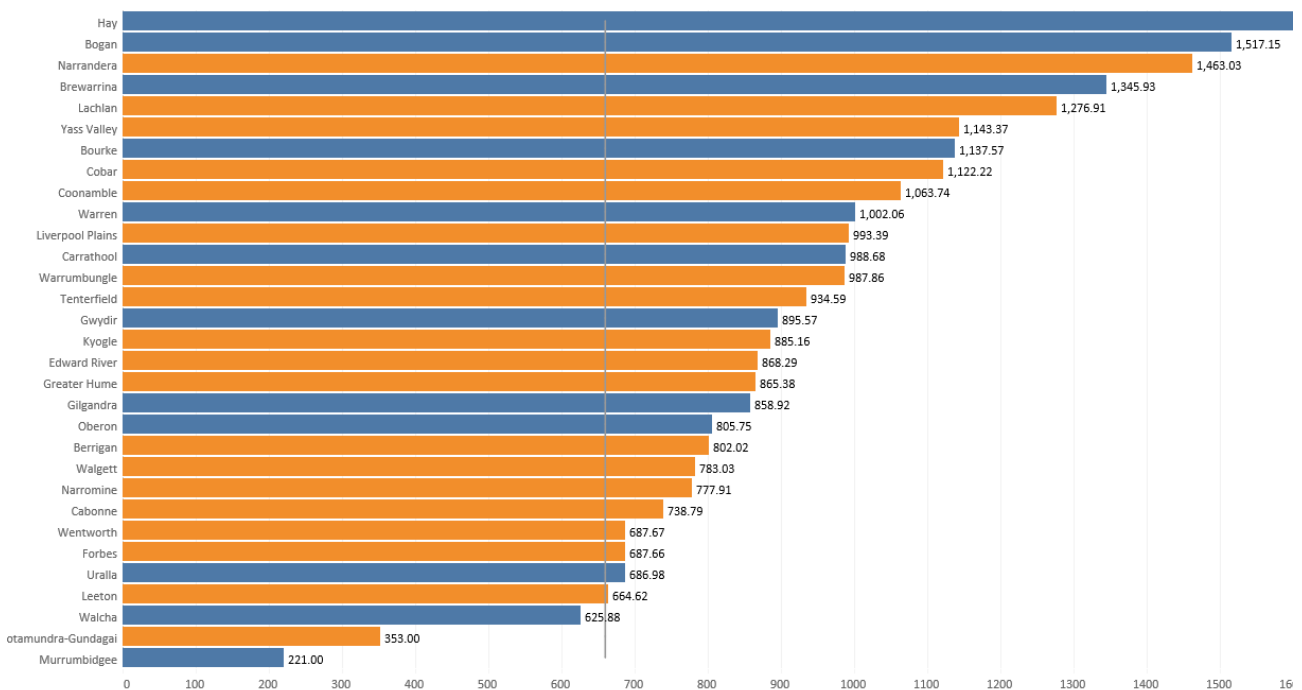
Graph 4 – Typical residential bill for 2018-19 – usage – WS – less than 1,500 connections

Similar information is contained in selected LWU’s that are similar in size to USC or which are neighbours of USC – see graph 5 below.



Graph 5 – Typical residential bill for 2018-19 – usage – WS – selected LWU’s

Including all LWU’s that have up to 4,000 connections also indicates that USC has one of the lowest median residential bills for water supply – see graph 6 below.

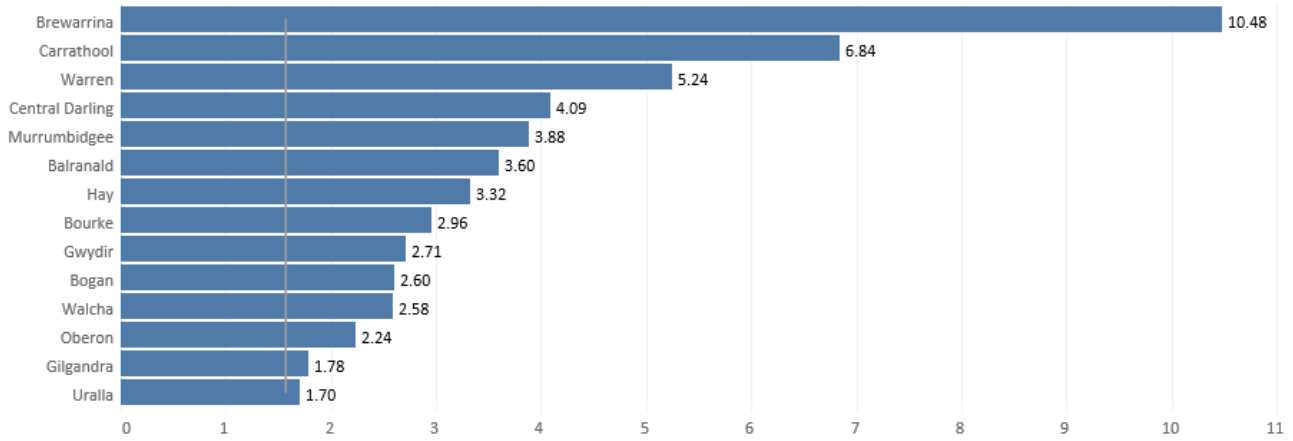


Graph 6 – Typical residential bill for 2018-19 – usage – WS – selected LWU’s of financially similar councils

In each of the cases outlined above, the weighted median (the grey line above) is \$660.12² which is based on the entire NSW sample, not just the selections shown.

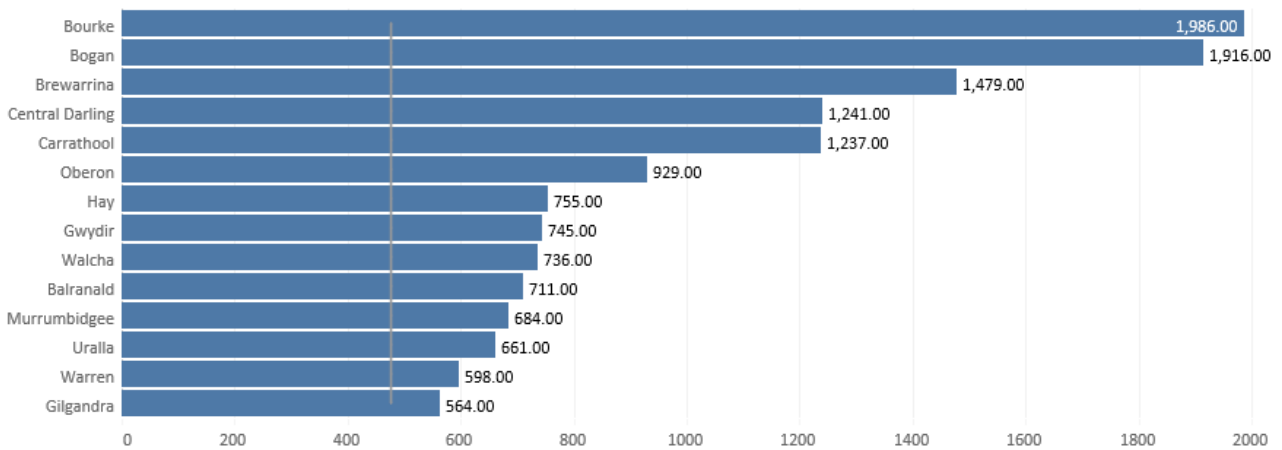
Services Operating Efficiency

Uralla also has the lowest number of employees per 1,000 properties compared to others in the grouping of less than 1,500 properties, as seen in the graph below.



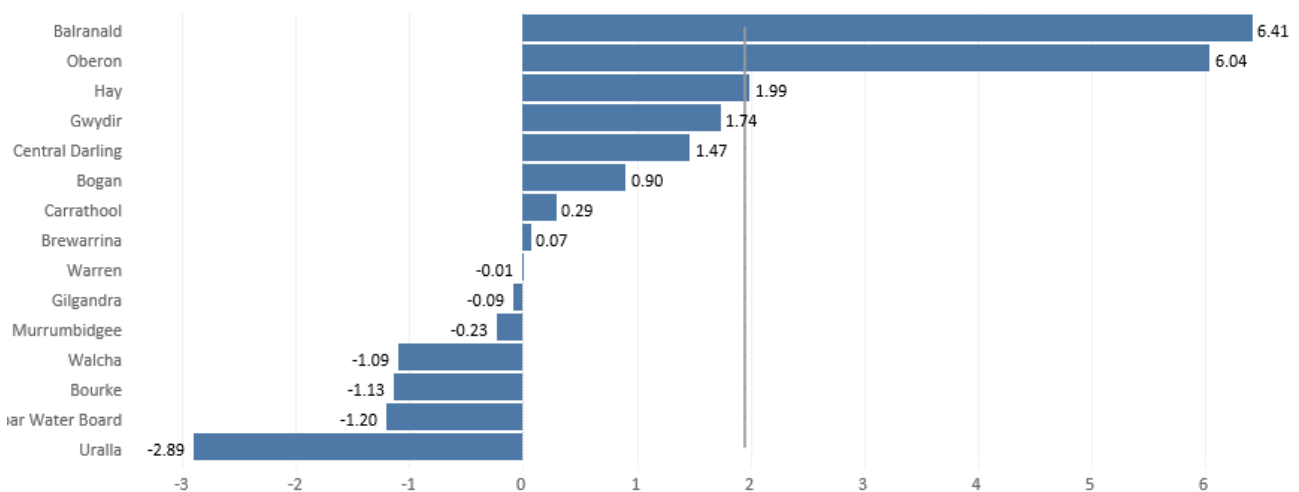
Graph 7 – Total workforce per 1,000 properties

Uralla also has one of the lowest operating cost (OMA) (\$/prop) in the grouping of less than 1,500 properties, as seen in the graph below.



Graph 8 – Operating Cost (OMA) (\$/prop) - WS (including water purchase)

As a consequence of the low revenue and the normal operating costs, Uralla has the worst economic real rate of return for water supplies in the less than 1,500 properties as shown in the graph below.



Graph 9 - Economic Real Rate of Return - Water Supply

The Solution

The option to continue with budgeted operating losses is not only unsustainable but also contrary to the principles of sound financial management set out in the Local Government Act 1993 (clause 8).

This report sets out a series of actions aimed at returning the Water Fund to an operating surplus over the life of the draft LTFP. These include adjusting pricing more towards a usage basis and to adjust access charges as required.

The average shortfall in revenue in the draft LTFP is \$417,000. It is proposed that Council introduce a charge per connection rather than the current practice of charging per assessment. It is estimated that this will generate additional access charges of between \$16,000 and \$19,000. At the same time, it is proposed that Council introduce a variable charge for access based on connection size. It is estimated that this will generate an additional \$47,000 (conservative estimate).

In Uralla Shire, approximately 44% of water consumption is utilised by just over 15% of the consumer base. A recommendation of Water NSW’s Best-Practice Management of Water Supply Guidelines suggests tiered pricing, and further that 50-75% of revenue be captured via water usage charges. As a result, most water authorities charge consumers for water usage on a tiered pricing basis. A summary of neighbouring or similar sized council’s tiered pricing is included in attachment 1.

It is proposed that the Water Fund introduce tiered water pricing as follows:

- i. 0 to 250 kilolitres \$3.20 per kilolitre
- ii. Greater than 250 kilolitres \$6.80 per kilolitre

A review of historical usage data shows that approximately 85% of consumers (1,200 of the total 1,421 assessments) only use up to 250kL per year. The proposed increase in charges and the outcome of tiered pricing on revenue, based on various scenarios (a total of 1,421 assessments), is summarised below:

Options	Access Charge per annum	Consumption charge per kL per annum		Total Yield	Change in yield	Average annual charge per Assessment (not connection)	
		0-250 kL	>250 kL			\$	% increase
Current	\$359.00	\$2.60 kL for all usage		\$1,151,779	\$ -	\$769	
Option One	\$359.00	\$3.70	\$6.15	\$1,572,290	\$420,511	\$1,094	42%
Option Two	\$400.00	\$3.55	\$5.40	\$1,572,312	\$420,532	\$1,086	41%
Option Three	\$420.00	\$3.40	\$5.40	\$1,572,874	\$421,094	\$1,086	41%
Option Four (proposed option)	\$380.00	\$3.20	\$6.80	\$1,571,456	\$419,677	\$1,072	39%

The above analysis uses average consumption over five years from 2016 to 2020. Data from November 2020 would have had no significant impact because the readings were only slightly below the five year average. The years included both high and low rainfall/consumption data.

As a consequence of the above proposed charges, the average annual bills are likely to be as follows:

Options	0 to 250 kL		Over 250 kL	
	\$	%	\$	%
Current	\$438		\$1,641	
Option One	\$784	79%	\$2,779	69%
Option Two	\$808	85%	\$2,600	58%

Option Three	\$810	85%	\$2,582	57%
Option Four (proposed option)	\$747	71%	\$2,833	73%

The proposals outlined above have been identified as the primary mechanisms to address the current funding shortfalls in the Water Fund. Other measures identified as having further positive impacts on the revenue deficit would include quarterly billing and a meter replacement program. A brief summary of each of these options is noted below:

- **Quarterly billing** – a recommendation of NSW Water’s Best Practice guidelines to improve effectiveness of pricing signals. It has the added advantage of allowing consumers to monitor their usage and to detect water leaks in a timely manner.
- **Meter Replacement** – old water meters may be a source of inaccurate readings, and may be more prone to failure leading to estimated readings. It is expected that the replacement of meters would increase accuracy and potentially increase recorded consumption and thus billing. Smart meters would provide real-time consumption data which would be of benefit to both the consumer and Council.

Specifically, the Best Practice Guidelines advise that LWUs should adopt the following pricing principles when setting water supply tariffs:

1. Appropriate water usage charge/kL based on the long-run marginal cost of water supply.
2. Residential water usage charges must be set to recover at least 75% of residential revenue
3. To encourage water conservation, high water consuming residential customers should be subjected to a step price increase of at least 50% for incremental usage above a specified threshold. This threshold should not exceed 450 kL/per household or 600 kL/for LWUs outside the DWE Coastal and Tablelands Zone.
4. LWUs must bill at least three times each year (and preferably every quarter) to improve the effectiveness of pricing signals.
5. LWUs should include both water access charges and water usage charges in each bill to customers. In addition, any LWU planning to update its water billing system should move to comply with the National Guidelines on the layout and content of customer bills. The Guidelines have been prepared pursuant to Item 66(iv) of the National Water Initiative.
6. In situations where large cross-subsidies for non-residential customers currently exist, LWUs should develop pricing strategies that target the removal of these cross-subsidies over a 5 year period.

Other Issues

Capital Expenditure

The capital expenditure program included within the draft LTFP is based upon information contained in a draft Asset Management Plan prepared by Morrison and Low. That estimated expenditure is summarised below.

\$'000	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Capex	503	503	515	507	520	533	546	559	573	587

Dirty Water

Currently Council is not aware of a dirty water problem with Council’s water supply. The town reticulation does experience discoloured water events during periods of increased iron and manganese presence in the water supply. Additional and improved treatment processes recently implemented at the Uralla Water Treatment plant will lower the levels of iron and manganese in the town supply. The rates and types of discolouration currently experienced are within normal bounds for town surface water supplies.

Replacement of pipework will not improve the frequency of discoloration events the town experiences. However, new flushing practices have been introduced which are expected to reduce the frequency of any such events in the future.

KEY ISSUES

- The Water Fund is budgeted to incur losses in each of the next ten years.
- The water service is being operated efficiently (staffing and operating costs are at or below others in the group of less than 1,500 properties).
- The draft Asset Management Plan (Water) provisions for capital renewal and maintenance.
- An increase in revenue is considered the most appropriate way to balance the operating result.
- Tiered water pricing together with appropriate increases to the current annual access charge is considered the most appropriate way to achieve the required revenue.
- The recommended fees and charges meet best practice management.

COUNCIL IMPLICATIONS

1. Community Engagement/ Communication (per engagement strategy)

An engagement strategy is to be drafted to inform the community of this change in pricing.

2. Policy and Regulation

NSW Department of Planning, Industry and Environment Best Practice Management of Water Supply and Sewerage Guidelines

3. Financial (LTFP)

The introduction of tiered pricing of water will result in a balanced operating result for the Water Fund whilst also impacting negatively on the General Fund.

4. Asset Management (AMS)

The LTFP estimates that approximately \$500,000 per annum of renewals/improvements will be needed over the next ten years. Without additional revenue, these costs will have to be completed using borrowed funds which is not the most appropriate way to fund renewals.

5. Workforce (WMS)

N/A

6. Legal and Risk Management

Local Government Act 1993

8B Principles of sound financial management

The following principles of sound financial management apply to councils--

(a) Council spending should be responsible and sustainable, aligning general revenue and expenses.

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Comment

The introduction of tiered pricing will result in a balanced operating result and overcome the risk of a financially unsustainable business.

7. Performance Measures

Tiered water pricing and a balanced operating result aligns with best practice recommendations.

8. Project Management

N/A

Notes:

1. NSW Department of Planning, Industry and Environment, Interaction with IPR, S60, S61 and LWU Operations. <https://www.industry.nsw.gov.au/water/water-utilities/best-practice-mgmt/ipr-lwu-operations>
2. The weighted median is the median of the available validated data for the indicator with the number of connected properties applied as weights.

Attachment 1

Council	Availability Charge		Consumption Charge	
	Description	\$ p.a.	Description	\$/kL
Blayney Council	<i>Connection size</i>			
	20mm	244.00	Residential	3.28
	25mm	282.00	Non-residential	3.28
	32mm	625.00		
	40mm	976.00		
	50mm	1,520.00		
	80mm	3,904.00		
Armidale Regional	Water Access Charge	250.00	0-100 kL per quarter	4.20
			101-250 kL per quarter	4.30
			>250 kL per quarter	4.60
	Note this is charged per assessment for single occupancy and per flat or unit for multiple occupancy			
Walcha Council	<i>Connection size</i>			
	20mm	307.00	0-300 kL	3.21
	25mm	542.40	>300 kL	4.68
	32mm	888.60		
	38mm	1,253.00		
	50mm	2,169.40		
	100mm	8,677.40		
Tenterfield Shire Council	All assessments	77.00		5.90
	PLUS		Residential <450 kL pa	8.85
	Residential availability	512.00	Residential >450 kL pa	
	Residential (Strata)	384.00		
	Non-residential availability (20mm-32mm)	512.00	Non-residential <800 kL pa	4.35
	Non-residential availability 40mm	769.00	Non-residential >800 kL pa	6.60

ATTACHMENT 14.1.1b

	Non-residential availability 50mm	1,200.00		
	Non-residential availability 80mm	3,080.00		
	Non-residential availability 100mm	4,810.00		
Tamworth Regional Council			<i>Residential</i>	
	Units (strata or non-strata) - per unit	185.00	0-400 kL pa	1.61
	<i>Connection size</i>		401-800 kL pa	2.42
	20mm	283.00	> 800 kL pa	3.63
	25mm	444.00		
	32mm	732.00	<i>Non-residential</i>	
	40mm	1,145.00	0-400 kL pa	1.61
	50mm	1,790.00	401-800 kL pa	1.77
	75mm	4,577.00	> 800 kL pa	1.95
	100mm	7,151.00		

Summary of neighbouring or similar sized council's tiered pricing

From: [Tara Toomey](#)
 To: [Kate Jessep](#)
 Cc: [AU_Uralla_AllCouncillors](#)
 Subject: Water Fund
 Date: Tuesday, 22 December 2020 12:42:20 PM

Dear Kate

Over the last twelve months we have had several workshops on the water fund relating to bringing it into surplus in the longer term. To the frustration of councillors, and I believe staff, we seem to be repeatedly going over the same ground without undertaking a properly informed analysis of our costs and charges. In the last five years costs associated with the fund have increased substantially, well ahead of inflation. I don't understand why these increases have been necessary. To analyse our true position to put me (and other councillors) in a position where we can make properly informed, hard strategic decisions I need the following information:

- The staff positions allocated against the fund. I realise that some positions are only partly allocated against this fund, so can you please also identify those positions with the relevant % allocated against the fund please. I would appreciate the information for each year : 2016, 2017, 2018, 2019 and now for 2020.

What I am looking for is something like the table below - the % are just examples of course, and there are no doubt more than 3 positions.

I have noted at the bottom of the table the actual totals for employment expenditure allocated against the water fund for each year. I need to understand the breakdown of those numbers as they relate to specific positions, ideally by relation also to the workforce management plan.

Annual Employment Expenditure

	2016	2017	2018	2019	2020
Position A	100%	100%	100%	100%	100%
Position B	50%	50%	50%	75%	75%
Position C	0%	0%	0%	0%	35%
Annual Total	\$386,000	\$430,000	\$312,000	\$370,000	\$581,000

- The depreciation schedule for the water fund including their depreciated value.

Clearly there are more than 3 items, this is just a start in the table below. I would like to see an itemised list for each year, 2016 - 2020.

This also allows for items that are new to the water fund to be easily identified with their relevant depreciated amount.

Annual Depreciation Expenditure

	2016	2017	2018	2019	2020
Item 1	\$400,000	\$350,000	\$300,000	\$250,000	\$200,000
Item 2	n/a	n/a	n/a	n/a	\$500,000
Item 3					
Annual Total	\$275,000	\$277,000	\$485,000	\$464,000	\$451,000

- The list of materials that are allocated to the water fund, identifying those that are fixed and those that are variable, for each year 2016 - 2020. Information showing the annual costs as in the table below is what I am looking for. Again, there are more than 3, this is just a start.

Annual Materials Expenditure

	2016	2017	2018	2019	2020
Fixed Material 1	\$500	\$600	\$700	\$800	\$1,000
Fixed Material 2					
Variable Material 1					
Annual Total	\$272,000	\$288,000	\$494,000	\$599,000	\$1,109,000

- A summary of the items accounted for in our accumulated depreciation.

Accumulated Depreciation

	2016	2017	2018	2019	2020
Item 1	\$400,000	\$350,000	\$300,000	\$250,000	\$200,000
Item 2	n/a	n/a	n/a	n/a	\$500,000
Item 3					
Annual Total	\$1,861,000	\$13,630,000	\$14,377,000	\$15,053,000	\$15,624,000

Sincerely

Tara Toomey

Cr Tara Toomey

ttoomey@uralla.nsw.gov.au

**14.1.2 Budget Review & Finance Committee Meeting held
9 February 2021**



**Budget, Review and Finance Committee Meeting
9 February 2021 – 12:30pm, Council Chambers**

Attendee's:

Cr M Pearce (Mayor)

Cr I Strutt (Deputy Mayor)

Cr M Dusting

Cr R Crouch

Cr N Ledger

Cr L Sampson

Cr T Toomey

Cr R Bell

General Manager – Kate Jessep

Chief Financial Officer – Simon Paul

Director, Infrastructure of Development – Terry Seymour

Executive Manager, Corporate Services – Christine Valencius

Coordinator, Governance & Risk – Nathalie Heaton

Manager, Planning & Development – Matt Clarkson

Minute Clerk – Wendy Westbrook & Nathalie Heaton

Apologies:

Cr T O'Connor

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UNCONFIRMED

1 MEETING OPENING & WELCOME

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

2 PRAYER

The Chair read the prayer.

3 ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged Country and Elders past and present.

4 WEBCAST INFORMATION

The Chair advised that the meeting is audio recorded and the recording is made available on Council's website after the meeting.

5 APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE AND OBSERVERS

5.1 *The chair noted apologies from Cr T O'Connor.*

5.2 *The Chair noted there were no observers at the Budget Review & Finance Meeting.*

5.3 *The Chair noted a request has been presented to Council for leave of absence from Cr O'Connor from this meeting going forward.*

**MOTION Moved: Cr Dusting/ Seconded: Cr Strutt
That Cr O'Connor be granted a leave of absence for the meeting.**

BRFC01.02/21 CARRIED UNANIMOUSLY

Cr O'Connor absent at time of voting.

6 DISCLOSURE AND DECLARATIONS OF INTEREST

There were no disclosure or declarations made.

PROCEDURAL MOTION – MEETING ADJOURNMENT

**PROCEDURAL MOTION Moved: Chair – Mayor Cr Pearce/ Seconded: Cr Dusting
That this Budget Review and Finance Committee meeting be adjourned for the ARIC Meeting to continue. At the conclusion of the ARIC meeting the Budget Review & Finance Committee meeting will re-commence.**

BRFC02.02/20 CARRIED UNANIMOUSLY

Meeting Adjournment 12:33pm to 2:48pm

The Meeting resumed at 1:48pm.

7 CONFIRMATION OF MINUTES

7.1 Minutes from the 8 December 2020 Budget Review & Finance Committee Meeting.

Minutes of, Budget, Review and Finance Committee Meeting held 8 December 2020 presented and the chair called for any amendments. There were no amendments requested by Councillors.

MOTION Moved: Cr Strutt/ Seconded: Cr Dusting

That Council adopt the minutes the Budget, Review and Finance Committee meeting held 8 December 2020, as a true and correct record of the 8 December 2020.

BRFC03.02/21 CARRIED UNANIMOUSLY

8 URGENT, SUPPLEMENTARY AND LATE ITEMS FOR BUSINESS

Nil

9 REPORTS

9.1 Water and Sewer Service Review

MOTION Moved: Cr Strutt / Seconded: Cr Bell

That the Budget Review and Finance Committee recommend to Council that:

- a) The service review information to be developed in conjunction with the Integrated Water Cycle Management Strategy; and
- b) Council work with ZNet and undertake community engagement on water price model structure options as part of the preparation of the 2021/22 Operational Plan.

BRFC04.02/21 CARRIED UNANIMOUSLY

9.2 Horizontal Service Review – Priority 3 Actions - Summary

MOTION Moved: Cr Crouch / Seconded: Cr Strutt

That the Committee advise Council they have reviewed the Horizontal Service Review – Priority 3 Actions Summary and recommends to Council that the proposed actions marked R and I be confirmed:

See table page 5>

Opportunity	Recurrent Benefit* Under implementation	Estimated potential recurring benefit*	Reject (R), investigate further (I), or under implementation (U)
1. Review and reduce the customer service hours at the Council Office, Library and Visitors Information Centre including consolidation of activities within the Library building. - <i>Separate these three service areas; and</i> - <i>Defer investigation until the completion of works at the VIC.</i>		31,000	I
2. Rent out the café space at the Visitors Information Centre. Suggest \$250 per day fee hire. - <i>Defer investigation until the completion of works.</i>		15,000	I
3. Upgrade street lighting	16,553		U
4. <i>Review/Remove the Community Grants Program and other sponsorships</i>		60,000	I
5. Privatise McMaugh Gardens		30,000	R
6. Solar power – water and sewer services	20,000		U
7. Solar power - pool		1,570	R
8. Improve procurement management practices, including with Joint Organisation	5,000		U
9. Joint Organisation – shared services across all back-end administration services		40,000	I
10. Transition indoor workforce from 9 day fortnight RDO system to 19 day month (excluding TCS/TCT LG Staff)		70,000	R
11. Various waste services ideas, mostly already subject to service review			U
12. Reduce opening days of swimming pool		48,000	I
13. Review of water and sewer reticulation condition		-	I
14. Review Transport Asset Management Plan for reduction of proposed service levels		100,000	I
15. Better fleet management (of vehicles)/cost benefit of staff leaseback arrangements		10,000	I
16. Ask community how we can make savings	-		U
ESTIMATED TOTALS:	41,553	405,570	

BRFC05.02/21 CARRIED UNANIMOUSLY

10 CONFIDENTIAL BUSINESS

10.1 NIL

11 CONCLUSION OF MEETING

17.1 *Meeting closed at 4.14pm.*

12 NEXT MEETING

12.1 Next meeting 13 April 2021

13 CONFIRMATION OF MINUTES

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	
DATE:	
CHAIR:	Mayor, Cr Michael Pearce
Presented to Council	Ordinary Meeting <date>

UNCONFIRMED



Report to Committee

Report 2 | Horizontal Service Review – Priority 3 Actions - Summary

Department: Finance
Prepared by: Chief Financial Officer
TRIM Reference: UINT/21/1165
Attachments: Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	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 financial sustainability
Action:	4.2.2.1.1	Review and revise the 10-year Long Term Financial Plan

SUMMARY:

This report provides Councillors with the opportunity to proceed with further investigations into potential savings and/or increased revenue opportunities based on information taken from the Horizontal Service Review (HSR) undertaken in October 2018.

RECOMMENDATION:

That the Committee advise Council they have reviewed the Horizontal Service Review – Priority 3 Actions Summary and recommends to Council that the proposed actions marked R and I be confirmed as follows:
< insert table from report at the meeting >

BACKGROUND:

The 2020/21 Operational Plan includes a strategy to operate in a financially responsible and sustainable manner. To achieve this strategy, it may be necessary to apply for a Special Rate Variation (SRV).

Before seeking a resolution of Council to make an application for an increase in rate revenue in accordance with the Independent Pricing and Regulatory Tribunal criteria, further investigation/analysis of cost savings and revenue raising opportunities need to be undertaken.

Council has previously considered priority one and two options detailed in the Horizontal Service Review (HSR) undertaken in October 2018.

The purpose of this review is to put any idea for further cost savings or improved revenue (other than an SRV), identified as priority 3 in the HSR, 'on the table' for consideration by Committee of the Whole.

REPORT:

The third tranche of potential action items from the HSR was reported as:

Opportunity	Recurrent Benefit*
1. Review and reduce the customer service hours at the Council Office, Library and Visitors Information Centre including consolidation of activities within the Library building	31,000
2. Rent out the café space at the Visitors Information Centre. Suggest \$250 per day fee hire.	15,000
3. Upgrade street lighting	16,553
4. Remove the Community Grants Program and other sponsorships	60,000
5. Privatised McMaugh Gardens	30,000
6. Solar power – water and sewer services	20,000
7. Solar power - pool	1,570
8. Improve procurement management practices, including with Joint Organisation	5,000
9. Joint Organisation – shared services across all back-end administration services	40,000
10. Transition indoor workforce from 9 day fortnight RDO system to 19 day month (excluding TCS/TCT LG Staff)	70,000
11. Various waste services ideas, mostly already subject to service review	
12. Reduce opening days of swimming pool	48,000
13. Review of water and sewer reticulation condition	-
14. Review Transport Asset Management Plan for reduction of proposed service levels	100,000
15. Better fleet management (of vehicles)/cost benefit of staff leaseback arrangements	10,000
16. Ask community how we can make savings	-

*** Estimated benefit as reported in the Horizontal Service Review (not confirmed by way of detailed analysis)**

The following table provides the Committee with the opportunity to either reject or seek further information on each item.

The table includes a recommendation from Executive as a start-point, subject to review and decision by the Committee.

Some items have already been implemented or are in the process of being implemented.

If further investigation is required, a further report will subsequently be provided to the Committee with recommendations arising from the investigations for final consideration.

Opportunity	Recurrent Benefit* Under implementation	Estimated potential recurring benefit*	Reject (R), investigate further (I), or under implementation (U)
1. Review and reduce the customer service hours at the Council Office, Library and Visitors Information Centre including consolidation of activities within the Library building		31,000	I
2. Rent out the café space at the Visitors Information Centre. Suggest \$250 per day fee hire.		15,000	I
3. Upgrade street lighting	16,553		U
4. Remove the Community Grants Program and other sponsorships		60,000	I
5. Privatise McMaugh Gardens		30,000	R
6. Solar power – water and sewer services	20,000		U
7. Solar power - pool		1,570	R
8. Improve procurement management practices, including with Joint Organisation	5,000		U
9. Joint Organisation – shared services across all back-end administration services		40,000	I
10. Transition indoor workforce from 9 day fortnight RDO system to 19 day month (excluding TCS/TCT LG Staff)		70,000	R
11. Various waste services ideas, mostly already subject to service review			U
12. Reduce opening days of swimming pool		48,000	I
13. Review of water and sewer reticulation condition		-	I
14. Review Transport Asset Management Plan for reduction of proposed service levels		100,000	I
15. Better fleet management (of vehicles)/cost benefit of staff leaseback arrangements		10,000	I
16. Ask community how we can make savings		-	U
ESTIMATED TOTALS:	41,553	405,570	

*** Estimated benefit as reported in the Horizontal Service Review (not confirmed by way of detailed analysis)**

Once the above items have been actioned, Council can then commence consideration of items from the HSR that were marked as un-prioritised.

KEY ISSUES:

- Financial sustainability is one of the key risks that needs to be managed by Council.
- Without financial sustainability Council may not be able to remain independent.
- The continued review of costs and revenue raising opportunities needs to be undertaken as part of the process to determine if a SRV is necessary.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Staff have commenced a service register; reports have been presented to the Finance Committee, ARIC and Council in relation to financial sustainability. A quarterly report of the Operational Plan which includes strategies to achieve financial sustainability is presented to Council.

2. Policy and Regulation

Local Government Act 1993 (NSW) s 8A Guiding principles for councils; s 8B Principles of sound financial management

3. Financial (LTFP)

Potential savings and revenue raising opportunities as noted in the tables above.

4. Asset Management (AMS)

Asset service level reduction is one method of reducing operating costs.

5. Workforce (WMS)

Council would have to consult with staff and unions should Council move from a 9 day fortnight to 19 day month.

6. Legal and Risk Management

Continued review of costs and revenue raising opportunities is necessary to confidently assess the risk of financial sustainability.

7. Performance Measures

Completion of all items marked I.

8. Project Management

Chief Financial Officer.

14.2 AUDIT RISK & IMPROVEMENT COMMITTEE MEETING HELD 9 FEBRUARY 2021

Department: Corporate Services
Prepared by: Coordinator Governance & Risk
TRIM Reference: UINT/21/1660
Attachments: UINT/21/1338 ARIC Minutes 9 February 2021

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 9 February 2021 are attached for Council's information.

RECOMMENDATION:

1. That the Minutes from the Audit Risk and Improvement Committee meeting held on 9 February 2021 be noted; and
2. Council endorse the following recommendations:

8.1 Independent Consultant Report on Possible Deviation between Approved 2020 Budget and Transport Asset Management Plan

That the recommendations in the TNR Investigation Report be noted and that the improvement plan be implemented:

- a. All aspects of the capital works programmes should be determined and finalised so the information can be provided to Council prior to adopting the annual operational plan and financial budget; and
- b. Council should assess and benchmark its resources to ensure that it has appropriate personnel to provide a robust asset management function and deliver on Council expectations; and
- c. Councillors and the management Team should review areas of discontent and develop processes, and where necessary policies, to ensure Council's operations are efficient, effective and compliant with applicable laws and regulations; and
- d. Management should identify budget variations and have them approved by Council in advance of commencing works. Protocols should be developed to ensure that the Management Team and Council are clear and content on the process of advising and approving budget variation; and
- e. At present, Council is provided with a Works Progress Report on monthly basis. That this report be prepared on a quarterly basis to inform Council of progress and also support any budget variations for adoptions by Council.

9.6 Internal Audit Report on Hill Street Asphalt Overlay

That an undertaking to review the procurement policies and procedures to ensure proper delegation process is followed.

9.7 Audit Office of NSW Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2020

That the General Manager address the recommendations in the Audit Office letter and that sufficient resources are allocated to undertake this work.

BACKGROUND:

The Audit, Risk and Improvement Committee met on 9 February 2021. A series of recommendations were made in reports presented to the meeting and the Committee recommended that they be implemented. This report deals with those recommendations.

REPORT:

The Audit, Risk and Improvement Committee provided feedback on the Consultant's report on the possible deviation between the approved 2020 Budget and the Transport Asset Management Plan. ARIC supported the improvement plan based on the consultant's advice and recommended by Executive

A Governance Gap Analysis report was presented to the Committee, with traction on a number of projects reported to the Committee.

The Quarterly Governance and Risk Report was received.

The General Manager's delegation was presented to the Committee for guidance. A report on the General Manager's delegation will be provided to Council for its consideration.

Feedback was provided in relation to the Disposal of Assets Policy, this draft policy will also be provided to Council in due course.

The report on lapsed policies under section 165(4) was considered by the Committee. A report on the lapsed policies and redundant policies will be presented to Council in this agenda for its consideration.

Discussion took place on the Internal Auditor's report in relation to the Hill Street asphalt overlay. ARIC supported the improvement plan recommended by Executive.

The Audit Office of NSW Management Letter on the interim phase of the audit for the year ending 30 June 2020 was received. The Committee recommended that sufficient resources be allocated to address the work set out in the recommendations.

KEY ISSUES:

- Budget preparation and reporting system improvements.
- Procurement system improvements.
- Additional resourcing requirements to expedite procurement system improvements.

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 (LTFF)**
8.1 – The improvement plan arising from the TNR report can be addressed within existing resources.
9.6 – The improvement plan arising from the Internal Auditor’s report requires additional resources and these are identified in the Quarterly Budget Review 2 report to Council in this agenda.
9.7 - Resources required for Council to address the Audit Office recommendations as set out in their Management Letter – can be addressed through the additional resources required to improve Council’s procurement system and existing resources.
- 4. Asset Management (AMS)**
The draft Disposal of Assets Policy was presented to the Committee for consideration.
- 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**
Nil.



MINUTES

Audit, Risk and Improvement Committee Meeting

9 February 2021 – 9:30am, 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
Ms Katie Bryant – Risk Management & Safety Officer
Mr A MacQueen - Manager, Waste Water & Sewer
Mr Carlos Chica - Internal Auditor
Mr Kevin Franey – Investigator Thomas Noble & Russell (TNR) (departed after item 8.1)
Mr Matthew De Witt (departed after Item 7)
Mr Adam Hillier (departed after item 7)

Apologies

Nil

Observers

Mayor – Cr Michael Pearce
Deputy Mayor - Cr Isabel Strutt
Cr Robert Crouch
Cr N Ledger (arrived 9:54am)

TEMPLATE UNIT/20/9528

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1 MEETING OPEN & WELCOME

The Chair declared the meeting open at 9:32am.

2 ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged Country and Elders past and present.

3 APOLOGIES, REQUESTS FOR LEAVE OF ABSENCE AND OBSERVERS

3.1 *The chair advised there were no apologies from ARIC members.*

3.2 *The Chair acknowledged the presence of Crs (Mayor) Pearce, (Deputy Mayor) Strutt, Crouch & Ledger as observers.*

3.3 *The Chair advised that Cr T O'Connor requested for leave of absence from 12noon today.*

4 QUORUM CONFIRMATION

The Chair confirmed there was a Quorum.

5 DISCLOSURE AND DECLARATIONS OF INTEREST

7.1 The Chair M O'Connor disclosed he is member of the Armidale Regional Council Audit and Risk Committee, the Tamworth Audit and Risk Committee, and the Walcha Council Audit and Risk Committee, the New England Weeds County Council Audit, Risk and Improvement Committee, and was recently appointed to Liverpool Plains Shire Audit and Risk Committee.

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

6 CONFIRMATION OF MINUTES and BUSINESS ARISING

6.1 Minutes from the 13 October 2020 Audit, Risk and Improvement Committee Meeting.

Minutes of, Audit Risk & Improvement Committee Meeting held 13 October 2020 presented and the chair called for any amendments. There were no amendments requested.

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

That the Audit Risk & Improvement Committee adopt the minutes the meeting held 13 October 2020, as a true and correct record.

ARIC00.00/21 **CARRIED UNANIMOUSLY**

6.2 Minutes from the Extraordinary 6 November 2020 Audit, Risk and Improvement Committee Meeting.

Minutes of, Audit Risk & Improvement Committee Meeting held 6 November 2020 presented and the chair called for any amendments. There were no amendments requested.

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

That the Audit Risk & Improvement Committee adopt the minutes the Extraordinary meeting held 6 November 2020, as a true and correct record.

ARIC00.00/21 **CARRIED UNANIMOUSLY**

6.3 BUSINESS ARISING

ARIC Annual self-assessment scheduled for August 2020.

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

That Mr O'Connor liaise with Ms Creed and circulate a survey for Committee Self-Assessment.

ARIC00.00/21

CARRIED UNANIMOUSLY

7 PRESENTATION/S

7.1 Speaker 1: STATEWIDE MUTUAL – Risk Program

The Chair introduced, Mr Matt De Witt

The Speaker made a presentation to the Committee. The Chair invited questions from Committee members. The Chair thanked the Mr Hillier for his presentation to the Committee.

Slides to be sent to ARIC Members

7.2 Speaker 1: JLT Insurance – Market Update

The Chair introduced, Mr Adam Hillier

The Speaker made a presentation to the Committee. The Chair invited questions from Committee members. The Chair thanked the Mr De Witt for his presentation to the Committee.

Slides to be sent to ARIC Members

Cr O'Connor left the meeting 10.29am.

Cr O'Connor returned to the meeting 10.30am.

8 LATE ITEM

8.1 Independent Consultant Report on Possible Deviation Between Approved 2020 Budget and Transport Asset Management Plan

MOTION Moved: Mr P Packham / Seconded: Cr Toomey

1. That ARIC advise Council they have reviewed the Independent Investigation report and noted the budgeting and approval process deficiencies.
2. That ARIC recommend to Council that the recommendations in the TNR Investigation Report and improvement plan be implemented:
 - a. All aspects of the capital works programmes should be determined and finalised so the information can be provided to Council prior to adopting the annual operational plan and financial budget; and
 - b. Council should assess and benchmark its resources to ensure that it has appropriate personnel to provide a robust asset management function and deliver on Council expectations; and
 - c. Councillors and the management Team should review areas of discontent and develop processes, and where necessary policies, to ensure Council's operations are efficient, effective and compliant with applicable laws and regulations; and
 - d. Management should identify budget variations and have them approved by Council in advance of commencing works. Protocols should be developed to ensure that the Management Team and Council are clear and content on the process of advising and approving budget variation; and

- e. At present, Council is provided with a Works Progress Report on monthly basis. That this report be prepared on a quarterly basis to inform Council of progress and also support any budget variations for adoptions by Council.

Cr T O'Connor left the meeting 11:46am.

Cr T O'Connor returned to the meeting 11:48am.

Ms D Creed left the meeting 11:57am.

Ms D Creed returned to the meeting 11:59am.

ARIC00.00/21 CARRIED UNANIMOUSLY

Cr T O'Connor left the meeting 12.05pm.

9 REPORTS

9.1 Quarterly Report from Governance & Risk

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

That ARIC advise Council the Committee has noted the Quarterly Update Report from Governance and Risk and requested the following:

- a. That the Internal auditor update their report to include actions taken under item 3 contracts register.

ARIC00.00/21 CARRIED UNANIMOUSLY

Cr O'Connor was absent at time of voting.

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

That the meeting be adjourned for 10 mins.

ARIC00.00/21 CARRIED UNANIMOUSLY

12.37pm meeting resumed.

9.2 Government Gap Analysis

MOTION Moved: D Creed / Seconded: Cr Toomey

That the Committee:

1. Advise Council that the Governance Gap Analysis 2021 report has been received and reviewed and that the Audit, Risk and Improvement Committee considered the following:
 - a. An overview of the of questions and verbal report on staff survey;
 - b. Add to report date of completion and next due date would enhance the report.

ARIC00.00/21 CARRIED UNANIMOUSLY

9.3 General Manager's Delegations

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

That ARIC note the General Manager's Delegation's Report to the 9 February 2021 meeting and that the matter be forwarded to Council for its consideration.

ARIC00.00/21 CARRIED UNANIMOUSLY

Cr O'Connor absent at time of voting.

9.4 Draft Policy - Disposal of Assets 2021

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

That the Committee:

1. Advise Council that the draft Policy: Disposal of Assets 2021 has been reviewed by the Committee and provided advice to the Executive including the following:
 - a. Under Policy 4.3 further consider the process of fairly distributing donations to community groups and charities.
 - b. Disposal reporting.
 - c. Clarify the definition of value.

ARIC00.00/21 CARRIED UNANIMOUSLY

Cr O'Connor absent at time of voting.

9.5 Review of Lapsed Policies under Section 165(4) of the Local Government Act 1993

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

That ARIC reviewed the lapsed policies under Section 165 (4) of the Local Government Act 1993, and the report be noted.

ARIC00.00/21 CARRIED UNANIMOUSLY

9.6 Internal Audit Report on Hill Street Asphalt Overlay

MOTION Moved: Cr Toomey / Seconded: D Creed

1. That ARIC advise Council it has reviewed the Internal Audit Special Report –Asphalt Hill Street report and as a result conclude that a perception exists of a breach of delegation and a splitting of orders; and
2. That ARIC recommend to Council that an undertaking to review the procurement policies and procedures to ensure proper delegation process is followed.

ARIC00.00/21 CARRIED

Mr M O'Connor requested that his vote against the motion be recorded.

9.7 Audit Office of NSW Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2020

MOTION Moved: P Packham / Seconded: D Creed

1. That the Audit Office of NSW Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2020 including the recommendations within the letter be noted.
2. ARIC recommends to Council the General Manager address the recommendations in Audit Office letter.
3. ARIC recommend sufficient resources are allocated to address this work.

ARIC00.00/21 CARRIED UNANIMOUSLY

10 CONFIDENTIAL BUSINESS

NIL.

11 NEXT MEETING

The Chair requested a report to review of the Internal Audit Charter.

Next meeting 11 May 2021, 9.30am at Council Chambers, Uralla Shire Council.

12 MEETING CLOSED

Meeting Closed at 2:36pm.

13 CONFIRMATION OF MINUTES

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	
DATE:	
CHAIR:	Mr Michael O'Connor
Presented to Council	Ordinary Meeting <date>

14.3 URALLA TOWNSHIP & ENVIRONS COMMITTEE MEETING MINUTES HELD 8 December 2020

Department: Infrastructure & Development
 Prepared by: *Manager Planning and Development*
 TRIM Reference: UINT/21/1675
 Attachments: UINT/21/1680 UTEC Minutes – 8 December 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 1.1 A proud, unique and inviting community
 Strategy: 1.1.2 Embellish our community with parks, paths, cycleways, facilities and meeting place
 Activity: 1.1.2.1 Prepare open space strategy
 Action: 1.1.2.1.1 Engage with the community and key stakeholders in developing the Open Spaces Strategy

SUMMARY:

This report provides the recommendations of the Uralla Township & Environs Committee from the committee meeting held 8 December 2020.

RECOMMENDATION:

That Council:

1. receive and note the minutes of the Uralla Township & Environs Committee meeting held 8 December 2020, including the following recommendations to Council:
 - a. That Mr Guy Crossley be invited to present to Council his concept design and installation of Fibonacci Park.
 - b. (i) That the Uralla Township Environs Committee is supportive of the proposal to change the name of Hampden Park to Sunny Jim Mackay Park.

(ii) That public consultation be sought for the change of name of Hampden Park to Sunny Jim Mackay Park.
 - c. (i) That consideration be made with respect to the allocation of open space resources to improve the service levels of the Bridge Street blister gardens.

(ii) That the Uralla Main Street garden upgrade project be added to Council's project list subject to funding.
 - d. (i) That Council investigate the free camping options within Uralla Shire, including the site at The Glen, as part of the development of the Open Spaces Strategy.

(ii) That Council liaise with Uralla Rotary Club about the potential reconfiguration of Rotary Park to include the RV Dump-Ezy facility.
2. invites Mr Guy Crossley to present the Fibonacci concept plan to a future workshop,
3. undertake a public notification process and an online survey soliciting opinions from the community regarding the proposed name change of Hampden Park to Sunny Jim Mackay Park, and
4. considers service levels for the Bridge Street Gardens in preparation of the 2021/2022 budget.

BACKGROUND:

The Uralla Township & Environs Committee (UTEC) met on 8 December 2020 and provided recommendations to Council. The minutes of the meeting are provided as Attachment 1.

REPORT:

Communications between UTEC, Council and the Community

On 8 December 2020, Councillor Strutt, the General Manager (GM), the Director of Infrastructure and Development (DID) and the Coordinator Governance and Risk (CGR) met with the UTEC members. The General Manager and staff provided advice and support to the Committee. An updated schedule of actions was circulated to the members of UTEC.

RECOMMENDATIONS ANALYSIS:

- **Fibonacci Park** – *UTEC Recommendation: That Mr Guy Crossley be invited to present to Council his concept design and installation of Fibonacci Park.*

Analysis: Given there has been some historical community support for the Fibonacci concept park it is appropriate that Mr Crossley be invited to present to Council his concept design.

Recommendation: That Council resolve to invite Mr Crossley to present the Fibonacci concept plan to a future workshop.

- **Sunny Jim Mackay Park** – *UTEC Recommendation:*
 - That the Uralla Township Environs Committee is supportive of the proposal to change the name of Hampden Park to Sunny Jim Mackay Park.*
 - That public consultation be sought for the change of name of Hampden Park to Sunny Jim Mackay Park.*

Analysis: It is appropriate that any consideration of renaming Hampden Park be informed by community consultation before Council resolve a position.

Recommendation: That Council undertake a public notification process and an online survey soliciting opinions from the community regarding the proposed name change of Hampden Park to Sunny Jim Mackay Park.

- **Gardens in traffic blisters** – *UTEC Recommendation:*
 - That consideration be made with respect to the allocation of open space resources to improve the service levels of the Bridge Street blister gardens.*
 - That the Uralla Main Street garden upgrade project be added to Council's project list subject to funding*

Analysis: It is appropriate that consideration be given to improving the service levels of the gardens in Bridge Street if there is community perception that they are poorly maintained. It is also appropriate that the Uralla Main Street garden upgrade project be added to Council's project list for consideration by Councillors when allocating grant funding (Note: the Uralla Main Street upgrade project has been added to the Council's draft Projects Subject to Funding list).

Recommendation: That Council consider service levels for the Bridge Street Gardens in preparation of the 2021 /2022 budget.

- **Free camping site– UTEC Recommendation:**
 - i. *That Council investigate the free camping options within Uralla Shire, including the site at The Glen, as part of the development of the Open Spaces Strategy*
 - ii. *That Council liaise with Uralla Rotary Club about the potential reconfiguration of Rotary Park to include the RV Dump-Ezy facility*

Analysis: The consultants currently preparing the draft Uralla Shire Open Spaces Strategy have been instructed to consider free camping within the Shire, including at The Glen. As Rotary Park is popular stopping point for travellers and has shelters as well as BBQ facilities it is inappropriate to locate an RV sewage dump point in this location.

Recommendation: No action required by Council until recommendations from the Uralla Open Space Strategy have been assessed.

COUNCIL IMPLICATIONS:

1. **Community Engagement/Communication (per engagement strategy)**
Publication of the UTEC meeting agenda on the Council's website. Consultation with the Uralla Township and Environs Committee and referral of Committee minutes to Council.
2. **Policy and Regulation**
Uralla Township & Environs Committee Constitution 2020.
3. **Financial (LTFP)**
Any proposed works must be funded from consolidated revenue or grants. Where service levels are to be increased, Council should consider budget off-sets (reductions of other service levels).
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil
7. **Performance Measures**
Uralla Shire Council Operational Plan Action 1.1.2.1.1: Engage with the community and key stakeholders in developing the Open Spaces Strategy.
8. **Project Management**
Project management for any proposed works will be undertaken by Council staff.

URALLA TOWNSHIP AND ENVIRONS COMMITTEE

MINUTES

Meeting 8/12/20 6pm - Uralla Shire Council Chambers

WELCOME: Chairman, Kent Mayo

PRESENT: Bob Anderson, Carol Higginbottom, Karen Johnston, Kent Mayo, Annie Mayo, Noelene Porter, Jim Sinclair, Cr Isabelle Strutt, Kate Jessep, Nathalie Heaton, Terry Seymour

APOLOGIES: Louis van Ekert, Suzanne Wright, Phil Smith, Cr Tara Toomey

Moved: Bob Seconded: Carol Carried: All

CORRESPONDENCE:

Outwards: Email sent to Council: Noelene's Report on Maitland St to Apex Park path maintenance and recommendation on priority action

Inwards: --

Moved: Annie Seconded: Karen Carried: All

Matters Arising:

Kate explained that the pandemic has impacted the work of Council and asked for flexibility from the Committee. She said that improved communication is a priority.

Terry acknowledged the concerns raised in Noelene's report and will respond.

Kent noted the Committee has 2 vacancies.

GENERAL BUSINESS:

1. FIBONACCI PARK

Agreement that Guy Crossley's proposal should be progressed by asking him to present his ideas before broader community consultation.

Recommendation:

That Mr Guy Crossley be invited to present to Council his concept design and installation of Fibonacci Park.

Moved: Bob Seconded: Annie Carried: All

2. SUNNY JIM MACKAY PARK

Discussion on proposal by Uralla Historical Society to rename Hampden Park in honour of the only local person ever to go on to international fame, the cricketer Sunny Jim Mackay.

Proposed that a plaque be erected in line with Mitch McKay's suggestion to explain the significance of local stories for posterity.

Recommendation:

(i) That the Uralla Township Environs Committee is supportive of the proposal to change the name of Hampden Park to Sunny Jim Mackay Park.

(ii) That public consultation be sought for the change of name of Hampden Park to Sunny Jim Mackay Park.

Moved: Karen Seconded: Bob Carried: All

3. GARDEN IN TRAFFIC BLISTERS

It was agreed that these gardens affect the look and feel of the town and would benefit from an upgrade and ongoing maintenance.

Kate explained that Council has limited resources and that resources may need to be diverted in order to accommodate any changes in priority and that the whole-of-life costs of Capital improvements needed to be taken into consideration. Along with Terry, she agreed that the main street landscaping could be improved.

Recommendation:

(i) That consideration be made with respect to the allocation of open space resources to improve the service levels of the Bridge Street blister gardens.

(ii) That the Uralla Main Street garden upgrade project be added to Council's project list subject to funding.

Moved: Bob Seconded: Noelene Carried: All

4. FREE CAMPING SITE

It was agreed that a free camping option closer to the Commercial precinct would be of benefit.

Terry provided background and suggested it could be considered as part of the Open Spaces Strategy which is in draft and due to go to Council early next year.

As part of this strategy a request was made for relocation of the RV waste facility from its current prominent position in front of the landmark Thunderbolt's grave site to a more appropriate location.

Recommendation:

(i) That Council investigate the free camping options within Uralla Shire, including the site at The Glen, as part of the development of the Open Spaces Strategy.

(ii) That Council liaise with Uralla Rotary Club about the potential reconfiguration of Rotary Park to include the RV Dump-Ezy facility.

Moved: Noelene Seconded: Carol Carried: All

5. INFORMATION BOOTH AT THE GLEN

Bob gave an update on renovation of information booth in The Glen and explained that grant funding for Constellations of the South was unsuccessful but progress had been made including consultation with indigenous elders.

Terry provided background on initial Greening Australia input and that they no longer have a presence in the area and have no further interest. Delay in action due to pandemic but are ready to progress.

Action:

Bob to consult directly with Terry to progress.

6. OTHER MATTERS:

Nathalie advised that she had prepared a report recommending improvements to keep Committee Members up to date on issues and improve communication including advising meeting dates on Council Website. The Report will be provided to the Committee.

Kate asked that recommendations from the Committee be submitted quarterly due to limited resources. She reiterated her commitment to better communication between Council and the Committee and broader community consultation in line with feedback from the UTEC Review.

Kate agreed to meet with Kent and members of the Committee to discuss feedback on the new Constitution.

**Proposed meeting dates: 12 Jan, 2021. Workshop 6pm – 8pm (Suzanne Wright)
9 Feb, 2021 - Meeting 6pm – 7pm**

Cr Strutt unavailable for meeting in January 2021
Noeline unable to attend January UTEC workshop

Meeting closed: 7:22pm

14.4 URALLA TOWNSHIP & ENVIRONS COMMITTEE STRATEGIC PLANNING WORKSHOP HELD 12 JANUARY 2021

Department:	Corporate Services
Prepared by:	Coordinator Governance and Risk
TRIM Reference:	UINT/21/1452
Attachments:	UINT/21/1451 UTEC Minutes – Strategic Planning Workshop 12 January 2021

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.1	A proud, unique and inviting community
Strategy:	1.1.2	Embellish our community with parks, paths, cycleways, facilities and meeting place
Activity:	1.1.2.1	Prepare open space strategy
Action:	1.1.2.1.1	Engage with the community and key stakeholders in developing the Open Spaces Strategy

SUMMARY:

The Uralla Township & Environs Committee held a strategic planning workshop on 12 January 2021. Their notes from that meeting can be found within the attachments.

RECOMMENDATION:

That the Uralla Township & Environs Committee minutes of the strategic planning workshop held on 12 January 2021 be noted.

BACKGROUND:

The Uralla Township & Environs Committee (UTEC) met on 12 January 2021 to discuss their role in aligning with the Community Strategic Plan and Delivery Program. The minutes of the workshop are provided as Attachment 1.

REPORT:

The UTEC Committee participated in a strategic planning workshop which was facilitated by the Secretary. The Committee members gained a better understanding of the Committee's role in supporting Council to achieve its strategic objectives.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/Communication (per engagement strategy)**
Publication of the UTEC meeting agenda on the Council's website. Consultation with the Uralla Township and Environs Committee and referral of Committee minutes to Council.
- 2. Policy and Regulation**
Uralla Township & Environs Committee Constitution 2020.
- 3. Financial (LTFP)**
Any proposed works must be funded from consolidated revenue or grants.
- 4. Asset Management (AMS)**
Nil
- 5. Workforce (WMS)**
Nil
- 6. Legal and Risk Management**
Nil

7. Performance Measures

Uralla Shire Council Operational Plan Action 1.1.2.1.1: Engage with the community and key stakeholders in developing the Open Spaces Strategy.

8. Project Management

Project management for any proposed works will be undertaken by Council staff.

Minutes of the UTEC Strategic Planning
12 February 2021

Uralla Shire Council Chambers 6pm-8pm

Present

UTEC Committee: Kent Mayo; Anne Mayo; Bob Anderson; James Sinclair (Zoom); Karen Johnston; Carol Higginbottom; Phil Smith; Suzanne Wright (Facilitator)

Apologies: Louis van Ekert; Noelene Porter

USC Representatives: Cr Isabelle Strutt, Cr Tara Toomey, Nathalie Heaton - Coordinator Governance and Risk, Cr Bob Crouch; Terry Seymour (left 7pm at the end of Session 1)

Session 1

The Strategic Planning Session focussed on three themes:

1. The Function of UTEC
2. The relationship of UTEC to the Uralla Shire Council Strategic Plan
3. UTEC and Community Engagement

The UTEC s355 Committee objectives were reviewed.

<https://www.uralla.nsw.gov.au/Council/Committees-and-Groups/Section-355-Committees>

Gaps and issues were identified by members. Ideas from this discussion were recorded by members on “sticky notes” and tagged against the three themes.

Using a nominal group technique, Committee members voted on what were to be the priority focus for UTEC to coincide with USC plans over the next four years.

Session 2

UTEC was formed as part of the USC community engagement plan.

<https://www.uralla.nsw.gov.au/files/assets/public/council/ipampr-amp-governance/community-engagement-strategy-february-2017.pdf>

The functionality of the relationship between USC administration and UTEC was reviewed in relation to community engagement plan.

- The UTEC Review in May 2020 similarly identified a high concern for communication consultation and participation between USC and UTEC. (Strategy 3).
- This UTEC workshop identified Communication, consultation and participation gaps with the wider community (Strategy 5).

Workshop Outcomes

In relation to the objectives of the UTEC Committee - Strategy 1, 2, 3 were nominally prioritised by UTEC Committee for the next four years.

Strategy 1

Extend the zone for UTEC's open spaces focus beyond the entry and exit of Uralla Township.

Strategy 2

UTEC gives focus to Pedestrian and Mobility Plan (PAMP). UTEC be given upfront access to information for this purpose from USC.

Strategy 3

Ensure consultation from USC improves with UTEC so that the objectives of s355 committee are realised.

In relation to the purpose of the UTEC Committee as a s355 Committee of Uralla Shire Council, as per its Community Engagement Plan, Strategy 4, 5 were adopted.

Strategy 4

UTEC engages in Community consultation for the purpose of access and equity issues in relation to UTEC Committee objectives

Strategy 5

USC enables and support UTEC to communicate and consult:

- USC and UTEC adopt a circular model of communication (information sharing is a continuous cycle - not two way, nor one way)
- Planning information about open spaces is shared by USC with UTEC upfront.
- UTEC engages with the community and gathers feedback. Community engagement to be in the form of guest speaking eg Rotary, CWA, Elders Groups, Neighbourhood Centre
- USC promotes UTEC as a s355 committee, not only online, and via its USC Updates, but also through Wordsworth -the Uralla Shire's local newspaper, and local newsletters such as Neighbourhood Centre. Access to Council information is an issue for some sections of the community (youth, elderly, ATSI and CALD, outlying areas with poor internet and mobilenet; non-users of Information Technology). This is particularly more significant, as many regional newspapers no longer exist.

The following ideas were sticky notes gathered in relation to the UTEC Objectives:

- We need to participate more (as a group) in forums initiated by Council
- Improve disability access. Look at PAMP
- Why only the town, why not the whole shire
- UTEC could provide a report back to Council following (or before) any forums (ie public/consultative forums)
- Invite members (of the community or Council) to address/inform the committee on areas that require speciality knowledge, eg regarding disabled access
- In order to be able to effectively engage in requirements of the constitution we need improved access to council planning and participation (consultating)
- Committee reach – whether the limit can be shire-wide. This will be a decision of council, but it is worth asking the question
- Not current in zone – Thunderbolts Rock, Lagoon on Walcha Road – these are two places of interest to locals and tourists. Disability access and shelter etc.
- UTEC committee read the website (PAMP etc). Improve on disability access to public spaces (more focus)
- Disability access
- Skillset of Committee
- UTEC has lots of local knowledge
- PAMP – consultative process with the community and someone with experience in this area.

15.1 DA-45-2020 QUARRY – 313 GOSTWYCK ROAD URALLA – MR D ADAMS

Department: Infrastructure & Development
Prepared by: *Manager of Development and Planning*
TRIM Reference: UINT/21/1371
Attachments: UINT/21/1373 Attachment 1 - Development Assessment Report
 UI/21/775 Attachment 2 - Plans and Statement of Environmental Effects
 UI/21/776 Attachment 3 - Redacted Submissions

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: Quarry
Property description: Lot 298 DP 755827 - Assessment 10566
Applicant: David Adams
Owner: David Adams
Zoning: RU1 Primary Production
Date received: 4 November 2020
Public notification or exhibition: Yes
Exhibition period: 5 November 2020 – 20 November 2020
Submissions: 3
Other approvals: Nil
Date all documentation received: 18 December 2020

RECOMMENDATION:

That Council approve the Development Application 45/2020 for a quarry at 313 Gostwyck Road Uralla (Lot 298 DP 755827) subject to the following conditions of consent:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Nil

GENERAL CONDITIONS

1. 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.
2. 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.
3. The quarry must not:
 - a) obtain or process for sale, or reuse, more than 30,000 cubic metres of extractive material per year, or
 - b) disturb a total surface area of more than 2 hectares of land by—
 - (i) clearing or excavating, or
 - (ii) constructing dams, ponds, drains, roads or conveyors, or
 - (iii) storing or depositing overburden, extractive material or tailings.

Reason: To ensure compliance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000.
4. Developer contributions under Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979 (or equivalent) are to be made quarterly for the life of the development.

Reason: To ensure compliance with Council's Developer Contributions Plans..
5. No more than 15 truck movements per day relating to the quarry operations are permitted on Munsies Road.

Reason: To preserve the amenity of the locality.
6. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION AND OPERATION

7. 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.
8. The applicant shall ensure that noise pollution is minimised during construction and operation. The use of machinery and/or similar noise producing activities shall be limited to the following hours:-

Monday to Friday	7.30 AM to 4.00 PM
Saturday, Sunday & public holidays	No quarry activities are to take place.

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

BACKGROUND:

Development Application 87/2019 for a quarry at 313 Gostwyck Road Uralla (Lot 298 DP 755827) was received on 4 November 2020.

Three (3) submissions were received during the notification period. The submissions are discussed below in the 'key issues' section.

REPORT:

The development application seeks to gain development consent for a quarry at 313 Gostwyck Road Uralla.

Submissions

Three submissions from two landowners were received during the notification period, generally relating to amenity impacts from the proposed development (see attachment 3).

On 17 December 2020, following consultation between the submission makers and the applicant, Council received a retraction signed by the submission makers subject to conditions.

As some of the conditions in the retraction were impractical or unenforceable, Council staff contacted the applicant and advised that the conditions could not form part of any approval.

Following further consultation between the submission makers and the applicant, Council received a retraction of the submissions on 18 December 2020, noting that informal conditions of operation were agreed between the parties.

KEY ISSUES:

- DA recommended for approval with conditions.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
The application was notified as per the provisions of the Uralla Development Control Plan 2011.
2. **Policy and Regulation**
Uralla Development Control Plan 2011
Uralla Local Environmental Plan 2012
Environmental Planning and Assessment Regulation 2000
Environmental Planning & Assessment Act 1979

3. **Financial (LTFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Development Assessment Report

DA Number: DA-45-2020 Council: Uralla Shire Council
 Location: 313 Gostwyck Road URALLA
 Development Description: Quarry
 Title Details: Lot: 298 DP: 755827

Property Details/History

	Checked	Comments
File History	No	
Title Plan	Yes	
Check Ownership	Yes	

Application Type

Is this application an Integrated Development Application? No
 Is it a BASIX affected development? 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: RU1 Primary Production

List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes	Extractive industries are permitted with consent.

Development Control Plan

Section 4.15(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal? Yes

Chapter	Compliance	Comment
5	Yes	Access is via a dedicated public road.

Regional Environmental Plan

The proposed development is not inconsistent with the New England North West Regional Plan.

State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

List all relevant SEPPs

SEPP	Compliance	Comment
State Environmental Planning Policy (Koala Habitat Protection) 2019	Yes	Not potential koala habitat for the purposes of the SEPP.

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential environmental impacts?

Yes

Impact	Comment
Amenity	Yes It is expected that there will be some minor impacts on neighbouring properties from dust due to truck movements on Munsies Road when there is unfavourable wind. Noise impacts are considered acceptable given the distance from receptors and conditioned operating hours.

Environmental Impacts – Heritage

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	
Aboriginal	No	

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected?

No

Bush Fire Prone Land

Section 4.15(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map?

Yes

Category: Category1/Buffer

Comment: The development site is not mapped as bushfire prone.

Contaminated Land

Section 4.15(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council?

No

Infrastructure

Has an engineering assessment been completed?

No

Does this proposal have any potential infrastructure impacts? Yes

	Impact	Comment
Road Network	Yes	It is anticipated that Munsies Road will require more frequent grading due to the increased heavy vehicle movements resulting from the development.

Construction Assessment

Is a construction assessment required? No

Section 68 Assessment
Section 68 – LGA Act

Is a section 68 approval required? No

Developer Contributions
Section 7.11 – EP & A Act

Does this proposal require any Developer Contribution? Yes

Is the contribution for a subdivision? No

Is the contribution for a special purpose relating only to this proposal? Yes

Signage

Does this proposal require signage? No

Notification
Section 4.15(1)(d) – EP & A Act

Was this application notified? Yes

Is this application an advertised development application? No

Were there any written submissions received? Yes

If Yes, what was the number of submissions received? 3

Submission Maker	Issue	Comment
Glen and Sharon Bryant	Amenity	Submission retracted following consultation with the applicant.
Neil and Deborah Hanlon	Amenity and water security.	Submissions retracted following consultation with the applicant.

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? No

Public Interest
Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues? No

Site Suitability
Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this proposal Yes

Assessing Officer General Comment**ASSESSMENT – KEY ISSUES**

No issues warranting further detailed consideration have been identified.

Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it would be appropriate to approve the Development Application subject to the attached recommended conditions of development consent.

Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

No

Signed:



Matt Clarkson, Manager of Development and Planning

Date: 9.2.2021

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

1. 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.

2. 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.

3. The quarry must not:
 - a) obtain or process for sale, or reuse, more than 30,000 cubic metres of extractive material per year, or
 - b) disturb a total surface area of more than 2 hectares of land by—
 - (i) clearing or excavating, or
 - (ii) constructing dams, ponds, drains, roads or conveyors, or
 - (iii) storing or depositing overburden, extractive material or tailings.

Reason: To ensure compliance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000.

4. Developer contributions under Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979 (or equivalent) are to be made quarterly for the life of the development.

Reason: To ensure compliance with Council's Developer Contributions Plans..

5. No more than 15 truck movements per day relating to the quarry operations are permitted on Munsies Road.

Reason: To preserve the amenity of the locality.

6. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION AND OPERATION

7. 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.*
8. The applicant shall ensure that noise pollution is minimised during construction and operation. The use of machinery and/or similar noise producing activities shall be limited to the following hours:-
- | | |
|------------------------------------|---|
| Monday to Friday | 7.30 AM to 4.00 PM |
| Saturday, Sunday & public holidays | No quarry activities are to take place. |
- Reason: To ensure that public amenity is not unduly affected by noise.*

ADVISORY NOTES – GENERAL

9. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.

END

Operation of a Decomposed Basalt Rock Quarry "Red Hill", Munsies Road, Uralla NSW 2358

Statement of Environmental Effects

Development Description

The main development objective is to increase water security on Red Hill and utilize the extracted rock material to diversify farm income.

The proposal is to operate a Tier 3 commercial quarry on an existing quarried area for the extraction of gravel. The existing quarry has previously been a commercial operation supplying road base to local council and the DMR as noted in Attachment 1 and 1B, quarry no. 87. The former pits have produced three, so far, large farm dams which are used as farm stock water, tree line water and provided for free to contractors and Uralla Shire Council, to fix or maintain gravel roads in the local area and is also a good and clean source of water for use by Local Bush Fire Brigades as needed.

The main purpose of extending the gravel pits is as part of a property management plan to increase water security, as it is from those dams that water is pumped by solar pump to troughs around the property. The extracted broken stone will then be made available for use for local construction projects. This will provide the owner with a source of income diversification to offset risks produced by severe weather conditions such as drought on his agricultural business and to offset the cost of expanding the existing water storage capacity on farm.

There are very few local sites still in operation down from 140 plus quarries to around 20. Costs to haul material long distances involves a significant increase in cost to purchaser and vehicles on road for distances that could be reduced. Should this operation recommence it would provide an excellent resource for the Uralla and southern Armidale areas.

Extraction - will be by means of Caterpillar D8N Dozer. The material will be loaded onto trucks by both Case W20B Front End Loader or Komatsu Excavator PC95 and delivered as required.

Hauling - trucks for hauling away and delivery of the gravel will almost always be that of the owner and operator and will be a Semi-Tippers or Truck and Dog combination. These are smaller than the current B Double vehicles that use the Munsies Road for stock transport.

Traffic - The road that the current dams sit either side of is the Munsies Road. The gravel pit (and new dam) is proposed to be extended only on the southern side and further from the road than the existing dams (attachment 3). Munsies Road is used primarily by the Munsie family and their employees. Munsies Road is accessed off the Big Ridge Road, north east of the Uralla Village. All extraction, stockpiling and loading will take place away from the road and well within the owner's property (Attachment 6). It is proposed that an average 1-2 truck movements a day would be needed to cart the material from the quarry. There would be many days of no movements and some days of several movements. The owner/operator is very aware that dust

may be produced from the gravel road for one local property close to their home. This home is largely protected by vegetation, and the truck movements from the quarry should be no more than usual traffic (stated above smaller than B-Doubles that currently use the road. As the owner/operator of the quarry is local, a farmer and an experienced truck driver of over forty years he will ensure his driving of the trucks do not negatively impact his neighbours or community.

Road maintenance. Very few truck movements are predicted on the Munsies and Big Ridge Roads for haulage. As the trucks that will be most often used are already onsite and used locally by the owner, it is expected that any damage to the roads caused by these truck movements are in keeping with usual repair and maintenance requirements.

Employment

It is not intended to employ anyone to work at the quarry. However, employment will be offered to a part time diesel mechanic to maintain the quarry and other farm equipment and a full-time person for stock work elsewhere on the properties.

Quarry Operations

The site has historically operated concurrently as a grazing and quarry operation. It is proposed that this continues during operation of the quarry.

Tree species on the existing and proposed site have largely been cleared by previous owners. The quarry operations will not restrict access to water or the passage of stock or native animals and birds.

It is proposed to remove less than 30,000m³ per annum. This amount will always be less than the 30,000m³, as denoted by the NSW resources regulator as a tier 3 quarry, and will be determined by the time available by the owner and gravel requirements for local projects. It is proposed that extraction works will move in a southern direction, away from the Munsies Road. The gravel will be extracted in the direction of the centre of Red Hill rather than toward any neighbouring properties. It is not intended that very large stockpiles will be stored for indefinite amounts of time.

The hours of operation are proposed to be between 7.30am and 4pm Mon-Fri. The quarry will not operate every day, given that the owner has an agricultural operation that utilizes much of his time.

The quarry is determined to be a Tier 3 category operation by the NSW Resources Regulator and all conditions and safe work practices will be adhered to. The NSW Resources Regulator will regularly inspect records, operation practices and the site. Records of all weights and delivery addresses will be kept as per regulations and Uralla Council will be paid royalties or contributions for all deliveries outside of the Uralla Shire area.

Given the area of extraction is estimated to be 1.05ha and a maximum depth of 15 metres at less than 30,000 cubic meters a year, it should take a little over five years to complete the works, depending on the gravel being onsite. The new dam proposal is smaller than two of the three existing dams. The largest dam on Red Hill is 21 metres deep (Attachment 2 and Attachment 3).

Overburden will be stored in stockpiles and used on farm in erosion control projects, contour bank construction or for site rehabilitation. As this site has very little topsoil that is not gravel, there should be very small amounts of overburden produced.

Rehabilitation

At the cessation of operations the gravel extraction sites will form an increased dam capacity. The land immediately surrounding the quarry will continue to be natural pasture grazing land and padded out with stands diverse local species of trees and shrubs to provide shade and shelter to native fauna and stock. The owner has already completed a Biolinks project and plans to extend his commitment to the property's native diversity by planting many thousands more trees and shrubs.

Water

All stormwater run off will drain to the existing dams or pit floor. The loading and stockpile area should remain mostly dry. Operations will cease should the surrounding area become waterlogged by huge downpours. As noted by the topographical map – (attachment 5), the dams sit in a depression. Any overflows will drain to a dam further down on the map on the same property as seen in attachment 5 and marked with an **

The dams onsite currently provide water for the upkeep of the local roads to earthworks companies and council free of charge. It is the owners intention that this supply will be unaffected by the quarry operation as the existing dams will be unaffected.

Noise and Air Quality

Noise levels will be consistent with the rural nature of the land. All machinery and vehicles used in the extraction, loading and hauling of the rock material are currently owned and used onsite for agricultural purposes by the owner. Air quality will remain unchanged given that all machinery is currently used on the farm. Any dust caused by the extraction should fall on the property and be buffered by trees and surrounding hills.

Zoning

The site is currently zoned rural. The extraction of the material to increase water security for agricultural purpose is consistent with this zoning. The quarry is currently used privately for on farm projects and has been previously operated commercially. (Attachment 1, No 87).

Neighbouring Residences

The nearest residential dwellings are more than 1.3km from the site as shown in Attachment 4 . All are shielded by surrounding trees. No neighbouring residence should have loss of visual amenity given the distance and topographical position which is in a depression with hills and rises in between the site and residences. (Attachment 5). The impact on local residents should be small to none. Given the site's isolation and distance from residences, the small amount of material to be removed annually and the infrequent nature of the operation.

David Adams (m) 0427726326 as owner and operator

Attachment One

MAP ONE

Location of Development Site and Local Roads within a 15km radius of the quarry. Numbers refer to road names on next page.

DUMARESQ SHIRE

ATTACHMENT 15.1 #2

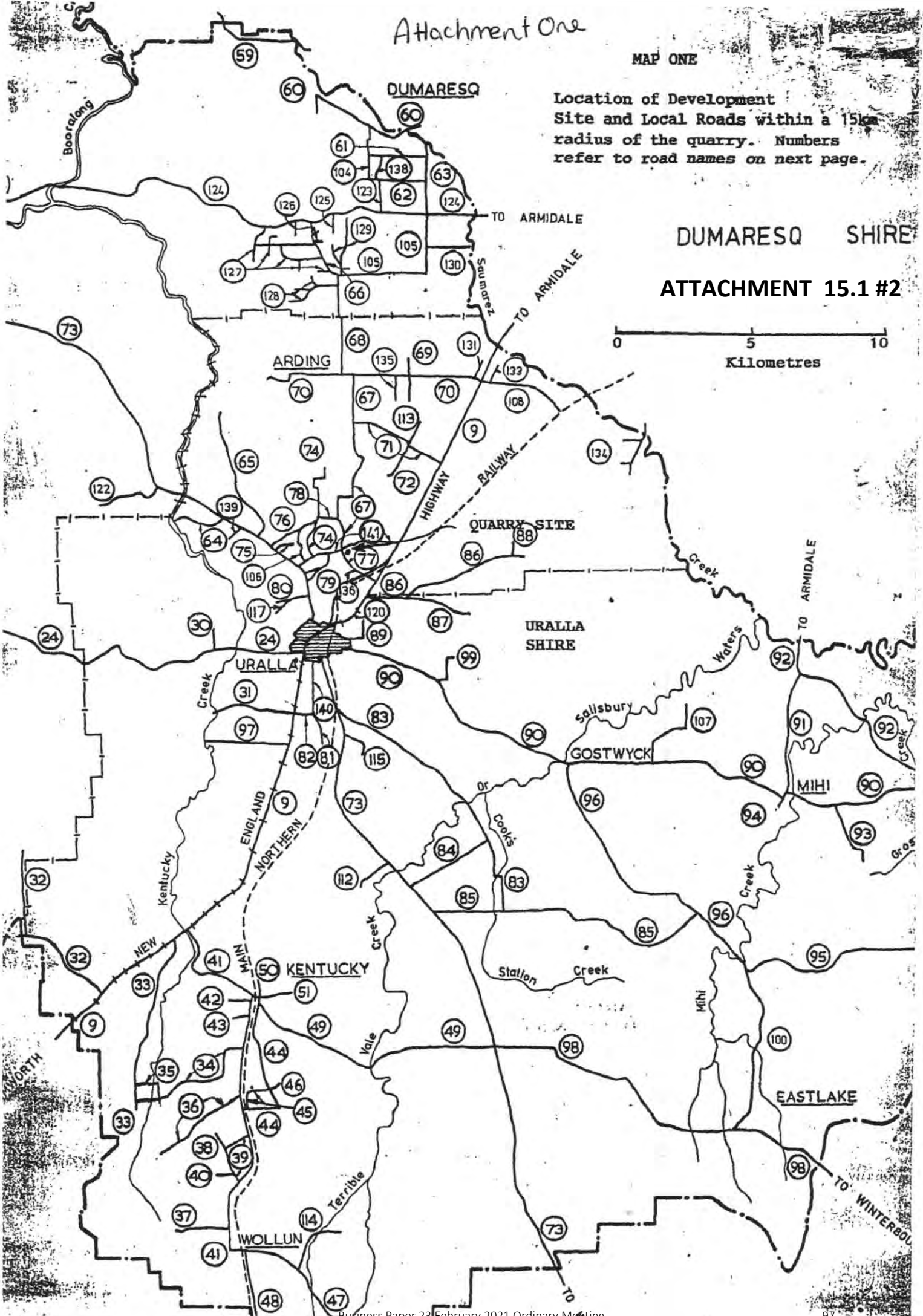
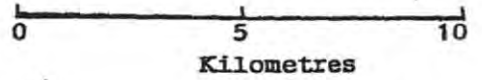


TABLE ONE

Attachment 1(b)

Numbers refer to MAP ONE on previous page.

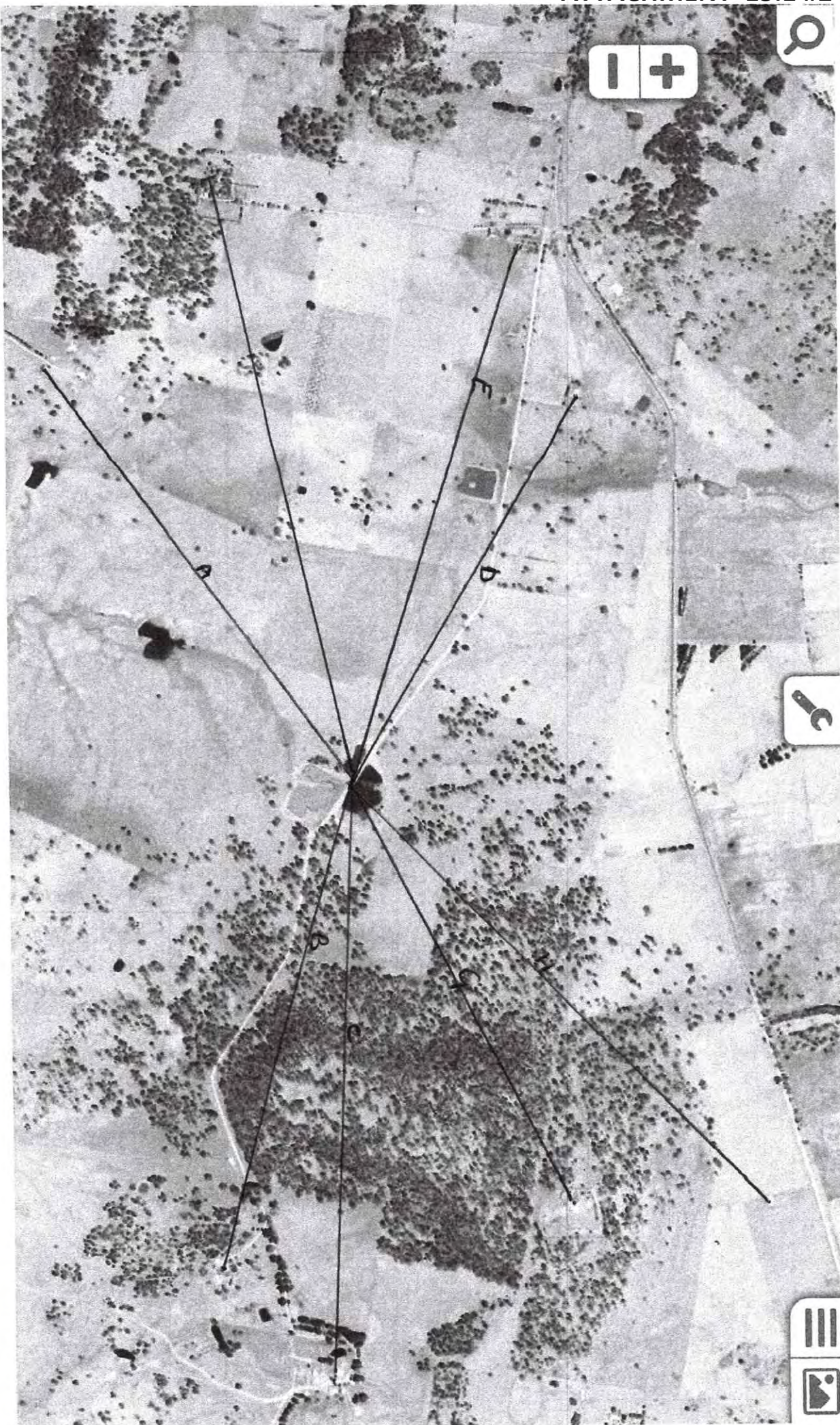
Number	Name	Length
9	S.H. 9 New England Highway	30.6
73	T.F. 73 Walsh-Uralla-Inverell	102.2
124	M.R. 124 Yarrowyck-Armidale	27.7
132	M.R. 132 Bundarra-Barraba	16.0
1	Bundarra - Bingara	17.6
2	Spring Gully	1.2
3	Rhynie	2.6
4	Inglecalle	6.4
5	Mt. Drummond School	3.2
7	Mt. Drummond	9.6
8	Clerk's Creek	4.8
10	George's Creek	4.8
11	Baker's Creek	25.0
12	Reynolds	2.8
13	Ola Kingstown - Bundarra	27.2
14	Bundarra - Tarryburn	35.2
15	Stonybatter - Fairfield	4.8
16	Harrens	8.0
17	Gwydir Park	6.4
18	Woodlans	4.8
19	Kingstown - Tarryburn	12.8
20	Warrasch	6.4
21	Kingstown - Bendemeer	9.6
22	Yarrowyck - Tarryburn	16.0
23	Lindan	8.0
24	Uralla - Kingstown	44.8
25	Lanc - Retreat	17.6
26	Lanc	4.8
27	Baldia - Bendemeer	17.6
28	Harwood	8.0
29	Athal	6.4
30	Devoncourt	2.0
31	Green Gully	3.2
32	Gienournie	6.4
33	Old Wallun	8.0
34	Traceys	4.8
35	Traceys Loop	1.6
36	Reeves	4.8
37	Westvale	3.2
38	Jacsons Lane	0.6
39	Burtons Lane	3.2
40	Baylis' Lane	1.6
41	Wallun	16.0
42	Domey Lane	1.6
43	Saxers Lane	1.6
44	Eastern Avenue	6.4
45	Brecht's Lane	1.6
46	Vickers Lane	1.6
47	Wallun - Walcha	8.0
48	Wallun - Woolbrook	3.2
49	Terrible Vale	7.2
50	Haynes Lane	1.0
51	Martins Lane	1.0
52	Laura Homestead	3.2
53	Baldersteigh	20.8
54	Abington Creek	7.2
55	Colomendy	1.6
56	Jonnsons	4.8
57	Reids	4.8
58	Yarrowyck Crossing	6.4
59	Werrone	3.2
60	Primrose Hill	6.4
61	Ferris Lane	2.0
62	Munday's Lane	1.6
63	Dumaresq	3.2
64	Rowattom's	2.0
65	Everton Vale	8.0
66	Invergowrie	4.8
67	Hawthorne Drive	
68	Mount Butler	4.8
69	Phelias Lane	0.6
70	Arding	3.2
71	Northey's	3.2
72	Wilkinson's	1.6
73	Goode's	4.2
75	Anderson's	1.0
76	Williams	3.2
77	Kliendiensts	4.8
78	Nelson's	1.0
79	Sawpit Gully	3.2
80	Rifle Range	1.6
81	Racecourse	5.0
82	Staces	1.6
83	The Gap	9.6
84	Salisbury Plains	3.5

Number	Name	Length
85	Carion - Menzies	14.2
86	Big Ridge	6.5
87	Munzies	2.5
88	Mount Lydia	1.0
89	Rack Abbey	3.2
90	Uralla - Enmore	27.2
91	Mihi - Armidale	5.4
92	Enmore	7.4
93	Dwyer's Range	3.2
94	Hillview - Mihi	0.4
95	Gill's	6.4
96	Gostwyck - Hillview	14.4
97	Water Supply	3.2
98	Blue Mountain	16.0
99	Woods	3.2
100	Eastlake	6.4
101	Allinghams	8.0
102	Box Forest	16.0
103	Mantrase	4.8
104	Pansyfield	2.0
105	Invergowrie - Dumaresq	6.4
106	Bullens	1.6
107	Gostwyck War Service	3.2
108	Saumarez War Service	3.2
109	Karingal	8.0
111	Gowings	3.2
112	Talisker	1.6
113	Halloways	2.0
114	Warremoch	3.2
115	Lagoon	1.6
117	Treatment Works	14.4
118	Pumowell	3.2
119	Rowena	4.8
120	Barleyfields	2.5
121	Borgers	6.4
122	Goatsworth	2.6
123	Marble Hill	1.0
125	Invergowrie Stage 1 - Barloo	0.7
126	Chessington Estate Subdivision	1.0
127	Invergowrie Stage 2 Sub.	6.9
128	Mount Butler Subdivision	3.3
129	Mount Mitchell Subdivision	2.9
130	Bloomfield Subdivision-Tulong	1.6
131	Bowman Park Estate	1.1
133	Green Subdivision	0.9
134	Gostwyck Road Estate	2.2
	Environs of Uralla	17.6
	Environs of Bundarra	6.4
135	Jackson's	1.0
136	Karava	0.8
137		
438	Duval Downs - Lawson.	0.8
139	Swilks	1.0
140	Plane Ave.	
141	Rocky River	

ATTACHMENT 15.1 #2



Attachment 3



Distance

A 1.554 km

B 1.493

C 1.807

H 1.782

D 1.262

E 1.731

F 1.856

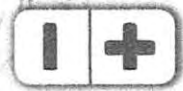
G 1.432



<https://maps.six.nsw.gov.au>

Attachment 4





SIX Maps



1:36,112
 0 0.5 1km

15

Attachments



17 November 2020

Matt Clarkson
Manager Development & Planning
Uralla Shire Council
PO Box 106
URALLA NSW 2358

Dear Matt,

Re – Application No. DA-45-2020 – Quarry – 313 Gostwyck Road Uralla – Mr D Adams

We wish to object to the abovementioned Application. Whilst acknowledging Mr Adams reasons for the application (income diversification and to drought proof his farming operation), consideration should also be given to the adverse effect that increased traffic levels along Munsies Road and subsequent rise in dust levels that will impact on us as near residents to Munsies Road. Our house yard to Munsies Road is 125 metres.

As far as we are aware, the quarry has not been operated on a commercial basis in the 25 years we have lived here.

As with almost everyone in our immediate area, we are reliant on tank water for not only washing, showering but also for drinking purposes. We are concerned the extra dust levels can only further diminish the quality of our water. Similar concerns were strongly raised by us with regards the recently approved UPC solar farm development when a notable increase in vehicle movements was projected along Munsies Road to a then proposed substation.

We have a letter from Mr Adams dated 11March 2019 (copy attached) with regards the EIS for the New England Solar Farm. At that time, Mr Adams expressed his concerns regarding the impact that an increase in regular traffic levels on Munsies Road would have on his pastures and stock.

Whilst we do have house yard boundary trees, the recent drought has resulted in significant die back of a number of these trees, and consequently they offer a somewhat meagre barrier to airborne dust.

The majority of breeze relative to our property prevails from the east / south east, thus off Munsies Road directly towards our residence.

Why can't Mr Adams transport the gravel through his property "Red Hill" and out his front access onto the sealed Gostwyck Road?

In discussions only this week with our very near neighbours ([REDACTED]) they are unaware of the proposed Quarry Redevelopment, having not received any formal notification from Council. Their residence was not identified in the applicants Attachment 4. As their residence is situated within the distance parameters from the proposed development as stated in attachment 4, perhaps they should also be afforded the opportunity to provide comment / input?

ATTACHMENT 15.1 #3

Would you please give careful deliberation to this Development Proposal and ensure that our concerns are fully addressed?

Glenn & Sharon Bryant



David Adams
 Red Hill
 313 Gostwyck Road
 Uralla NSW 2358

11th March 2019

Dear Neighbour

New England Solar Farm Environmental Impact Statement (EIS)

I have lived in the Uralla and Armidale area my whole life. My family have been farming in Uralla since the 1850s. I have a farm that is proposed to be next door the New England Solar Farm. Since I heard about the solar farm I have been sitting on the fence. I can see good and bad in the proposal. I am a businessman. I am a local who wants to see this town thrive. I have children who go to school in Uralla. They will want to find employment here. I am keenly aware of the environment and the devastating results of this drought and I support clean energy alternatives. I have dedicated a fair bit of time to research on Solar since I found out about the New England Solar farm. I am not an intellectual or a scientist. I am limited to trying to find reliable information on the internet. I have had meetings with the UPC representatives. After our last meeting I had some unanswered questions or more like the answers bothered me. Last week I spent over four hours reading the Environmental Impact Statement. A hard copy is at the council office but I found it online at www.newenglandsolarfarm.com.au 'project updates' then 'read the full EIS'. This took me directly to the NSW government planning site. Which is where you also make submissions of any concerns you may have about the proposed development.

After reading the EIS document, some information online and talking to farmers that live in areas that have solar farms I have the following concerns that I share with you. Please understand that I might have misinterpreted the information in the EIS but knowing that many of us are busy I write to you of the following concerns and if you are concerned I encourage you to have a look at the proposal put forward by UPC for yourself. Have a look at the documents and information that are available online and if you still have those concerns please lodge them to the Minister of Planning at the above website before the 20th March, 2019. It is easy to do and can be done anonymously. Please do not rely on someone else to do it. This is your chance to speak up and have your concerns addressed in the planning process.

Roads

In an early meeting with UPC I expressed concern about construction semi-trailers using the Munsies Road that is unsealed, at times single lane and crosses through my lambing paddock. I was told not to worry that hardly any vehicles would be using the Munsies Road access as most would be using the Big Ridge Road access. On reading the EIS Traffic Impact Assessment appendix k last week I found that it is expected that an average increase of 69 vehicles a day would be travelling along the Munsies Road. The Solar Farm vehicles will be using, amongst others, Barley Fields, Big Ridge, Gostwyck and Munsies Roads. From what I read, and I may not have understood it properly, the EIS says that as the roads are already in a state where they do not meet rural road standards so UPC has no intention of any more than upgrades at intersections. They are offering dilapidation surveys and restoration works (more disruption). At my meeting with UPC I was told the existing road network is fine. I currently supply the water to council for free to repair the Munsies road for the sole use of the Munsie family, their visitors and employees. This ensures only rainwater from the dam will run off into my paddock and dams. As some of the roads are unsealed UPC are offering to wet them down at intervals. I know that this will not be enough. My dams of rainwater and native fish species beside the Munsies Road will have run off containing treated town water, my paddocks will be inundated with dust so that stock will not eat the grass. My lambs will be mistreated by the increase of vehicles and I have had stock hit on that road in the past. I cannot afford to lose stock to increased heavy vehicle movements on the Munsies Road.

When I spoke with the UPC gentlemen about my concern of large amounts of heavy vehicles on the Munsies Road, being dangerous to my stock and especially on the Gostwyck Road being dangerous to all other road users I

was simply told that all of the construction vehicle drivers will be upheld to a Driver Code of Conduct. Are my sheep and cattle and all of the retirees dragging caravans, the sightseers, horse riders, cyclists and regular road users going to be aware that there are potentially huge trucks coming at them around the next corner? The Gostwyck Road currently has blind corners, crests and the camber of the road is such that I routinely see it 'suck' vehicles onto the wrong side of the road, especially empty trucks pulling trailers. Adding a large amount of heavy vehicles to that road in its current state is ridiculously dangerous, code of conduct or not, and an incredibly unfair burden to place on residents and visitors.

Environmental

What I have read is - Solar farms do leach chemicals into the environment. When they are broken by storms and hail they smash into little fine waste particles, these particles can have the cadmium washed out by rainwater in the following months.

Solar farms lead to micro climate changes, changes in soil microbiology that leads to compaction and erosion, meaning these fine particles or even wash off from chemical dust suppressants and water from cleaning the panels will run off into our waterways. UPC told me that the panels would only need washing once a year. I have read online that they need constant cleaning to maintain efficiency. One site said that One megawatt of power takes around 6 acres of panels. One megawatt of panels requires 7-20 thousand litres of water per wash. We are talking about a proposed 1000 acres of panels and the chemical laden run off every time those panels are cleaned. Where will the water come from? The EIS states "The majority of project infrastructure will not generate toxic effluent, waste water, emissions or other contaminants that would be expected to have a lasting negative impact on the land." Our concern should be the minority that does.

We are in a prime location here in the New England. We are world renowned for clean, pasture fed, disease free beef, lamb and superfine wool. It will only take one animal loaded up with these contaminants for that reputation to be destroyed. Farming brings in a lot of money to the Uralla area. Can we afford to risk it to generate power for Brisbane and Sydney air conditioners?? Make no mistake – this power will be added to the National Grid. It will not help with our local Z-Net goals of transition to clean energy and self sufficiency. I read in a forbes.com article that cadmium can be washed out of solar modules by rainwater in the first few months after being broken by storms. So we are ok'ing the pollution of the New England to help our government meet clean energy targets? From what I understand a foreign owned solar company wants to set up here as we have the existing power line infrastructure to tap into. If they were forced to build elsewhere they would need to pay for infrastructure. I don't want my land and my water polluted to make government clean energy targets cheaper for foreign owned company profits.

Koala Populations and Native Fauna

Amanda raised the issue of the central array being on the boundary of and also in what we know to be a permanent koala habitat. In fact, Peter Munsie told Amanda some years ago that the 'koalas had always been there'. Mr Gordon Frasier of Rock Abbey on the Munsies Road told Amanda that the koalas had been on his place since he could remember. Amanda was told by the representative of the firm that conducted the environmental surveys and the UPC representative that they had surveyed and found no evidence of koala habitation. All three of them were talking about the same area on the Munsies Road. On reviewing the EIS last week there were only two surveys done and neither of them anywhere near the central array corner that we had discussed with the two gentleman. The Biodiversity assessment report says 'despite targeted surveys being undertaken for four threatened flora species and one threatened fauna species, no threatened species were recorded within the development site. But the koala's that they were looking for are there, just not where they looked for the survey and report to the Minister.

Amanda also raised the two bird surveys that we had done on Red Hill by Andrew Hugget on behalf of a government agency – I think. Andrew found pages and pages of bird species. Amongst them endangered, threatened and significant species. The EIS says that because the land that they are proposing to use for the solar farm is largely cleared grazing land it has low biodiversity value. Red Hill is largely cleared and it has those birds. As a lifelong resident and farmer in the New England I know that I see plenty of native fauna in cleared paddocks.

I see birds nesting and feeding in grass tufts. I see kolas, possums, echidnas, sugar gliders, roos, wallabies, goannas, snakes, turtles, lizards, frog, bees and all kinds of bugs in cleared paddocks. The lights from the solar farm at night are expected to disrupt nocturnal species, the heat during the day burns the wings off birds. To state that the 1,000 acres of panels and 2,787 acres of solar farm is going on land of low biodiversity value is not entirely true. That land is valuable to every species that currently resides in it. We do not want to upset the ecosystem as it is and have another die back experience with our remaining trees. We don't want government clean energy targets to result in the destruction of threatened species that are here. The UPC response to Amanda raising the bird surveys was we didn't find any but send the lists through as we would like to know what the locals know. Andrew Hugget is not a local. UPC and the survey company they employed did not look for them.

Property Values

Red Hill at 313 Gostwyck Road is a neighbouring property of the central array of the proposed New England Solar farm. Red Hill has recently been valued by a stock and station agent given that the solar farm is only in a proposed stage of development. According to that valuation the property has only increased in value by \$53 an acre since it was purchased in 2009. Everywhere else in the New England has increased in value incredibly. One of our other places has increased in value by \$400 an acre in the last 18 months. I asked the UPC representative would the solar farm affect neighbouring property values. He replied that he could not say what it would do. I asked what other large scale solar farms had done to neighbouring property values in other areas. He stumbled on his words as he replied he didn't know. That stumbling led me to seek our current valuation. You could blame the drought but if you look at Red Hill we still have feed and water – so we should receive a higher value than our other NE properties. We expect the \$ per acre value to drop significantly once the solar farm is approved.

There is a FIFO camp planned for 500 people (with a peak of 700) on the Big Ridge Road. With the increase in daily vehicle movements what will that do to property values on the Big Ridge Road? Can anyone give me an example of a town being improved by a FIFO camp on its outskirts? Some local businesses may make money and may employ more people in the short term. The camp and the solar farm are going to forever change Uralla from a beautiful artisan and food based rural village and tourist destination to a town skirted by an ugly industrial estate. We are only just starting to kick goals with eco tourism and the arts. We have seen restorations of buildings, set up of new businesses and more tourists in town. The old Wool Store that I bought and restored was one of the first and it achieved my aim of bringing a new business to our town. I would love to see more of this long term, stable business investment.

Page 67 of the EIS says " the project has the potential to result in minor indirect or minor prescribed impacts" Amongst the prescribed impacts listed are Fauna vehicle strike, impacts to surface water due to contamination. Impacts to groundwater quality and quantity. Fragmentation of habitats, increased dust, vibration and noise, artificial lighting impacting nocturnal species, increase in weeds and pathogens. If the traffic and roads are not enough of a concern, we have all of these to consider also.

I guess you can see I am no longer sitting on the fence. I feel like what we are told in meetings is very different to what has been lodged with the Minister of Planning. I urge you to have a look at the EIS and respond online to the Minister of Planning asap. This is your chance to have your concerns as a resident or business owner be taken into account.

I believe solar panels belong on buildings and reclaimed industrial land – not prime agricultural land ^{and} not in our town ~~and not on~~



David Adams



[REDACTED]

From: [REDACTED]
Sent: Friday, 20 November 2020 11:00 AM
Subject: Submission for DA-45-2020, 313 Gostwyck Road, Uralla.
Attachments: Submission regarding DA-45-2020 N&D Hanlon.docx

Dear Linda/Matt,

Please find attached our submission regarding the proposed Quarry at 'Red Hill', Munsies Rd, Uralla.

We strongly object to this development application as it will adversely affect where we live and our health.

While we are considerate of a landholder improving his property with respect to water security we do not believe this is necessary at the proposed location due to the large dams already there, which did not dry up in the last drought. We did not place this point in the submission as it is a more personal opinion but the applicant is using this point as an objective for his development and we do not believe it should be considered when the Uralla Council determines their response.

Please advise receipt of our submission and any future meetings in regard to the application before Council determines.

Regards

Deb & Neil

Neil & Deborah Hanlon



**Submission regarding DA-45-2020
QUARRY, 313 Gostwyck Road, Uralla**

We would like to state our absolute objection to the proposed Quarry at 'Red Hill', Munsies Rd, Uralla. We are one of three homes directly impacted by this proposal all being located on Munsies Road, Uralla and all just 1.3 to 1.7 km from the proposed quarry site according to the application details. Not only will the proposed quarry operations affect us with its workings but also the transportation of materials from the proposed quarry will impact our home, our gardens and paddocks, our tank water supply as well as our standard of rural life and health.

The applicant, Mr D Adams, had previously complained in regard to dust issues for his own property when submissions were being requested for the recently approved New England Solar Farm, asking for our support on that occasion, and now requests us to accept excessive levels of dust on our property and home for his own ventures, hardly a fair minded request, very contradictory to his previous stance and totally objected to by us.

The applicant states in his application that one local property, (there are 3 on Munsies Road) which is our property at 10 Munsies Road, 'may receive some dust from the road and the vegetation will protect us'. This is totally wrong as dust settles on our home, gardens, water tanks, paddocks and vegetation equally, the trees we have do not stop the dust as implied.

As for the amount of dust experienced now from the current traffic volumes being the same with an operational quarry added is also wrong. We currently live with the dust from local traffic and the very occasional large and small trucks but to have a commercial quarry operating at a viable level will require a much larger volume of traffic on Munsies Road than what is stated in the application and we dispute the amount of traffic that has been predicted. Regardless, any increase of traffic of any type will have a major effect on us and our property.

The applicant states the extracted broken stone process will not impact any neighbouring properties, this is also false. There will be both **dust and noise pollution** from the proposed extraction operation for at least all 3 Munsies Road properties as we experience easterly winds for a large proportion of each year, having lived here for over 20 years. The wind will carry both dust and noise to our properties and therefore more discomfort as well as health issues to us and our homes. The applicant refers to this dust falling on his own property and being buffered by trees and surrounding hills, there are very minimal trees between our property and the proposed quarry and no hills at all.

We ask that you please consider our submission of objection to the proposed quarry development application and do not allow this to go ahead.

ATTACHMENT 15.1 #3

However, if this quarry application does **wrongly** go ahead we suggest the following options to compensate for at least some of the dust impact to our properties.

1. Have the applicant use his own property access to Gostwyck Road, Uralla for the purpose of transporting the gravel away, therefore halving the impact to us all. This is the most preferred option.
2. If Munsies Road must be used for the transportation of gravel then it would need to be sealed with bitumen from Big Ridge Road, Uralla to the road grid at the entrance to the applicant's property, 'Red Hill'. Still not a good option for the land holders involved but it would at least reduce some dust and health issues.

Neil & Deborah Hanlon



David Adams

ATTACHMENT 15.1 #3

17 December 2020

Matt Clarkson
Manager Development and Planning
Uralla Shire Council
PO Box 106
Uralla NSW 2358

Dear Matt

Re: DA -45-2020 - Quarry, 313 Gostwyck Road, Uralla, NSW

On the 16th December, 2020 David Adams met with the Bryant's and the Hanlon's to discuss their concerns regarding the above Development Application. 

The Bryant and Hanlon families have agreed to ^{retract} ~~retract~~ their submissions if the following conditions are adhered to. David Adams has agreed to the following conditions forming an attachment to his Development Application.

- Truck Speed limit to be 40km per hour on the Munsies Road
- No excessive vehicle brake noise, mechanical or engine
- Dust to be suppressed by means of a water cart on Munsies Road
- Quarry site – dust to be suppressed
- If there is an easterly wind over 15km hour all material extraction will cease
- David Adams will be the Owner, Operator and Quarry Manager. Should Red Hill change hands the quarry will cease operations.

Neil & Deborah Hanlon



Glen & Sharon Bryant



David Adams



David Adams

ATTACHMENT 15.1 #3

18 December 2020

Matt Clarkson
Manager Development and Planning
Uralla Shire Council
PO Box 106
Uralla NSW 2358

Dear Matt

Re: DA -45-2020 - Quarry, 313 Gostwyck Road, Uralla, NSW

On the 16th December, 2020 David Adams met with the Bryant's and the Hanlon's to discuss their concerns regarding the above Development Application.

The Bryant and Hanlon families have agreed to retract their submissions:

Neil & Deborah Hanlon



signed as per previous document with usage conditions agreed. M.

Glen & Sharon Bryant



(as above)

David Adams

15.2 CASH AT BANK AND INVESTMENTS AS AT 31 DECEMBER 2020

Department: Finance
Prepared by: Chief Financial Officer
TRIM Container U21/6687
Attachments Council's Investments as at 31 December, 2020
Schedule of loans as at 31 December, 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 31 December, 2020 consisting of cash and overnight funds of \$2,763,183, term deposits of \$15,526,569 totalling \$18,289,752 of readily convertible funds.

2. Council note the loan position as at 31 December, 2020 totalling \$2,081,135.

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 \$15,526,569 spread over the next twelve months will receive a range of interest from .55% to 1.55% with an average rate of .96%. 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 31 December, 2020.

KEY ISSUES:

The official interest rate remains at 0.25%. The Reserve Bank has not ruled out cutting rates further. 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 31 December, 2020				
Cash at Bank – Operating Accounts:				
Institution	Account	Bank Statement		
National Australia Bank	Main Account	\$104,726.76		
National Australia Bank	Trust Account	\$31,296.33		
Community Mutual	Bundarra RTC	\$25,988.97		
Total		\$162,012.06		
Business Investment (Cash Management) Account				
Institution	Interest rate	Balance		
Professional Funds	0.15% above RBA cash rate	\$2,601,170.91		
Total		\$2,601,170.91		
Term Deposits:				
Institution	Term	Interest rate	Maturity	Balance
Westpac Banking Corporation	10 months	1.38%	5/01/2021	\$500,000.00
National Australia Bank	12 months	1.50%	19/01/2021	\$719,250.00
Suncorp	3 months	0.80%	22/01/2021	\$400,000.00
National Australia Bank	9 months	1.05%	26/01/2021	\$500,000.00
Bank of Queensland	7 months	1.55%	10/03/2021	\$800,000.00
Bank of Queensland	12 months	1.40%	12/03/2021	\$800,000.00
National Australia Bank	12 months	1.25%	1/04/2021	\$600,000.00
National Australia Bank	12 months	1.20%	12/04/2021	\$500,000.00
Suncorp	4 months	0.55%	15/04/2021	\$600,000.00
AMP	4 months	0.60%	20/04/2021	\$600,000.00
Suncorp	6 months	0.85%	22/04/2021	\$500,000.00
ANZ	9 months	0.70%	26/04/2021	\$800,000.00
National Australia Bank	12 months	1.10%	21/05/2021	\$1,000,000.00
Westpac Banking Corporation	12 months	0.95%	19/06/2021	\$1,350,000.00
Commonwealth Bank	10 months	0.68%	19/07/2021	\$500,000.00
Westpac Banking Corporation	12 months	0.85%	25/07/2021	\$604,577.42
Westpac Banking Corporation	11 months	0.65%	25/08/2021	\$252,741.34
AMP	9 months	0.70%	31/08/2021	\$700,000.00
ANZ	11 months	0.58%	31/08/2021	\$500,000.00
Commonwealth Bank	12 months	0.71%	16/09/2021	\$1,000,000.00
Suncorp	12 months	0.90%	22/10/2021	\$1,000,000.00
Suncorp	12 months	0.90%	26/10/2021	\$1,300,000.00
Total				\$15,526,568.76

Uralla Shire Council		
Loans at 31 December, 2020		
Loans:		
Loan no.	Purpose	Balance
165	MGH Property	\$40,904.43
168	Community Centre	\$23,230.66
176	Library Extensions	\$116,536.77
177	Grace Munro Centre	\$93,261.17
181	Creative Village Works	\$0.00
186	Public Toilets Pioneer Park	\$0.00
187	Undergrounding Power and Main Street Upgrade	\$110,555.48
188	Paving and Power Undergrounding	\$29,088.53
189	Bridge Construction	\$189,048.00
190	Bridge construction & industrial land development	\$1,478,510.26
Total		\$ 2,081,135.30

15.3 CASH AT BANK AND INVESTMENTS AS AT 31 JANUARY 2021

Department: Finance
Prepared by: Chief Financial Officer
TRIM Container U21/6687
Attachments Council's Investments as at 31 January, 2021
Schedule of loans as at 31 January, 2021

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 31 January, 2021 consisting of cash and overnight funds of \$2,938,216, term deposits of \$15,507,319 totalling \$18,445,535 of readily convertible funds.**
- 2. Council note the loan position as at 31 January, 2021 totalling \$2,080,741.**

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 \$15,507,319 spread over the next twelve months will receive a range of interest from .1% to 1.55% with an average rate of .85%. 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 31 January, 2021.

KEY ISSUES:

The official interest rate remains at 0.25%. The Reserve Bank has not ruled out cutting rates further but this seems unlikely as they focus on quantitative easing initiatives. 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 31 January, 2021**

Cash at Bank – Operating Accounts:

Institution	Account	Bank Statement
National Australia Bank	Main Account	\$61,923.43
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$26,110.42
Total		\$119,330.18

Business Investment (Cash Management) Account

Institution	Interest rate	Balance
Professional Funds	0.15% above RBA cash rate	\$2,818,886.25
Total		\$2,818,886.25

Term Deposits:				
Institution	Term	Interest rate	Maturity	Balance
Westpac Banking Corporation	2 months	0.10%	8/03/2021	\$500,000.00
Bank of Queensland	7 months	1.55%	10/03/2021	\$800,000.00
Bank of Queensland	12 months	1.40%	12/03/2021	\$800,000.00
National Australia Bank	12 months	1.25%	1/04/2021	\$600,000.00
National Australia Bank	12 months	1.20%	12/04/2021	\$500,000.00
Suncorp	4 months	0.55%	15/04/2021	\$600,000.00
AMP	4 months	0.60%	20/04/2021	\$600,000.00
Suncorp	6 months	0.85%	22/04/2021	\$500,000.00
ANZ	9 months	0.70%	26/04/2021	\$800,000.00
National Australia Bank	12 months	1.10%	21/05/2021	\$1,000,000.00
Westpac Banking Corporation	12 months	0.95%	19/06/2021	\$1,350,000.00
Commonwealth Bank	10 months	0.68%	19/07/2021	\$500,000.00
Westpac Banking Corporation	12 months	0.85%	25/07/2021	\$604,577.42
Suncorp	7 months	0.60%	20/08/2021	\$400,000.00
Westpac Banking Corporation	11 months	0.65%	25/08/2021	\$252,741.34
AMP	9 months	0.70%	31/08/2021	\$700,000.00
ANZ	11 months	0.58%	31/08/2021	\$500,000.00
Commonwealth Bank	12 months	0.71%	16/09/2021	\$1,000,000.00
National Australia Bank	9 months	0.40%	12/10/2021	\$700,000.00
Suncorp	12 months	0.90%	22/10/2021	\$1,000,000.00
Suncorp	12 months	0.90%	26/10/2021	\$1,300,000.00
National Australia Bank	10 months	0.39%	22/11/2021	\$500,000.00
Total				\$15,507,318.76

**Uralla Shire Council
Loans at 31 January, 2021**

Loans:		
Loan no.	Purpose	Balance
165	MGH Property	\$40,451.24
168	Community Centre	\$22,571.75
176	Library Extensions	\$117,222.97
177	Grace Munro Centre	\$93,810.31
181	Creative Village Works	\$0.00
186	Public Toilets Pioneer Park	\$0.00
187	Undergrounding Power and Main Street Upgrade	\$111,445.68
188	Paving and Power Undergrounding	\$28,773.93
189	Bridge Construction	\$187,954.38
190	Bridge construction & industrial land development	\$1,478,510.26
Total		\$ 2,080,740.52

15.4 QUARTERLY BUDGET REVIEW SUMMARY

Department:	Finance
Prepared by:	<i>Simon Paul, Chief Financial Officer</i>
TRIM Reference:	UINT/2021/01530
Attachments:	UINT/21/1682 QBR2 Report December 2020

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.2	An effective and efficient organisation
Strategy:	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 financial sustainability
Action:	4.2.2.1.3	Complete and report quarterly budget review statements

SUMMARY:

The purpose of this report is to present to Council a review of the budget for the second quarter of the 2020/21 financial year.

RECOMMENDATION:

1. That the second quarter budget review summary for the 2020/21 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted.

BACKGROUND:

It is a statutory requirement that Council's Responsible Accounting Officer prepares and submits a budget review statement to Council on a Quarterly basis each financial year (LGGR 2005 cl.203 (1)). Council's Responsible Accounting Officer must also include with the budget review report an opinion on the financial position of Council and any recommendations for remedial action if required. As such the second quarterly review for the 2020/21 financial year has been prepared and attached for Council's review and adoption.

REPORT:

The attached quarterly budget review report shows income and expenditure adjustments of over \$988,000 and reduced capital expenditure of \$565,000. These amounts include reductions in capital grants of \$1,254,500 and associated capital expenditure of \$1,489,000, relating to the part deferral of expenditure for the Bundarra Sewer Scheme and Tolleys Gully Bridge projects. The deferrals will be carried over to the 2022 financial year.

A positive outcome this quarter is the reduction of the rates and charges arrears percentage to 6.05%, which is now below the internal benchmark of 6.5%. This is a result of a concerted effort by staff to engage with ratepayers who have rates arrears, and as a result over 200 payment arrangements have been entered into. The sale of land also contributed to the reduction in arrears. This is encouraging given that this reduction occurred during a period in which Council did not take any legal proceedings in regard to debt recovery due to the COVID moratorium on such action.

There are two proposed continuous improvement initiatives contained within the budget variations, being the implementation of the online requisitioning module within Council's finance software (\$11,000) and the engagement of a specialist to develop and implement procurement systems, templates and training (\$40,000). It is proposed that both of these projects be funded by transfers from the Strategic Development internal restriction.

Issues

The second quarter budget review statement reflects some of the variations that arise from normal operating changes in any given year. The variations are detailed in the *Recommended changes to revised budget for income and expenses budget and capital budget* pages of the attached report. The major changes can be summarised as follows:

1. \$703,500 deferral of expected capital grant revenue for the Bundarra Sewer Scheme project.
2. \$938,000 deferral of capital expenditure related to the Bundarra Sewer Scheme project.
3. \$551,000 deferral of expected capital grant revenue for the Tolleys Gully bridge replacement project.
4. \$551,000 deferral of expected capital expenditure for the Tolleys Gully bridge replacement project.
5. An additional \$418,109 in capital grants from the Stronger Country Communities Fund relating to projects commenced in 2020 carried over and new projects for 2021, partially offset by additional capital expenditure of \$227,073 and revenue expenditure of \$251,113. The remaining offsets were adjusted in QBRS1.
6. An additional \$400,000 in capital grants from the Drought Communities Extension Program Fund that was signed post June 30, 2020, offset by additional capital expenditure of \$339,028 and revenue expenditure of \$145,963. The remaining offsets were adjusted in QBRS1.
7. Net increase in estimated depreciation of \$227,000, mostly for bridges assets.
8. An additional \$350,000 in capital grant funding and offsetting expenditure related to the Groundwater project.

Conclusion

The budget adjustments this quarter have resulted in a further deterioration of the likely financial result before capital grants; from a budgeted loss of \$1.632M to one of \$2.112M. Whilst some of the expenditure increases have been beyond the control of Council (due to COVID-19, depreciation adjustments and staff sick leave), Council still needs to make some deliberate decisions in the very near future to balance the budget.

As stated in the report to Council in July 2020 when the budget was adopted,

“Whilst it is permissible for Council to have a loss before capital grants for operational reasons, it is not sustainable in the longer term and Council must therefore consider measures throughout the year to improve the final result”.

Council has adopted two strategies to achieve balanced budgets both in the General Fund by 2022/23, and in the Water Fund and Sewer Fund over the next ten years (2021 to 2030). At the time of writing this report, no actions have been adopted by Council in 2020/21 that would assist in achieving the strategic objectives outlined above. It is therefore incumbent upon Council to make some decisions over the next five months, particularly in drafting next year’s budget, which will start to address the underlying operational result for the long term sustainability of the Shire.

The Council’s projected financial position at 30 June 2021 is likely to be satisfactory at year end, having regard to the projected estimates of income and expenditure, current trends and the original budgeted income and expenditure. The third quarterly review should identify any further deterioration which may require Council to make some savings in either the current year or the budgeted years.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication

Report of budget reviews to the Council's ordinary meeting.

2. Policy and Regulation

- *Local Government Act 1993 (NSW)*
- *Local Government Regulations (General) 2005 (NSW)*
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards

3. Financial (LTFP)

This report is a review of the annual budget up to the end of the second quarter. Changes to the budget are as outlined in the attached statements.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

N/A

6. Legal and Risk Management

Council is required by legislation (clause 203 of the Regulations) to prepare quarterly budget review statements for the first three quarters of each year, including an opinion by the Responsible Accounting Officer as to whether the financial position of the Council is considered to be satisfactory.

Corporate Governance – the second quarter budget complies with legislative requirements. This risk is assessed as *low*.

Financial Management – the second quarter budget shows a further deterioration from the original budget adopted by Council in July 2020 which may require remedial action if expenditure savings or income increases are not identified. Currently this risk is assessed as *high*.

7. Performance Measures

One of required three budget reviews.

8. Project Management

N/A

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**Uralla Shire Council
Quarterly Budget Review Statement
For the Quarter ended 31 December, 2020**

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Uralla Shire Council for the quarter ended 31 December, 2020 indicates that Council's projected financial position at 30 June, 2021 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Simon Paul
Responsible Accounting Officer

Uralla Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Income & Expenses Budget Review Statement
Consolidated by Fund

Budget review for the quarter ended 31 December, 2020

(\$000's)	Original Budget 2020/2021	Variations		Revised Budget Sep-20	Variations from this QBRS	Notes	Projected		Actual
		Sep QBRS					Year End Result	YTD Dec-20	
Income									
General Fund	19,676	482		20,158	(60)		20,097	14,001	70%
McMaugh Gardens	3,104	65		3,169	135		3,304	1,817	55%
Water Supplies	1,170	20		1,190	400		1,590	787	50%
Sewer Services	6,844	-		6,844	(654)		6,190	770	12%
Total Income from Continuing Operations	30,793	567		31,360	(179)		31,181	17,375	56%
Expenses									
General Fund	16,248	95		16,343	755		17,098	7,986	47%
McMaugh Gardens	3,183	-		3,183	-		3,183	1,658	52%
Water Supplies	1,617			1,617	-		1,617	774	48%
Sewer Services	733			733	-		733	380	52%
Total Expenses from Continuing Operations	21,781	95		21,876	755		22,631	10,797	48%
Net Operating Result from Continuing Operations	9,012	472		9,484	(934)		8,550	6,578	
Capital grants and contributions	10,644	401		11,045	(383)		10,662	3,060	
Net Operating Result before Capital Grants	(1,632)	71		(1,561)	(551)		(2,112)	3,519	

Uralla Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Income & Expenses Budget Review Statement
Consolidated by Activity
Budget review for the quarter ended 31 December, 2020

(\$000's)	Original Budget 2020/2021	Variations		Revised Budget Sep-20	Notes	Projected Year End Result	Actual YTD Dec-20	
		Sep QBRs	from this QBRs					
Income								
Organisational Services	5,831	-	(95)	5,831		5,736	4,382	76%
Community & Culture	7,218	65	166	7,283		7,449	4,664	63%
Infrastructure & Development	9,730	482	4	10,212		10,216	6,772	66%
Water Supplies	1,170	20	400	1,190		1,590	787	50%
Sewer Services	6,844	-	(654)	6,844		6,190	770	12%
Total Income from Continuing Operations	30,793	567	(179)	31,360		31,181	17,375	56%
Expenses								
Organisational Services	1,414	31	82	1,445		1,527	479	31%
Community & Culture	7,216	-	18	7,216		7,233	3,419	47%
Infrastructure & Development	10,801	64	655	10,865		11,521	5,746	50%
Water Supplies	1,617	-	-	1,617		1,617	774	48%
Sewer Services	733	-	-	733		733	380	52%
Total Expenses from Continuing Operations	21,781	95	755	21,876		22,631	10,797	48%
Net Operating Result from Continuing Operations	9,012	472	(934)	9,484		8,550	6,578	
Capital grants and contributions	10,644	401	(383)	11,045		10,662	3,060	
Net Operating Result before Capital Grants	(1,632)	71	(551)	(1,561)		(2,112)	3,519	

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Income & Expenses Budget Review Statement
Recommended changes to revised budget
Budget review for the quarter ended 31 December, 2020

Budget Variations include the following material items:

Notes	Amount \$ 738,557	Details
1	-\$ 400,000	Additional Drought Communities extension capital grant funding income for programme executed in 2021
2	\$ 145,963	Additional Drought Communities Extension expenditure
3	-\$ 12,500	Reduction in training budgets not likely to be spent this year
4	\$ 10,000	Additional mandatory training costs - outdoor staff catch-up from COVID training not able to be undertaken
5	\$ 36,000	Higher employee grade costs for Governance
6	\$ 11,000	Proposed implementation of online requisitioning in finance software
7	\$ 40,000	Proposed development of procurement system - mapping, templates and training
8	-\$ 51,000	Transfer from strategic development restriction for two items above
9	-\$ 418,109	Additional Stronger Country Communities capital grant funding income for programme executed in 2021
10	\$ 251,113	Additional Stronger Country Communities expenditure
11	-\$ 350,000	New capital funding granted for Groundwater Project (2021 component only)
12	\$ 703,500	Bundarra Sewer grant income expected to be received in 2021/22
13	\$ 551,000	Tolleys Gully Bridge grant income expected to be received in 2021/22
14	\$ 13,000	RMS Block Grant funding not indexed as expected
15	-\$ 13,000	Reduction in Regional roads maintenance expenditure based on reduction in above income
16	\$ 80,000	Bushfire Resilience funding - income received year end 2020 , not 2021 as expected
17	\$ 20,000	Bushfire Resilience funding - expenditure not spent in 2020, expect to spend in 2021
18	-\$ 100,000	Transfer Bushfire Resilience funding from restrictions received in 2019/20
19	-\$ 50,000	Reallocate expenditure not required for Pre-School and Grace Munro maintenance as work carried out under capital/maintenance funding in prior years
20	\$ 50,000	Proposed reallocation of expenditure from Pre-school and Grace Munro maintenance to Depot for maintenance of staff lunch room
21	\$ 9,000	Increase in internal audit service expenditure due to variation between final signed agreement and budget estimate
22	\$ 30,000	Increase in budgeted COVID related expenditure
23	\$ 227,000	Increase in depreciation expense due to increased asset values (esp. bridges)
24	-\$ 44,410	Transfer from restrictions re SCCF private works

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Capital Budget Review Statement
Budget review for the quarter ended 31 December, 2020
Capital Budget - Consolidated by Fund

	Original Budget 2020/2021	Variations Sep QBRs	Revised Budget Sep-20	Variations from this QBRs	Notes	Projected Year End Result	Actual YTD figures
(\$000's)							
Capital Expenditure							
- General	10,239	114	10,353	(154)		10,199	3,165
- McMaugh Gardens	50	50	100	145		245	115
- Water	220		220	352		572	13
- Sewer	8,442		8,442	(911)		7,531	75
Total Capital Expenditure	18,951	164	19,115	(568)		18,547	3,368
Capital Funding							
Consolidated Fund Income	5,708		5,708	516		6,224	221
Unrestricted Cash Reserves							
Capital Grants & Contributions	10,644	164	10,808	(146)		10,662	3,060
Loan Funds	-						
Receipts from Sale of Assets	-						
Reserves:							
- Developer Contributions							
- General Restricted Assets							
- Water & Sewer Restricted Assets	2,549		2,549	(938)		1,611	88
- McMaugh Gardens Restricted Assets	50		50			50	
Total Capital Funding	18,951	164	19,115	(568)		18,547	3,368
Net Capital Funding	-	-	-	-		-	-

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Capital Budget Review Statement
Budget review for the quarter ended 31 December, 2020
Capital Budget - Consolidated by Activity

	Original Budget 2020/2021	Variations		Revised Budget Sep-20	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
		Sep QBRS						
(\$000's)								
Capital Expenditure								
Organisational Services	192	-	192	5			197	40
Community & Culture	552	50	602	161			763	133
Infrastructure & Development	9,545	114	9,659	(175)			9,484	3,107
Water Supplies	220	-	220	352			572	13
Sewer Services	8,442	-	8,442	(911)			7,531	75
Total Capital Expenditure	18,951	164	19,115	(568)			18,547	3,368
Capital Funding								
Consolidated Fund Income	(405)	-	(405)	516			111	3,280
Unrestricted Cash Reserves	-	-	-	-			-	-
Capital Grants & Contributions	10,644	164	10,808	(146)			10,662	-
Loan Funds	-	-	-	-			-	-
Receipts from Sale of Assets	-	-	-	-			-	-
Reserves:								
- Developer Contributions	-	-	-	-			-	-
- General Restricted Assets	-	-	-	-			-	-
- Water & Sewer Restricted Assets	8,662	-	8,662	(938)			7,724	88
- McMaugh Gardens Restricted Assets	50	-	50	-			50	-
Total Capital Funding	18,951	164	19,115	(568)			18,547	3,368
Net Capital Funding	-	-	-	(0)			(0)	-

**Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021**

**Capital Budget Review Statement
Recommended changes to revised budget
Budget review for the quarter ended 31 December, 2020**

Budget Variations being recommended include the following material items:

Notes	Amount	Details
	-\$ 567,899	
1	\$ 339,028	Drought Communities extension programme projects capital expenditure
2	\$ 227,073	Stronger Country Communities projects capital expenditure
3	\$ 350,000	Uralla Groundwater Project 2021 expenditure
4	-\$ 938,000	Bundarra Sewer Scheme - reduction in capital expenditure as works expected to carry over to following financial year
5	-\$ 551,000	Tolleys Gully Bridge - reduction in capital expenditure as works expected to carry over to following financial year
6	\$ 5,000	DVD shelving Library
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		

Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Cash & Investments Budget Review Statement
Budget review for the quarter ended 31 December, 2020
Consolidated

(\$000's)	Original Budget 2020/2021	Variations		Revised Budget 2020/2021	Variations from this QBRS	Notes	Projected Year End Result	Actual YTD figures
		Other than by a QBRS	Sep QBRS					
Externally Restricted								
Developer Contributions - General	655	60	-	715	-		715	734
Developer Contributions - Water Fund	-	-	-	-	-		-	-
Developer Contributions - Sewer Fund	-	-	-	-	-		-	-
Specific Purpose Unexpended Grants	37	281	-	318	(144)		174	682
Water Supplies	1,757	410	-	2,167	-		2,167	2,610
Sewerage Services	229	70	-	299	258		557	2,833
McMaugh Gardens	2,758	(344)	-	2,414	-		2,414	2,237
Unexpended Loans	-	493	-	493	-		493	494
Total Externally Restricted	5,436	970	-	6,406	113		6,519	9,590
Internally Restricted								
Plant & Vehicle Replacement	-	-	-	-	-		-	(434)
Employees Leave Entitlement	1,068	(296)	-	772	-		772	772
Tip Remediation	200	66	-	266	-		266	266
Stormwater Drainage	-	280	-	280	-		280	302
Strategic Development	118	202	-	320	(51)		269	320
FAGS Received in advance	500	701	-	1,201	-		1,201	1,382
Carry Forward Works	648	(39)	-	609	-		609	609
Total Internally Restricted	2,534	914	-	3,448	(51)		3,397	3,217
Unrestricted (ie. available after the above Restrictions)	112	(159)	309	262	(202)		60	5,486
Total Cash & Investments	8,082	1,725	309	10,116	(139)		9,977	18,292

Note: Variations other than by QBRS represent alignment of opening balances to final 2020 financial statement balances.

**Uralla Shire Council
Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021**

**Key Performance Indicators Statement
Budget review for the quarter ended 31 December, 2020**

	30/06/2021	30/06/2020	30/06/2019	30/06/2018
LTFP KPI's				
Operating ratio	-10.29%	-2.40%	-0.09%	2.16%
Debt service ratio	9.63	10.92	11.43	13.18
Own source operating revenue ratio	50%	63.98%	70.03%	69.45%
Rates & charges outstanding %	6.05%	11.76%	7.37%	5.38%
Asset renewals ratio	152%	122%	95%	63%
Target	>0			
	>2.0x			
	>60%			
	<6.5%			
	>100%			

Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021

Contracts Budget Review Statement
Budget review for the quarter ended 31 December, 2020
Part A - Contracts Listing

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
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Notes:

1. Only contracts that were entered into during the quarter and remain incomplete are included.
2. Minimum reporting level is \$50,000.
3. Contracts listed exclude contractors on Council's Preferred Supplier list.
4. Contracts for employment are not required to be included.

Part B - Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	\$ 53,748	Y
Legal Fees	\$ 24,483	Y

Note: 1. All consultancy amounts were included in the 2020/21 budget except for items adjusted in this QBRs.

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

**Quarterly Budget Review Statement
For the period 01 July, 2020 to 30 June, 2021**

**Cash & Investments Budget Review Statement
Budget review for the quarter ended 31 December, 2020**

Comment on Cash & Investments Position

No material variations to Council's Cash and Investments have occurred in the second quarter.

Investments

Investments have been made in accordance with Council's Investment Policy.

Cash

The value of cash at bank which was included in the Cash & Investment Statement totals \$107,169.

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this reconciliation was 04 January, 2021.

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

Cash at Bank (as per bank statements)		107,864
Investments on Hand		18,184,955
less: Unpresented Cheques	(Timing Difference)	(934)
add: Undeposited Funds	(Timing Difference)	239
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	-
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	-
Reconciled Cash at Bank & Investments		18,292,124
Balance as per Review Statement:		18,292,124

15.5 INTEGRATED WATER CYCLE MANAGEMENT PLAN AND WATER SEWER ASSET MANAGEMENT PLANS

Department: Infrastructure & Development
 Prepared by: Manager Water, Waste and Sewerage Services
 TRIM Reference: UINT/21/1168

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.4	Communities that are well serviced with essential infrastructure
Strategy:	2.4.2	Protect and maintain a healthy catchment and waterways
Activity:	2.4.2.1	Maintain compliant catchment and waterways management
Action:	2.4.2.1.6	Review and update the Sewer Asset Management Plan
	2.4.2.1.7	Review and update the Water Supply Asset Management Plan

SUMMARY:

Report on the status of the Integrated Water Cycle Management Strategy (IWCMS,) Water and Sewer Asset Management Plans (AMP's).

RECOMMENDATION:

That Council receive and note the report on the status of Integrated Water Cycle Management Strategy and Water and Sewer Asset Management Plans.

BACKGROUND:

At its ordinary November 2020 meeting, it was resolved at OM 30.11/20:-

That an overview report on the status Council's water and wastewater systems for Uralla and Bundarra be prepared for Council that advises the current status of development of the Integrated Water Cycle Management Plan (IWCMP) and water and wastewater asset management and renewal planning.

Integrated Water Cycle Management Strategy (IWCMS)

Council is required to develop an Integrated Water Cycle Management Strategy (IWCMS) every 8 years.

The Integrated Water Cycle Management (IWCM) planning has commenced (scope agreed) and, subject to the funding deed being finalised (likely March/April 2021), will further develop the levels of service for Council's water supply and sewerage undertakings. The IWCM work complements the proposed service reviews and the current development of Asset Management Plans.

Core projects typically required as part of the IWCM include:

- A water and sewer financial modelling plan.
- A 30 year total asset management plan.
- A drought and emergency plan update.
- A water supply secure yield analysis.

Additional projects can be proposed based on local circumstances.

Additional projects identified for Uralla Shire Council include:

- Arsenic source and species studies.
- Treatment plant chemical process augmentations.
- Dam and pond silt mapping.
- Dam and pond silt removal investigations.
- Drought management plan review.
- Business continuity plans.
- An emergency management plan for the water and sewer undertakings.
- Water and sewer asset condition assessments.
- Water and sewer hydraulic modelling.

NSW Department of Planning, Industry and Environment / Water (DPIE/W) concurrence is needed to approve the IWCMS projects.

The key outcomes of an IWCMS are:

- A 30-year total asset management plan,
- Supporting financial plan, and
- Drought and emergency response contingency plan.

Water and Sewer Asset Management Plans

Annual actions under the 2020-2021 Operational Plan, require the development of asset management plans to assist in the management of assets in the following areas:

- Water
- Sewer

The actions are shown in Table 1 below:

Code	Action	Status
2.4.2.1.6	Review and update the Sewer Asset Management Plan	Amber
2.4.2.1.7	Review and update the Water Supply Asset Management Plan	Amber

The development of comprehensive asset management plans for both water and sewer services is also required by the IWCMS project.

REPORT:

Details of the status for each identified section of the operational plan are given below:

1. Develop a Water Cycle Management Strategy (IWCMS).

The scope for Council's IWCMS has been developed and is under review for funding approval by the Department of Planning Infrastructure and Environment – Water (DPIEW.) Following approval of the project delivery methodology which has been requested by DPIEW, Council will receive the project funding deed for consideration and execution. It is anticipated that the required contribution by Council will be 10% of the approved project costs. The 2020/21 budget includes estimated expenditure of \$70,000 for the IWCMS and an offsetting \$63,000 of grant income from DPIEW.

2. 2.4.2.1.6 - Review and update the Sewer Asset Management Plan.

The sewer asset management plan including a 10 year renewals programs is being finalised and it is anticipated that these will be presented to Council at its April meeting. Further development of the sewer asset management plan including a 30 year capital works program is included in the scope of works as part of the IWCMS project.

3. 2.4.2.1.7 - Review and update the Water Supply Asset Management Plan.

The water asset management plan including a 10 year renewals program is being finalised and it is anticipated that these will be presented to Council at its April meeting. Further development of the water asset management plan including a 30 year capital works program is included in the scope of works as part of the IWCMS project.

KEY ISSUES:

- Council is required to develop an Integrated Water Cycle Management Strategy (IWCMS) every 8 years.
- Water and Sewer Asset Management plans will be funded and completed inside the IWCMS project.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Community engagement will occur following the commencement of the Integrated Water Cycle Management Strategy (IWCMS) project.

2. Policy and Regulation

Integrated Water Cycle Management Planning framework.

3. Financial (LTFP)

90% funding provided by the Department of Planning Infrastructure and Environment – Water (DPIEW) of total estimated project costs at \$250,000 for the completion of the works under this strategy (excluding capital works).

4. Asset Management (AMS)

Water/Sewer assets will be audited and considered inside this project.

5. Workforce (WMS)

Involves Council staff, consultants and contractors.

6. Legal and Risk Management

Council's Procurement Policy.

7. Performance Measures

Nil

8. Project Management

Council's project manager will liaise with DPIE/W and the successful tenderer for completion of works under this project.

15.6 APPOINTMENT OF COMMITTEE CHAIR – URALLA TOWNSHIP AND ENVIRONS COMMITTEE

Department: Infrastructure & Development
Prepared by: Director Infrastructure & Development
TRIM Reference: UINT/21/1636

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 4.1 A strong, accountable and representative Council
Strategy: 4.1.2 Engage with the community effectively and use community input to inform decision making
Activity: 4.1.2.1 Incorporate inclusive community consultation and stakeholder engagement in Council decision making
Action: 4.1.2.1.5 Conduct community engagement and consultation activities

SUMMARY:

The purpose of this report is for Council to appoint the Chair for the Uralla Township and Environs Committee (UTEC) from the nominations received for the position.

RECOMMENDATION:

That Council appoint Mr Bob Anderson to the role of Chairperson for the Uralla Township and Environs Committee for a 12 month period.

BACKGROUND:

At the August 2020 ordinary meeting of Council at OM26.08/20 it was resolved;

That Council:

- 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;*
- 2. Subject to no submissions received during public exhibition, adopt the Uralla Township and Environs Committee Constitution 2020 at Attachment C; and*
- 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.*

REPORT:

Part 7 of the UTEC Constitution provides for the appointment of the Committee Chairperson as follows.

7. Committee Chairperson

- 7.1 The Chairperson of the Committee shall be appointed by Council.*
- 7.2 The appointed Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Committee.*
- 7.3 In the absence of the Chairperson at a meeting or in the event of a conflict of interest in which the Chairperson has recused him or herself from discussion, the Committee shall elect a temporary Chairperson.*
- 7.4 A Committee member may not hold the position of Chairperson for more than one (1) consecutive year.*

7.5 *The Chairperson may resign from the position of Chair and remain a member of the Committee.*

Council has not appointed a chairperson to date.

Council requested expressions of interest from UTEC members for the chairperson role and received one expression of interest from committee member Mr Bob Anderson.

KEY ISSUES:

- UTEC requires a duly appointed Chairperson to function in accordance with the UTEC constitution.
- Council committee members could fill the role of the chairperson if appointed by Council.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
UTEC is a Committee of Council.
2. **Policy and Regulation**
Section 355 of the *Local Government Act 1993*.
3. **Financial (LTFP)**
Nil.
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil.
6. **Legal and Risk Management**
Compliance with adopted constitution.
7. **Performance Measures**
Nil.
8. **Project Management**
Nil.

15.7 WORKS PROGRESS REPORT AS AT 31 JANUARY 2021

Department: Infrastructure & Development
Prepared by: *Manager Civil Infrastructure*
TRIM Reference: UINT/21/1365
Attachments: UINT/21/1366 February - Attachment Works Program to 31 January 2021

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 to the following month, and works being undertaken in the current month.

RECOMMENDATION:

That the report be received and noted for the works completed or progressed during December 2020 and January 2021, and works programmed for February 2021.

BACKGROUND:

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

REPORT:

A. Works Undertaken in December 2020 and January 2021

1. **Main Road Maintenance**

MR73 Thunderbolts Way	Patching
MR124 Bundarra Road	Patching

2. **Sealed Roads Maintenance**

Uralla Streets	Patching
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3. Unsealed Roads Maintenance Grading

Barraba Road	Graded
Baldersleigh Road	Graded
Bakers Creek Road	Graded; Storm damage repaired
Old Kingstown Road	Graded; Storm damage repaired
Munsies Road	Graded
Athol Road	Graded
Balala Road	Graded
Lana Road	Graded; Storm damage repaired
Retreat Road	Graded
Mount Drummond Road	Graded; Storm damage repaired

4. Construction

Thunderbolts Way (Pomona Road – Rifle Range Road)	Complete construction and sprayed sealing
Retreat Road upgrade	Complete subgrade and sub-base construction

5. Bridge / Sign

Bridge maintenance	Vegetation control and remove debris
Yarrowyck Crossing	Replace headwalls and pipes caused by storm damage
Retreat Road upgrade	Install box culvert
Bingara Road upgrade	Install guardrail
Rural Roads	Install flood depth markers

6. Town and Parks

Uralla	Recreational area maintenance, cemetery maintenance, clean gutters, mowing, sporting field maintenance, tree pruning, weed spraying
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B. Works to be continued/undertaken in February 2021

1. Main Road Maintenance

Bitumen patching
Vegetation control

2. Sealed Roads Maintenance

Bitumen patching, vegetation control

3. Unsealed Roads Maintenance

Grading – Saumarez War Service Road, Bakers Creek Road, Old Kingstown Road, Stoney Batter Road, Hardens Road, Athol Road, Lindon Road, Balala Road, The Gap Road

4. Bridge/Sign

Bingara Road upgrade	Guardrail installation
Retreat Road upgrade	Install box culvert
Yarrowyck Crossing Road	Replace pipes caused by storm damage
Bridge maintenance	Vegetation control

5. Construction

Bingara Road upgrade	Erosion control
Retreat Road upgrade	Base course, batter construction and sealing
Kingstown Road	Continue resealing. Vegetation control
Thunderbolts Way South Blackspot Program	Commence construction

6. Town Area

Maintenance	General maintenance and upkeeping
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C. The following road projects are funded and undertaken in coming months to June 2021

1. Project: Torryburn Road rehabilitation
Scope of works: Pavement widening, additional base course, stabilising, drainage improvement and bitumen sealing
LRCI Funding: \$111,237
Status: Commence March/April 2021
2. Project: Retreat Road upgrade
Scope of works: Upgrade from unsealed to sealed road and drainage improvement
LRCI Funding: \$400,000
Status: Underway
3. Project: Hawthorne Drive rehabilitation
Scope of works: Pavement widening, additional base course, drainage improvement and bitumen sealing
FLR Funding: \$516,000. Council contribution: \$139,000
Status: Commence March 2021
4. Project: Thunderbolts Way South Blackspot Program
Scope of works: Pavement widening, install safety barrier and bitumen sealing
Safer Road Funding: \$247,840
Status: Commence February 2021

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.

Capital Works Program at 31 January 2021

ID	Task Name	Comments	Estimates	Actual Costs to date	July 29/06	August 27/07	September 24/08	October 21/09	November 19/10	December 16/11	December 14/12	January 11/01	February 8/02	March 8/03	April 5/04	May 3/05	June 31/05	July 28/06
1			\$0.00															
2	Bingara Road upgrade, ch 6600 to 15000.		\$2,856,000.00	\$2,454,351.92														
3	Road construction (ch8900 - 11100), drainage, erosion control and guardrail	Restart NSW	\$794,183.00	\$658,507.90														
4	Tolleys Gully Bridge	Growing Local Economies	\$1,100,000.00	\$46,193.36														
5	Survey, investigation and tender		\$45,000.00	\$46,193.36														
6	Bridge construction		\$448,500.00															
7	Bridge approaches construction		\$551,000.00															
8	Safer Roads - MR73(South)	Safer Rd / Blackspot	\$247,840.00	\$21,246.91														
9	Design		\$20,000.00	\$21,246.91														
10	Construction & install safety barriers		\$227,840.00															
11	Regional Roads - REPAIR Program (Ext Funding \$187,326)	REPAIR / Block Grant	\$465,089.00	\$503,894.49														
12	Thunderbolts Way(MR73C), REPAIR reconstruction ch 2200to 22650 (adjacent Gwydir River bridge)		\$287,912.00	\$273,479.92														
13	Thunderbolts Way(MR73C), REPAIR reconstruction ch 1300 to 1730 (Rifle Range) and guardrail		\$177,177.00	\$179,960.02														
14	Upgrade		\$400,000.00	\$260,998.13														
15	Retreat Rd (2km)	LRCI	\$400,000.00	\$260,998.13														
16	Renewals 1		\$2,484,234.00	\$1,290,183.04														
17	Reseals - Urban	R2R	\$70,343.00	\$57,757.14														
18	Reseals - Rural	R2R	\$372,269.00	\$261,247.32														
19	Reseals - Regional	Block	\$289,268.00	\$273,301.45														
20	Rehabilitation - Sealed Rural Roads		\$1,442,634.00	\$497,676.18														
21	Kingstown Road Heavy Patching (ch4.5 - 12.5km)	R2R	\$404,250.00	\$276,398.92														
22	Arding Road (2.15km - 5km)	R2R	\$215,634.00	\$221,277.26														
23	Torryburn Road (11.0km - 11.5km)	LRCI	\$134,750.00	\$0.00														
24	Hawthorne Drive (0 - 2km)	FLR	\$655,000.00	\$0.00														
25	Rehabilitation - Sealed Urban Roads		\$307,720.00	\$200,200.95														
26	Uralla Street (Uralla Creek - Hill St)		\$21,000.00	\$0.00														
27	East Street (Duke St - Salisbury St)		\$99,820.00	\$60,754.30														
28	Queen Street (Central School - Park St)		\$104,125.00	\$78,709.65														
29	Maitland Street (King St - Wood St)	LRCI	\$82,775.00	\$60,737.00														
30	Construction Projects		\$195,606.00	\$0.00														
31	Footpath (Bundarra)		\$60,256.00	\$0.00														
32	Bike Track (Plane Avenue)		\$64,750.00	\$0.00														
33	Kerb & Gutter		\$70,600.00	\$0.00														
34	Resheeting		\$503,373.00	\$179,569.00														
35	Unsealed Rural Roads		\$482,668.00	\$179,569.00														
36	Unsealed Regional Roads		\$20,705.00	\$0.00														
37	Others Projects		\$20,000.00	\$0.00														
38	Uralla Caravan Park - pavement improvement	Drought Stimulus	\$20,000.00	\$0.00														

Project: February - Attachment - Capita	Task		Project Summary		Manual Task		Start-only		External Tasks		External Milestone		Deadline		Progress		ATTACHMENT 15.4 #1
	Split		Inactive Task		Duration-only		Finish-only		Manual Progress		Slippage						
	Milestone		Inactive Milestone		Manual Summary Rollup												
	Summary		Inactive Summary		Manual Summary												

15.8 WINTERBOURNE WIND FARM COMMUNITY CONSULTATIVE COMMITTEE REPRESENTATIVE

Department:	Infrastructure & Development
Prepared by:	Manager of Development and Planning
TRIM Reference:	UINT/21/1740
Attachments:	Attachment 1 - UI/21/960 – Community Consultative Committee Guidelines Attachment 2 - UINT/21/1748 - Code of Conduct Form Attachment 3 – UINT/21/1749 - Pecuniary and Non-Pecuniary Interest Form

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

SUMMARY:

This report provides information on the establishment of a Community Consultative Committee for the Winterbourne Wind Farm and the option of Council selecting a representative for the Committee.

RECOMMENDATION:

That Council resolve to either:

- a) Nominate _____ as Council's representative, and _____ as Council's alternate representative, for the Winterbourne Wind Farm Community Consultative Committee.
or
- b) Write to the Independent Chair of the Winterbourne Wind Farm Community Consultative Committee and notify them that Council does not wish to nominate a representative.

BACKGROUND:

Establishment of a Community Consultative Committee (CCC) is a prerequisite condition of the Planning Secretary's Environmental Assessment Requirements (SEARs) prior to the lodgement of any Environmental Impact Statement (EIS) for the Winterbourne Wind Farm.

The Independent Chair of the Winterbourne Wind Farm CCC has contacted Council inviting the nomination of a representative on the Committee.

REPORT:

Council may decide to nominate an elected representative or an appropriate staff member, with the option of nominating either as the alternate.

The CCC will operate under the auspice of the NSW Department of Planning, Industry and Environment in accordance with the attached guidelines.

All members of the Winterbourne Wind Farm CCC are required to sign a Code of Conduct Form and a Pecuniary and Non-Pecuniary Interest Form (see attachments 2 and 3).

The inaugural meeting of the CCC is tentatively proposed for Thursday, 11th March 2021, between 5-7pm at the Walcha Sports Club.

KEY ISSUES:

- Council has been invited to nominate a Council representative on the Winterbourne Wind Farm CCC.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

The invitation by the Independent Chair of the Winterbourne Wind Farm CCC to nominate a representative to the Committee presents as an opportunity for Council to actively provide input into the preparation of the EIS.

2. Policy and Regulation

Nil

3. Financial (LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

A Council representative on the Winterbourne Wind Farm CCC may subsequently be unable to vote on matters related to the Winterbourne Wind Farm development.

7. Performance Measures

Nil

8. Project Management

Nil



Community Consultative Committee Guideline

*State
Significant
Projects*

January 2019

January 2019

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The Department of Planning and Environment (the Department) is committed to community engagement in the NSW planning system. It recognises that people should have a say in matters that affect their lives, and that community engagement results in better planning outcomes.

State significant projects are large, complex, and can have major economic, social and environmental impacts over a long time.

The Department encourages proponents to consult widely with the community and stakeholder groups at all stages of these projects.

This is to ensure that the community and stakeholder groups are:

- o kept informed of the status of projects, any new initiatives, and the performance of proponents
- o consulted on the development of projects, management plans and proposed changes to approved projects
- o able to provide feedback to proponents on key issues that may arise during the development or implementation of projects.

Effective community engagement can occur in many ways, and proponents should be innovative when they engage with the community and use a range of tools and techniques. They should also tailor their engagement to reflect the scale and nature of the project and its potential impacts.

For many years, Community Consultative Committees have played an important role in ensuring proponents engage with the community and stakeholder groups on State significant projects.

The Department has developed this guideline to clarify the roles and responsibilities of Community Consultative Committees, and to help these committees operate effectively.

This guideline will apply to the establishment and operation of all new Community Consultative Committees, and to the ongoing operation of existing committees (to the extent they are relevant).

If there is any doubt about the application of this guideline, the matter should be referred to the Department for resolution.

This guideline will be reviewed every 5 years to keep it up to date.

1 Purpose of the committee

The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.

A Community Consultative Committee is not a decision-making or regulatory body: it performs an advisory and consultative role.

Government agencies will remain responsible for ensuring proponents comply with any statutory obligations.

More specifically, the purpose of the committee is to:

1. establish good working relationships and promote information sharing between the proponent, local community, stakeholder groups and councils on individual State significant projects

2. allow the proponent to keep the community informed about projects, seek community views on projects, and respond to matters raised by the community
3. allow community members and local councils to seek information from the proponent and give the proponent feedback on the development and implementation of projects to assist with the delivery of balanced social, environmental and economic outcomes for the community, including:
 - the development of new projects or proposed changes to approved projects
 - the implementation of any conditions of approval and management plans
 - the results of any monitoring, annual reviews or independent audits
 - community concerns about the project
 - the resolution of community complaints
 - any community initiatives.

2 Establishment of the committee

The Department will decide whether a Community Consultative Committee should be established for a State significant project, considering factors such as:

- the scale and nature of the project and its potential impacts
- the level of public interest in the project
- the proponent's community engagement strategy
- whether a Community Consultative Committee would complement any other consultation initiatives being undertaken.

If a proponent's community engagement strategy accords with best practice and is appropriately tailored to the particular characteristics of a project, there should be no need for a Community Consultative Committee in the early stages of a project.

For some long linear infrastructure projects, such as major road or rail projects, the Department may require several committees to be established, covering different areas of the project.

If the Department decides a Community Consultative Committee is warranted, it will require proponents to establish these committees either:

- early in the assessment process through the Planning Secretary's environmental assessment requirements (SEARs) for the project
- following approval through the conditions of approval for the project.

It may also specify other matters in these requirements or conditions, such as the composition of the committee and frequency of committee meetings.

In cases where proponents are required to establish Community Consultative Committees in the SEARs, the Department will not exhibit the project application before the proponent has complied with the relevant SEARs.

3 Members of the committee

3.1 Membership of the committee

The committee will comprise:

1. an independent chairperson
2. up to seven community and stakeholder representatives
3. a council representative from each of the local government areas concerned
4. up to three representatives from the proponent including the person with direct responsibility for environmental management of the project.

The Department will not be a member of any committee but may attend certain committee meetings.

3.2 Independent chairperson

The independent chairperson must be:

- a convener, facilitator, mediator and advisor for the committee
- independent and impartial
- the key contact between the committee and the Department.

The Department will recruit, appoint and review the performance of all independent chairpersons.

The Department has established a pool of suitable independent chairpersons for Community Consultative Committees and will update this pool regularly.

Members of this pool have:

- experience in community relations, facilitation, mediation or public advocacy
- an understanding of the regulatory requirements for State significant projects, and the issues associated with these projects
- a proven track record in convening and managing stakeholder committees with independence.

A list of the members of this pool and a summary of their credentials is published on the Department's website.

The Planning Secretary of the Department (or a nominated representative) will appoint the independent chairperson for individual projects from the pool, after confirming the person has no conflicts of interest.

Proponents must pay the chairperson's standard fees, as well as the fees of any note-taker the chairperson may use to take the minutes of any meeting.

The independent chairperson must oversee the preparation and publication of the minutes of committee meetings, and report annually to the Department on the operation of the committee.

A copy of the committee's annual report will be published on the Department's website.

The Department may review the performance of the independent chairperson at any time.

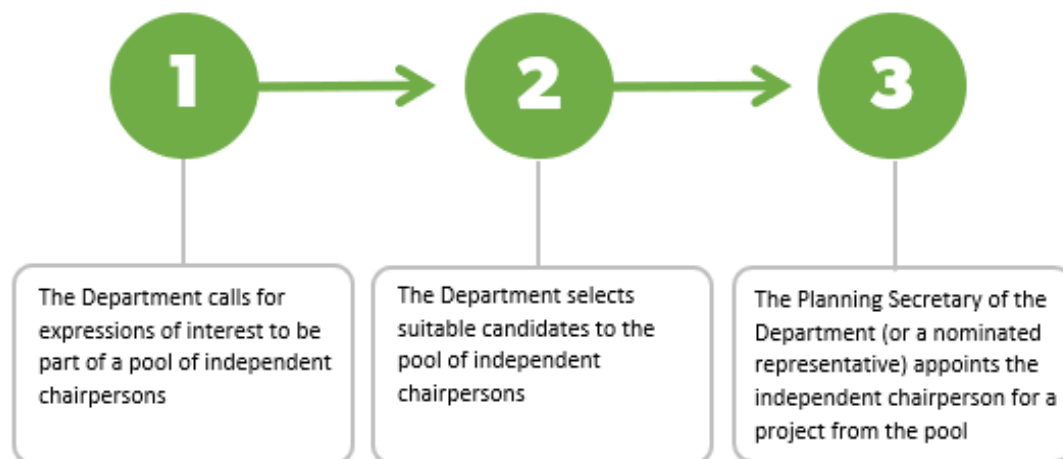
If the proponent or more than half the community representatives have concerns about the conduct or performance of the independent chairperson (e.g. there is an ongoing perception of bias, inappropriate control,

refusal to share information or to adhere to the wishes of the committee), they may refer the matter to the Department. The Department will examine the concerns and determine what, if any, action should be taken.

If the Planning Secretary of the Department (or a nominated representative) decides to replace the independent chairperson or the independent chairperson resigns from the committee, the Planning Secretary of the Department (or a nominated representative) will appoint a new chairperson from the pool.

This appointment will be made within two weeks of the Planning Secretary’s decision or the Department being notified of the resignation.

3.3 Selection process for the independent chairperson



3.4 Community representatives

Community representatives will be selected from the local community or stakeholder groups.

Employees or contractors of the proponent are not eligible to be appointed as community representatives.

Local community representatives must:

- be current residents or landowners within the affected local government area/s
- demonstrate involvement in local community groups and/or activities
- have knowledge and awareness of the project and related issues of concern to the local community
- be able to represent and communicate the interests of the affected local community
- be willing to adhere to the committee’s code of conduct.

Representatives of stakeholder groups must:

- be a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group
- have knowledge and awareness of the project and related issues of concern
- be able to represent and communicate the interests of the group or community
- be willing to adhere to the committee’s code of conduct.



3.5 Appointing community representatives

The independent chairperson is to oversee the selection process for the community representatives of the Community Consultative Committee.

After consulting with the independent chairperson, the proponent is to seek expressions of interest for the committee by placing at least two advertisements in local or regional media publications (i.e. newspapers) (refer to the Toolkit of Resources) and advertising through one or more of the following avenues:

- local businesses
- community or sporting centres
- local council websites.

The advertising period must give community members sufficient time to apply and should be no less than 28 days.

Applications can be emailed or mailed directly to the independent chairperson.

Within two weeks of the end of the advertising period, the independent chairperson must:

- review the applications against the relevant selection criteria
- send a copy of all the applications to the Department
- make a recommendation to the Department on who should be appointed to the committee, including any alternate representatives for local community members, and provide reasons why they should be appointed.

Within two weeks of receiving these recommendations, the Planning Secretary of the Department (or a nominated representative) will appoint the community representatives to the committee and any alternate representatives, and formally notify the successful and unsuccessful applicants, the independent chairperson and the proponent of the decision.

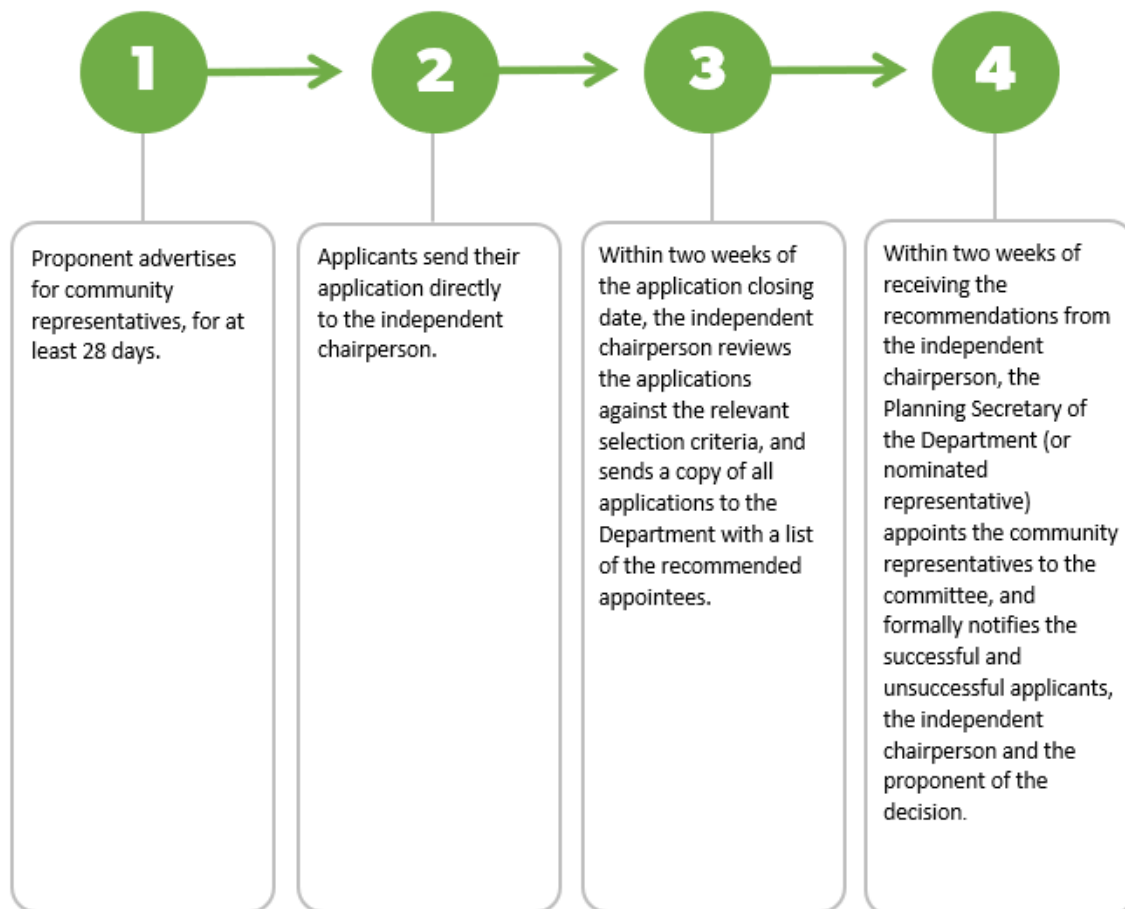
The Department may review the performance of community representatives at any time.

If the independent chairperson has concerns about the conduct of a member of the committee, they may refer the matter to the Department. The Department will examine these concerns and determine what, if any, action should be taken.

If the Department decides to replace a community representative on the committee or a community representative resigns from the committee, the Planning Secretary of the Department (or a nominated representative) will appoint a new representative to the committee in consultation with the independent chairperson.

This appointment will be made within two weeks if a suitable replacement is available or following the standard selection process.

3.6 Selection process for community representatives



3.7 Proponent and council representatives

The proponent and local council will appoint their representatives directly to the committee.

3.8 Alternate representatives

If the independent chairperson is unable to attend a committee meeting, the Department will appoint another person from the pool to chair the meeting.

If a representative from a stakeholder group, local council, or the proponent is unable to attend a meeting they must notify the independent chairperson as soon as possible and nominate an alternative representative from their organisation or group to attend the meeting.

If a local community representative is unable to attend a meeting they must notify the independent chairperson as soon as possible so the chairperson can select an alternate representative to attend the meeting.

The use of alternate representatives should be kept to a minimum.

The independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

4 Committee meetings

4.1 Frequency, timing and location of meetings

The committee should determine the frequency of committee meetings, after considering factors such as the:

- size and complexity of the project
- stage of the project
- level of public interest
- sensitivity of the site and surrounds.

In some cases, however, the Department will determine the frequency of the meetings in consultation with the independent chairperson.

The frequency of meetings may vary over time as a project moves through different stages. For instance, a committee may meet at least four times a year during construction, but only once or twice a year during operations.

If there are important and urgent matters requiring consideration, any member of the committee may ask the independent chairperson to convene an extraordinary meeting of the committee.

The independent chairperson must decide whether the extraordinary meeting is warranted, or whether the matters can be addressed in other ways.

Members should be given at least four weeks notice before a regular committee meeting, and two weeks notice before an extraordinary meeting.

The proponent must provide suitable facilities for committee meetings, and the meetings should be held at a time and place generally convenient to all committee members.



In areas with a high concentration of State significant projects, consideration should be given to holding joint Community Consultative Committee meetings from time to time.

These meetings should focus on matters that are of common interest to these committees, such as the cumulative impacts of the projects.

4.2 Meeting proceedings

Committees should follow good meeting practice and adopt standard procedures for their meetings.

The independent chairperson must:

- formulate the agenda for all meetings in consultation with the members of the committee
- convene and run meetings in a fair and independent manner
- facilitate discussion to ensure all members have an opportunity to speak and share their views
- identify any items of a confidential nature and assist committee members to understand how this information may, or may not, be used
- support constructive dialogue
- resolve disagreements or differences of opinion in a fair, transparent and supportive manner.

Any member may propose a matter for inclusion on the agenda, either before or during a meeting, providing the matter is within the purpose of the committee. This may include inviting a technical expert to present to the committee.

The independent chairperson must ensure that issues raised by community representatives on behalf of the community are properly considered.

If agenda items are supported by detailed reports, then these reports must be distributed to members at least one week before the meeting.

Late items may be deferred to a following meeting.

The committee may decide to undertake regular site visits of the project in conjunction with its meetings, or at other convenient times.

Committee meeting agenda items would normally be expected to include:

1. Apologies.
2. Declaration of pecuniary or other interests.
3. Business arising from previous minutes - response to issues raised or provision of additional information requested.
4. Correspondence.
5. Proponent reports and overview of activities, including:
 - progress of the project
 - issues arising from site visits
 - monitoring and environmental performance

- community complaints and response to these complaints
 - information provided to the community and any feedback.
6. Other agenda items.
 7. General business.
 8. Next meeting.

4.3 Minutes of meetings

The independent chairperson must prepare minutes for each committee meeting.

These minutes must:

- provide an accurate summary of the matters that were discussed at the meeting, including any community concerns expressed and inquiries made
- record the dissenting views of members on a matter
- clearly identify the actions to be taken before the next meeting, who is responsible for these actions, and by when.

The independent chairperson may employ a note taker to assist with this task and recover any associated costs from the proponent.

Within one week of a meeting, the independent chairperson must distribute the draft minutes to all committee members.

Committee members have one week to provide their feedback to the independent chairperson.

Within two weeks of receiving this feedback, the independent chairperson must finalise the minutes in consultation with the members, and ensure the proponent publishes them on its website (in a web accessible format).

If there are any disagreements between members on the minutes, the independent chairperson will have the final say on the matter.

Recording of meetings - by recording device, telephone or any other electronic device is not permitted without the prior agreement of the independent chairperson and the committee.

4.4 Conduct of committee members

All members, including the independent chairperson and alternative representatives, must sign a code of conduct agreement before they join a Community Consultative Committee (refer to the Toolkit of Resources), and comply with this code while they are members of the committee.

The independent chairperson must bring any breach of the code to the attention of the persons concerned.

This may take the form of a verbal warning during a meeting, which is formally recorded in the meeting's minutes, or a written warning following the meeting.

Following three warnings, the independent chairperson may ask the Department to replace the member if it is a community representative, or the proponent or local council to replace their member.

Similarly, the independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

4.5 Attendance by non-committee members

Members may ask the independent chairperson to invite non-committee members to attend meetings, either as observers or to provide advice to the committee.

This may include:

- representatives of the Department or other State government agencies
- technical experts or consultants
- members of the general public.

The independent chairperson is to consult with the other members of the committee before issuing the invitation. If there is any disagreement between the members about the invitation, the independent chairperson will have the final say on the matter.

Non-committee members cannot participate in the business of a meeting unless they are invited to do so by the independent chairperson.

4.6 Pecuniary and other interests

All members must sign a declaration of pecuniary and non-pecuniary interest before they join the Community Consultative Committee (refer to the Toolkit of Resources) and keep this declaration up to date while they are members of the committee.

These declarations should include any pecuniary or other interest (including any payment, gift or benefit) intended or likely to influence - or that could be reasonably perceived by an impartial observer as intended or likely to influence - the member to:

- act in a particular way (including making a particular decision)
- fail to act in a particular circumstance
- otherwise deviate from the proper exercise of their duty as a member.

Examples of pecuniary or other interests include holding shares in an entity carrying out the project, holding a private contract with the proponent, holding voluntary acquisition or mitigation rights under the proponent's consent, or receiving sitting fees or payments of personal expenses from the proponent; and if the member represents a stakeholder group, if the stakeholder group has received funding or a grant from the proponent.

This guideline establishes no requirement in respect of personal interests other than declaration. However, the committee may determine that a personal interest is sufficient that a member should withdraw from discussion on a particular issue.

4.7 Committee training

The independent chairperson should ensure new members are given suitable induction training to equip them for their role on the committee.

The committee may seek funding or other assistance from the proponent for training members or developing the skills of the committee.

This may include training in:

- communications and conflict resolution
- best practice environmental management and community relations.

The proponent should support any reasonable requests from the committee for such training.

4.8 Committee funding and remuneration

The committee may seek annual or one-off funding from the proponent to help it perform its functions effectively. It is up to the proponent whether or not it agrees to such requests.

Community representatives are not eligible to receive sitting fees from the proponent, but may seek reimbursement of personal out of pocket expenses associated with attending meetings. It is up to the proponent whether or not it agrees to these expenses being paid.

If fees or expenses are paid to members for meetings, then the fact that a payment is being made (and not the actual amount) should be declared as a pecuniary interest and recorded in the minutes of the meeting.

4.9 Review of a committee's effectiveness

If the independent chairperson has concerns about the effectiveness of the committee they may refer the matter to the Department.

The Department will examine these concerns and determine what, if any, action should be taken.

If the committee is found to be ineffective, the Department may decide to dissolve or reconstitute the committee.

4.10 Dispute resolution

Although the committee is not a decision-making or regulatory body, and consensus is not required on all matters, it should discuss and try to resolve any disagreements between members.

The independent chairperson is responsible for trying to resolve any disputes that arise, either between members of the committee or between the members of the committee and the proponent.

If the independent chairperson is unable to resolve the dispute, then they may refer the matter the Department for resolution or advice.

The Department's decision on the matter will be final.

5 Responsibilities of the proponent

The proponent must provide the committee with timely, accurate and comprehensive reports on the project, including the status of the project, existing operations, environmental performance and community relations. This does not include matters of a financial or commercial nature.

The proponent must also provide the committee with copies of:

- the project's consent and other relevant documents, including management plans
- results of environmental monitoring

- annual review or compliance reports
- audit reports
- reports on community concerns or complaints and the proponent's response to these matters
- any other information specified by the Department.

These documents may be provided electronically, but hard copies of the documents should be provided to individual committee members upon request.

The proponent should consult with the committee before it lodges any applications with the Department and notify committee members when these applications are lodged.

The proponent must respond to any questions asked or advice given by the committee about the proponent's environmental performance or community relations. These responses must be given to members within 28 days of a committee meeting, unless the meeting's minutes specify otherwise.

Finally, the proponent must organise site visits for the committee if requested by the independent chairperson.

6 Communication with the broader community

Committee members are encouraged to discuss concerns and disseminate information about the project with the wider community, including stakeholder groups.

Where appropriate, the independent chairperson may also give briefings to stakeholder groups. In these cases, the independent chairperson must report back to the committee on the outcomes of these briefings.

With the agreement of the whole committee, the committee may agree to release statements or other information to the media or to adopt other approaches to public dissemination of information. However, only the independent chairperson may speak publicly on behalf of the committee.

Individual committee members may make comments to the media or in public forums on behalf of themselves or their stakeholder groups, but not on behalf of the committee.

There is a presumption that documents and other information provided to the committee can generally be made available to the community.

However, committee members may ask for certain information (e.g. a declaration of interest, site visit photos, or information which the proponent considers to be commercial-in-confidence) to be kept confidential by the committee.

If there is any disagreement between members of the committee on whether such information should be kept confidential, the independent chairperson will have the final say on the matter.

If the committee or independent chairperson decides that a matter discussed at a meeting is to be kept confidential, members must respect this confidentiality and refrain from discussing the matter with other parties outside the meeting.

The name, credentials and (if the member agrees) contact details of all members of the Community Consultative Committee must be published in a prominent position on the proponent's website.

Requests from the public for items to be included on the committee's agenda may be directed to individual members or the independent chairperson.

Glossary of Terms

Community – A group of people living in a specific geographical area or with mutual interests that could be affected by a State significant project

Environment – includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings

Proponent – The person or entity seeking approval for a State significant project, or acting on an approval for a State significant project

Stakeholder group – a group or organisation — including an industry, community, environmental or Aboriginal group — that represents several people with an interest in a State significant project

State significant project – a project that is defined as State significant development or State significant infrastructure under the Environmental Planning & Assessment Act 1979

***Toolkit of
Resources for
Community
Consultative
Committees***

Proponents must advertise for the community representatives of Community Consultative Committees. This advertising should be placed in local or regional media publications, on websites, and at local councils, businesses, or prominent community or sporting centres. Members of the local community or stakeholder groups with a particular interest in the project should also be notified.

Community members should be given at least 28 days to apply. All applications must be sent to the independent chairperson of the committee.

The independent chairperson is to review the applications against the relevant selection criteria (see page 5 of the guideline) and recommend the community representatives for the committee to the Department. The Planning Secretary of the Department (or nominated representative) will consider the recommendation and appoint the community representatives to the committee. A sample advertisement for community representatives is provided below.

This advertisement should be tailored to the specific circumstances of the project, and include information on the:

- State significant project
- current stage of the project (approval is being sought or the project is approved, and construction is scheduled to start shortly).

It should also clearly identify the selection criteria for local community representatives and representatives of stakeholder groups.

NOMINATIONS ARE OPEN FOR APPOINTMENT OF COMMUNITY MEMBERS TO THE [INSERT DEVELOPMENT NAME] COMMUNITY CONSULTATIVE COMMITTEE

Want to contribute to your community?

Many State significant projects in NSW have Community Consultative Committees.

These committees provide a forum for open dialogue between the proponent and representatives of the local community, stakeholder groups and local councils on issues directly relating to the project.

We are looking for a mix of people who live locally or are members of a stakeholder group (community, environment, Aboriginal or industry) to join our new [INSERT DEVELOPMENT NAME] Community Consultative Committee.

Your role as a committee member is voluntary.

Selection criteria: You will be expected to contribute constructively to committee discussions, attend around (four) meetings a year, and communicate information about [INSERT DEVELOPMENT NAME] between the committee and the broader community.

If you would like to apply, download a copy of the relevant nomination form at [INSERT DPE WEBSITE DETAILS]. Contact [INSERT INDEPENDENT CHAIRPERSON DETAILS] at [INSERT INDEPENDENT CHAIRPERSON CONTACT DETAILS] for more information.

Applications must be lodged by [INSERT DATE] and sent to the independent chairperson of the Community Consultative Committee at [INSERT NAME AND CONTACT DETAILS OF INDEPENDENT CHAIRPERSON]

Nomination details

I hereby nominate to be a local community representative on the [DEVELOPMENT NAME]
..... Community Consultative Committee.

I accept that selection and appointment to the committee will be subject to my:

- being a current resident or landowner in the affected local government area/s
- being able to demonstrate my involvement in local community groups or activities
- having knowledge and awareness of the project and related issues of concern to the local community
- being able to represent and communicate the interests of the affected local community
- being willing to adhere to the committee’s code of conduct.

I have attached a supporting letter demonstrating how I meet the above criteria for membership.

Signed declaration

If appointed to the committee, I:

- confirm that I am aware of my responsibilities as a local community representative on the [DEVELOPMENT NAME]
..... Community Consultative Committee;
- accept that the position is voluntary with no entitlement to remuneration
- agree to sign and comply with the committee’s code of conduct agreement
- agree to sign a declaration of pecuniary and non-pecuniary interests and keep this declaration up to date.

Name

Phone number

ATTACHMENT 15.8 #1

Address

Stakeholder group (if relevant)

Signature and date

This signed nomination form and supporting letter must be sent directly to the independent chairperson of the Community Consultative Committee and not to the Department of Planning and Environment. The independent chairperson's details can be found on the advertisement calling for nominations.

Nomination details

I hereby nominate to be a community representative on the [DEVELOPMENT NAME]

..... Community Consultative Committee.

I accept that selection and appointment to the committee will be subject to my:

- being a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group
- having knowledge and awareness of the project and related issues of concern
- being able to represent and communicate the interests of the group or community
- being willing to adhere to the committee’s code of conduct.

I have attached a supporting letter demonstrating how I meet the above criteria for membership.

Signed declaration

If appointed to the Committee, I:

- confirm that I am aware of my responsibilities as a community representative on the [DEVELOPMENT NAME]
..... Community Consultative Committee;
- accept that the position is voluntary with no entitlement to remuneration;
- agree to sign and comply with the committee’s code of conduct agreement; and
- agree to sign a declaration of pecuniary and non-pecuniary interests and keep this declaration up to date.

Name

Phone number

Address

Stakeholder group

Signature and date

This signed nomination form and supporting letter must be sent directly to the Community Consultative Committee Independent Chairperson and not to the Department of Planning and Environment. The Independent Chairperson's details can be found on the advertisement calling for nominations.

As a condition of engagement, the independent chairperson of a Community Consultative Committee must agree to adhere to the following code of conduct.

Accepted behaviour

As the independent chairperson of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:

- personally chair all committee meetings, or if I can't be present get the Planning Secretary of the Department to appoint an alternate chairperson for the meeting from its pool of independent chairpersons
- oversee the appointment of community representatives to the committee
- ensure that all matters dealt with by the committee fit within the purpose of the committee
- act as a convener, facilitator, mediator and advisor for the committee to ensure that members can put forward views and that they are not interrupted
- be independent and impartial with respect to all members of the committee
- create an atmosphere of open and constructive participation by the members of the committee where they can communicate relevant concerns, interests and ideas and express their reasons for any disagreement
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee's activities
- ensure confidential matters handled by the committee are kept confidential
- be the key contact between the committee and the Department and other external parties
- advise the Department as soon as possible of any potential or actual conflict of interest that may affect my ability to fulfil my role on the committee
- ensure members of the committee comply with the code of conduct, and issue warnings to members who do not comply with this code
- review the performance of the committee from time to time and refer any matters of concern to the Department.

Signed declaration

As the independent chairperson of the committee, I agree to abide by this code of conduct.

I further declare that I have no conflicts of interest in relation to appointment to this committee.

Name

Contact details

Address

Signature and date

As a condition of engagement, all members of the Community Consultative Committee must agree to adhere to the following code of conduct.

Accepted behaviour

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:

- attend committee meetings, at dates and times set by the committee’s independent chairperson
- advise the independent chairperson in advance if I am unable to attend meetings
- respectfully engage with other members of the Committee
- contribute to an atmosphere of open and constructive participation
- openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner
- put forward views but also remain committed to open and shared dialogue
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee’s activities
- ensure confidential matters handled by the committee are kept confidential, and refrain from discussing these matters with other parties outside meetings
- not interrupt when another member is speaking
- not speak publicly on behalf of the committee
- not misrepresent the views of other members of the committee outside meetings
- immediately advise the independent chairperson during meetings of any potential or actual conflict of interest relating to matters under discussion
- abide by the directions of the independent chairperson.

I understand that if I miss three consecutive meetings I may be replaced on the Committee.

Signed declaration

As a member of the committee, I agree to abide by this code of conduct.

Name

Contact details

Address

Stakeholder group (if you relevant)

Signature and date

All members of Community Consultative Committees must sign a declaration of pecuniary and non-pecuniary interests before they join the committee and keep this declaration up to date while they are members on the committee.

This declaration is designed to protect the integrity of the committee and the reputation of its members.

Examples of pecuniary interest may include but are not limited to:

- holding shares in an entity proposing or carrying out all or part of a State significant project
- holding a private contract with the proponent
- holding voluntary acquisition or mitigation rights under the proponent’s consent
- receiving sitting fees or payments of personal expenses from the proponent
- a member representing a stakeholder group and the stakeholder group has received funding or grants from the proponent.

A pecuniary interest is an interest a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. Money does not have to change hands for there to be a pecuniary interest.

A non-pecuniary interest is a private or personal interest a person has that does not amount to a pecuniary interest but that may arise from family or personal relationships, involvement in community, social or other cultural groups that may include an interest of a financial nature.

A No pecuniary or non-pecuniary interest to declare

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee I declare that I have no pecuniary or non-pecuniary interest to prevent me from carrying out my role on the [INSERT DEVELOPMENT NAME] Community Consultative Committee impartially and in the best interests of the local and broader community.

Should this change, I agree to update this declaration and advise the committee accordingly.

Name

Signature

Date

B Pecuniary or non-pecuniary interest to declare

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I declare that I have the following interests (tick as appropriate) that are relevant to the operation of the committee:

- Pecuniary interest. Please provide details:**

.....

ATTACHMENT 15.8 #1

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.....

Non-pecuniary interest. Please provide details:

.....
.....
.....

Should this change, I agree to update this declaration and advise the committee accordingly.

I understand this declaration, and any subsequent actions that flow from this declaration, will be noted the committee's meeting notes, and that the independent chairperson of the committee may ask me to withdraw from discussion on particular issues.

Name

Signature

Date

Code of Conduct Agreement – Members

As a condition of engagement, all members of Community Consultative Committees must agree to adhere to the following code of conduct.

Accepted conduct

As a member of the Winterbourne Wind Farm Community Consultative Committee, I understand I am expected to:

- attend committee meetings, at dates and times set by the committee’s independent chairperson
- advise the independent chairperson in advance if I am unable to attend meetings
- respectfully engage with other members of the committee
- contribute to an atmosphere of open and constructive participation
- openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner
- put forward views but also remain committed to open and shared dialogue
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee’s activities
- ensure confidential matters handled by the committee are kept confidential, and refrain from discussing these matters with other parties outside meetings
- not interrupt when another member is speaking
- not speak publicly on behalf of the committee
- not misrepresent the views of other members of the committee outside meetings
- immediately advise the independent chairperson during meetings of any potential or actual conflict of interest relating to matters under discussion
- abide by the directions of the independent chairperson.

I understand that if I miss three consecutive meetings I may be replaced on the committee.

Signed declaration

As a member of the committee, I agree to abide by this code of conduct.

Name

Contact details

Address

Stakeholder group (if relevant)

Signature and date

Declaration of Pecuniary and Non-Pecuniary Interests

All members of Community Consultative Committees must sign a declaration of pecuniary and non-pecuniary interests before they join the committee, and keep this declaration up to date while they are members on the committee.

This declaration is designed to protect the integrity of the committee and the reputation of its members.

Examples of pecuniary interest may include but are not limited to:

- holding shares in an entity proposing or carrying out all or part of the State significant project
- holding a private contract with the proponent
- holding voluntary acquisition or mitigation rights under the proponent’s consent
- receiving sitting fees or payments of personal expenses from the proponent
- a member representing a stakeholder group and the stakeholder group has received funding or grants from the proponent.

A pecuniary interest is an interest a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. Money does not have to change hands for there to be a pecuniary interest.

A non-pecuniary interest is a private or personal interest a person has that does not amount to a pecuniary interest but that may arise from family or personal relationships, or involvement in community, social or other cultural groups that may include an interest of a financial nature.

A No pecuniary or non-pecuniary interest to declare

As a member of the Winterbourne Wind Farm Community Consultative Committee I declare that I have no pecuniary or non-pecuniary interest to prevent me from carrying out my role on the Winterbourne Wind Farm Community Consultative Committee impartially and in the best interests of the local and broader community.

Should this change, I agree to update this declaration and advise the committee accordingly.

Name

Signature

Date

B Pecuniary or non-pecuniary interest to declare

As a member of the Winterbourne Wind Farm Community Consultative Committee, I declare that I have the following interests (tick as appropriate) that are relevant to the operation of the committee:

Pecuniary interest. Please provide details:

.....
.....
.....

Non-pecuniary interest. Please provide details:

.....
.....
.....

Should this change, I agree to update this declaration and advise the committee accordingly.

I understand this declaration, and any subsequent actions that flow from this declaration, will be noted the committee's meeting notes, and that the independent chairperson of the committee may ask me to withdraw from discussion on particular issues.

Name

Signature

Date

15.9 OPERATIONAL PLAN 2020-21 QUARTERLY REPORT AS AT JANUARY 2021

Department:	Corporate Services
Prepared by:	Coordinator Governance and Risk
TRIM Reference:	UINT/21/1367
Attachment:	UINT/21/1444 Quarterly Progress Report - Second Quarter

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
Activity:	4.1.1.1	Deliver integrated strategic planning and reporting requirements
Action:	4.1.1.1.3	Monitor the annual Operational Plan by way of regular progress reporting to Council.

SUMMARY:

This report provides to Council a summary of the Operational Plan actions progressed and/or delivered during the second quarter of the 2020-21 Operational Plan and to reflect the progress made toward achieving the five-year Principal Activities contained in Council's 2017-22 Delivery Program.

RECOMMENDATION:

That Council receive and note the 2020-21 Operational Plan Progress Report at 31 December 2020.

BACKGROUND:

Section 404(5) of the *NSW Local Government Act 1993* requires that regular progress reports are provided to Council reporting its progress in respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months.

The Delivery Program is Council's commitment to the delivery of services and implementation of Principal Activities over the five-year period of the council term to achieve the goals and strategies detailed in the Community Strategic Plan. The Delivery Program is the key accountability mechanism for Council in the delivery of the community's goals and aspirations.

The Operational Plan is a sub-set of the Delivery Program and provides details of the individual actions that will be undertaken during a financial year to achieve the Delivery Program's Principal Activities. Responsibility for the delivery of Operational Plan actions is allocated to officers who provide progress information.

REPORT:

In 2020/21 Council aspires to deliver 198 actions focused on achieving our community's vision across our four key themes of Our Society, Our Economy, Our Environment and Our Leadership.

Each year Council sets out an ambitious action plan (that is more actions than will be achievable in a 12 month period) to drive performance and grant funding opportunities.





Some actions span across multiple years. As circumstances change during the course of the year, some actions may be delayed. Council would expect to complete or make progress on at least 80% of these actions. Council will note that the areas that are progressing, achieved or on target (green dots) currently rank at 98.5%; it is anticipated that the percentage for the third quarter report with respect

to in progress, achieved or on target elements will not be as high as 98.5% (circumstance may yet arise in the second half of the year to delay completion of some actions).

The first quarter of the 2020-21 financial year was the period from 1 July 2020 to 30 September 2020. Council's Second Quarter Progress Report as at 31 December 2020 is attached to this report at Attachment A.

A summary of the key Operational Plan actions delivered and progress achieved for the three month period to 31 December 2021 is set out in the table below:

Action Status Summary

Action Status at 30 September 2020		Our Society	Our Economy	Our Environment	Our Leadership	Total	%
	Achieved or on target	47	37	37	72	193	98.5
	Not on target, being closely managed	1	1	1	0	3	1.5
	Action cancelled or not able to be achieved	0	0	0	0	0	0
	Action not yet commenced	0	0	0	0	0	0
Total		48	38	38	72	196	100

Of Council's Operational Plan actions, 98.5% are currently assessed as on target or achieved with 1.5% being closely managed and 0.5% being cancelled or not able to be achieved. Of the 198 total actions, none have not yet commenced as at 31 December 2021.

KEY ISSUES:

- **Highlights include:**
 - meeting all statutory deadlines;
 - establishing an enterprise risk management framework and policy;
 - developing the safety system;
 - successful lobbying for the re-opening of the Uralla NAB branch;
 - improved 'contact Council' web-form; staff turn-over reduced to target range;
 - McMaugh Gardens 30 year celebration;
 - McMaugh Gardens maintained a consistently high 4 Dot Service Compliance Rating with the Aged Care Quality and Safety Commission;
 - successful operation of the 'mini-VIC in the Library during the VIC refurbishment; collaborative NAIDOC Day celebrations with Aboriginal Elders and Uralla Neighbourhood Centre;
 - Youth Week activities in collaboration with Uralla Neighbourhood Centre and including the Mayor's meeting with the youth representatives;
 - outstanding rates and charges percentage has dropped within the target range;
 - award of Bundarra Sewer construction contract;
 - completion of Bingara Road upgrade of missing bitumen link; and
 - progression of the drought communities extension and drought stimulus projects.

- **Focus areas to address challenges include:**
 - COVID19 ongoing risk management;
 - Work Health Safety and employee engagement to retain staff;
 - reduce workers compensation claims and keep lost time injury days low;
 - procurement system gaps;
 - leave liability (backlog);
 - finalisation of the selection and prioritisation of projects to support grant funding applications;
 - finalisation of the unsealed to sealed roads prioritisation program; and
 - restructuring of the annual Operational Plan layout for 2021/22.

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COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Community engagement and consultation was undertaken in the preparation of the combined Delivery Program 2017-22 and Operational Plan 2020-21. Quarterly reporting in public Council Agenda. Annual Report.

2. Policy and Regulation

The *Local Government Act 1993*.

Integrated Planning and Reporting (IPR) Manual for local government in NSW

3. Financial (LTFP)

The Budget and Long Term Financial Plan form part of the suite of IPR documents.

4. Asset Management (AMS)

Asset Management Plan form part of the IPR suite of documents.

5. Workforce (WMS)

The Workforce Plan is aligned with the Delivery Program and Operational Plan and forms part of the IPR suite of documents.

6. Legal and Risk Management

Reporting on a quarterly basis identifies whether strategies are working. This is an opportunity to assess any risks in relation to projects or activities. The risk is assessed as low.

8. Performance Measures

This report outlines the achievement of key actions from within the combined Delivery Program 2017-22 and Operational Plan 2020-21.

9. Project Management

Operational Plan quarterly progress reports are compiled by the Coordinator Governance and Risk.



Delivery Program 2017-2022

Operational Plan 2020/2021

Q2 Progress Report

About this report

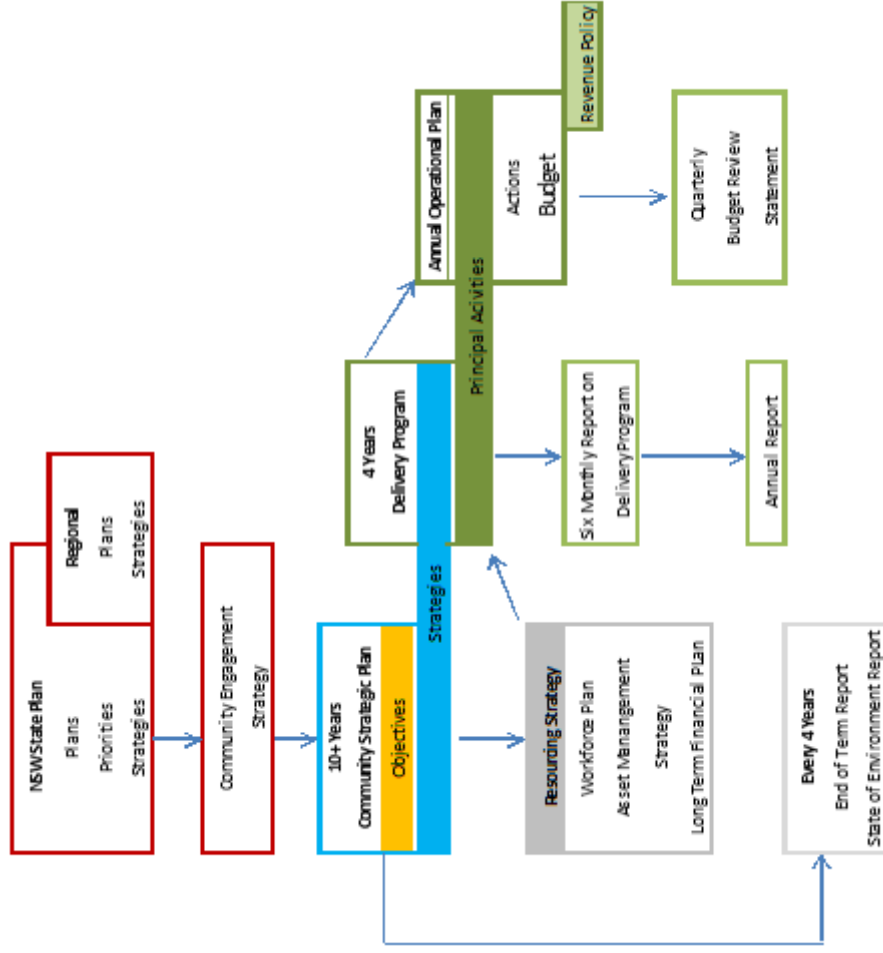
In 2009, the NSW Government introduced a new framework guiding local government in a new approach to planning for and reporting on their activities. This new framework is known as Integrated Planning and Reporting.

Uralla Shire Council adopted its first ever suite of documents within the Integrated Planning framework in 2012. Overarching this suite of interrelated plans is the Community Strategic Plan which identifies the aspirations of the community. This Plan was reviewed and updated in 2015 and 2017.

The Delivery Program is informed by the Community Strategic Plan and prioritises the programs and activities Council will commit to providing during the four year term of the Council. At the beginning of each year, Council prepares an Operational Plan which outlines the actions Council will undertake to work towards achieving the outcomes in the four year Delivery Program.

Council is required to report progress on the Delivery Plan to the community at least every six months. Council intends to report on progress throughout the year on a quarterly basis.

The attached report is a summary of our achievements during the Q2 of the combined Delivery Program 2017-2022 and Operational Plan 2020/2021 and covers the financial year ending June 2021.



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Measuring our progress

Uralla Council’s 2017-2027 Community Strategic Plan centres around four major themes: Our Society, Our Economy, Our Environment, and Our Leadership.

In 2020/2021 Council committed to 198 actions focused on achieving the community’s vision within these four themes. Those actions are detailed in the combined Delivery Program 2017-2022 and Operational Plan 2020/2021. In this report, our progress in meeting the community’s vision within Council’s Delivery Program 2017-2022 and Operational Plan 2020/2021 is illustrated by the following coloured symbols:

- Achieved or on target
- Not on target, being closely managed
- Action cancelled or not able to be achieved
- Action not yet commenced in this quarter

Each of the 198 actions are assigned to a responsible local government officer, who provides quarterly progress report on each action using the coloured symbols above. The responsibility legend is set out below.

● GM	General Manager	General Manager’s Office
● EA	Executive Assistant to the General Manager and Mayor	General Manager’s Office
● CFO	Chief Financial Officer	General Manager’s Office
● MHR	Manager Human Resources	General Manager’s Office
● DID	Director Infrastructure and Development	Infrastructure and Development
● EMC	Environmental Management Coordinator	Infrastructure and Development
● MWSS	Manager Waste, Water and Sewerage Services	Infrastructure and Development
● MDP	Manager Development and Planning	Infrastructure and Development
● MCI	Manager Civil Infrastructure	Infrastructure and Development
● EMCS	Executive Manager Corporate Services	Corporate Services
● CCE	Coordinator Communications and Engagement	Corporate Services
● LIB	Librarian	Corporate Services
● CTI	Coordinator Technology and Information	Corporate Services
● TPOO	Tourism Promotion and Operations Officer	Corporate Services
● RMSO	Risk Management and Safety Officer	Corporate Services
● MMG	Manager McMaugh Gardens Aged Care	Aged and Community Care
● MCC	Manager Community Care	Aged and Community Care

Organisational Performance




Delivery Program – 2020/2021 Annual Action

Detailed Performance Report

1: Our Society

1.1: A proud, unique and inviting community

1.1.1: Provide vibrant and welcoming town centre, streets and meeting places




Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.1.1	Maintain parks, gardens and open spaces	Liaise with volunteers and other community groups to assist in the maintenance of parks, gardens, and open spaces.	Manager - Planning and Regulation	Volunteer maintenance activities	Increased		Actions being undertaken by BRT.
		Liaise with volunteers and other community groups to assist in the maintenance of parks, gardens, and open spaces.	Manager Civil Infrastructure	Volunteer maintenance activities	Increased		Undertake routine maintenance and plantings.
		Undertake annual maintenance program of parks.	Manager Civil Infrastructure	Service levels	Maintained		Undertake routine maintenance, weeding, mowing and planting. Maintain Covid-safe cleaning at public toilets.

1.1.2: Embellish our community with parks, paths, cycleways, facilities and meeting places

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.2.1	Prepare open space strategy	Engage with the community and key stakeholders in developing the Open Spaces Strategy.	Manager - Planning and Regulation	Engagement program	Implemented		Initial consultation undertaken 2019. Further consultation prior to finalising the strategy early 2021.

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Develop an overarching Open Spaces Strategy with an Action Plan guided by community consultation, and including disability inclusion and access provisions (DIAP 2.5) (2.6) (2.7).	Manager - Planning and Regulation	Strategy and Action Plan	Adopted		Site visit and progress meeting with MDP 22.1.2021

1.1.3: Respect the heritage of the region and highlight and enhance our unique characteristics





Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.3.1	Provide cemetery services	Undertake annual maintenance program of all cemeteries.	Manager Civil Infrastructure	Service levels	Met		Undertake mowing, weeding and hedge trimming.
		Seek heritage funding to carry out restoration work at Uralla's Old Cemetery.	Manager Civil Infrastructure	Heritage funding application	Lodged		No funding identified.
		Provide family history information and interment services.	Manager Civil Infrastructure	Services	Provided		Update record ongoing.

1.1.4: Support, encourage and celebrate community participation and volunteerism

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.1.4.1	Encourage volunteer participation	Develop a volunteer strategy including an induction and support program to promote participation that encourages involvement by people with a disability (DIAP 3.2).	Manager McMaugh Garden aged care DON	Strategy	Developed		McMaugh Gardens volunteer induction and support program reviewed. Broader USC strategy being developed

1.2: A safe, active and healthy shire


1.2.1: Provide accessible quality sport and recreation facilities that encourage participation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.1.1	Maintain community swimming complex, sports and recreation facilities	Undertake the necessary maintenance to enable the operation of the Uralla swimming pool.	Manager Civil Infrastructure	Service levels	maintained		Maintain Covid safe registration, and social distancing. Serviced pumps, undertake water quality testing per Health guidelines. Install new kitchen cabinet.
		Maintain and test pool water quality in compliance with Department of Health guidelines.	Manager Civil Infrastructure	Water quality	Compliant		Undertake water quality testing per Health guidelines.
		Implement upgrades to the Uralla Sporting Complex through the Stronger Country Communities Fund.	Manager - Planning and Regulation	Upgrades	Completed		Complete.
		Undertake the annual maintenance program at sporting fields (DIAP 2.7).	Manager Civil Infrastructure	Service levels	Maintained		Undertake routine maintenance, mowing and cleaning.


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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.1.2	Provide shared footpaths and cycleways	Implement the priority projects set out in the shared footpath and cycleway plan including disability access provisions in conjunction with the Pedestrian Access and Mobility Plan, subject to RMS funding approval (DIAP 2.6).	Manager Civil Infrastructure	Identified works	Completed		Continue the shared path construction from Maitland Street to Sport Complex at Plane Avenue. Approved funding from Active Transport Program to construct 185m of shared path at Plane Av. To commence construction in 4th Quarter.

1.2.2: Work with key partners and the community to lobby for adequate health services in our region


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.2.1	Improve access to regional health services	Liaise with medical practitioners to prepare for participation in the 2020-2021 Bush Bursary/CWA Scholarship program.	Manager McMaugh Garden aged care DON	Liaison with medical practices	Completed		2020-2021 Bush Bursary/CWA Scholarship Program student placements completed

1.2.3: Provide, maintain and develop children's play and recreational facilities that encourage active participation






Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.3.1	Enhance recreational facilities for children	Deliver upgrades to children's recreation facilities throughout the shire through grant funding.	Director - Infrastructure & Regulation	Grant funding	Milestones met		Ongoing via Stronger Country Communities and Drought Communities Extension funding programs

ATTACHMENT 15.9 #1

1.2.4: Partner with police, community organisations and the community to address crime, anti-social behaviour and maintain community safety

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.4.1	Preserve community safety	Give support, within Council's area of functional responsibility, to the police, emergency services, and community groups to preserve community safety.	Director - Infrastructure & Regulation	Support	Provided		Participate on the LEMC Covid response Committee





1.2.5: Provide effective, regulatory, compliance and enforcement services for the community

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.2.5.1	Provide effective regulatory, compliance and enforcement services	Carry out food premises inspections to ensure compliance with the Food Act.	Manager - Planning and Regulation	Food premises inspected annually	100%		Further inspections required.
		Submit annual food premises compliance report.	Manager - Planning and Regulation	Food premises returns submitted	Annually		Some further inspections required.
		Issue and serve Orders where necessary under relevant legislation.	Manager - Planning and Regulation	Issued orders are compliant with legislation	100%		Up to date.
		Register, licence and inspect onsite sewerage treatment systems.	Manager - Planning and Regulation	Number of inspections undertaken as scheduled	90%		Up to date.
		Administer companion animal registrations, respond to companion animal noise complaints, and impound animals and stray stock as required.	Manager - Planning and Regulation	Respond to companion animal complaints	100%		Ongoing

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Finalise and implement a trade waste policy.	Manager - Planning and Regulation	Policy	Implemented		Draft policy prepared. Implementation program to be designed and approved.


1.3: A diverse and creative culture

1.3.1: Provide enhanced and innovative library services that support and encourage lifelong learning


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.1.1	Provide library services and programs	Manage the service level agreement with Central Northern Regional Library.	Manager McMaugh Garden aged care DON	Service level agreement	Compliant		Broad range of library services provided as per service level agreement
		Attend Central Northern Regional Library committee meetings.	Manager McMaugh Garden aged care DON	Committee meetings	attended		IEMCS attended Central Northern Regional Library AGM/General Meeting with Councillor delegate. Registered for notifications for future meetings
		Operate the Uralla library service and programs.	Manager McMaugh Garden aged care DON	Uralla library open	7 days a week		Library open 30 hours per week as per service level agreement
		Operate the Bundarra library service.	Manager McMaugh Garden aged care DON	Bundarra library operating and resources renewed	Quarterly		Bundarra library services operating and resources renewed

ATTACHMENT 15.9 #1

1.3.2: Work with the community and other partners to develop major cultural and community events and festivals



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.2.1	Facilitate the development of a range of community and cultural activities	Coordinate the development of a Uralla Shire event toolkit.	Tourism Promotion and Operations Officer	Toolkit	Completed		Direction from EMCS to put this aside until further notice. Documents have been developed and branded. Next step: arrange small workshop or consultation with stakeholders to clarify needs and expectations from this kit.
		Attend Arts North West regional meetings.	Manager McMaugh Garden aged care DON	Meetings	Attended		Prepared to attend next meetings

1.3.3: Lobby government, companies and other individuals to secure funding for cultural and creative expression fields

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.3.3.1	Enhance opportunities for community cultural and creative expression	Coordinate and deliver Council's annual community grants and financial assistance programs.	Manager McMaugh Garden aged care DON	Grants program round delivered	=2		Round 1 completed. Round 2 process commenced

1.4: Access to and equity of services






1.4.1: Operate and maintain the McMaugh Gardens Aged Care Facility

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.1.1	Operate a residential aged care facility	Manage McMaugh Gardens Aged Care facility in a financially sustainable manner, including identifying and planning for impacts of bathroom renovations upon revenues.	Manager McMaugh Garden aged care DON	Operating result	Per plan		Bathroom renovations have achieved significantly refurbished increased revenue
		Annual average occupancy at benchmark		Per plan			
		Maintain aged care facility accreditation and satisfactory aged care quality audit outcomes.	Manager McMaugh Garden aged care DON	Accreditation	Maintained		Full accreditation and compliance maintained with 4 dot rating
		Quality audit outcomes		Satisfactory			

1.4.2: Provide quality Community Care, Ageing and Disability services



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.2.1	Provide aged and disability services	Manage consumer directed aged and disability services in a financially sustainable manner.	Manager Community Care - TCSSO	Net operating surplus	Achieved		Consumer directed services at TCS are being managed in a financially sustainable manner. Additional Commonwealth Home Support Programme funding has been negotiated and approved to transfer from another provider commencing 1/1/21.
					Compliant		

ATTACHMENT 15.9 #1




Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Manage state and federal funding agreements and grant acquittals for compliance.	Manager Community Care - TC SO	Funding agreements reporting and acquittals			Acquittals were reported on time.
		Maintain accreditation and satisfactory quality audit outcomes.	Manager Community Care - TC SO	Accreditation	Maintained		A new registration was received from NDIA in line with new compliance and safeguarding requirements for all NDIS providers.
				Quality audit outcomes	Satisfactory		
1.4.2.2	Provide community transport services	Manage community transport services in a financially sustainable manner.	Manager Community Care - TC SO	Net operating surplus	Achieved		Consumer directed services at TCT are being managed in a financially sustainable manner.
		Manage NSW State Government funding agreements and grant acquittals for compliance.	Manager Community Care - TC SO	Funding agreements reporting and acquittals	Compliant		New funding Agreements completed with Transport for NSW during this quarter. Funding acquitted in a timely manner.
		Maintain satisfactory service reviews and audit outcomes.	Manager Community Care - TC SO	Audit outcomes	Satisfactory		Reporting continues to TfNSW. A new Funding Agreement was completed from 1/1/21 to 30/6/22. All data is being transmitted as required and no specific audits have taken place during this quarter.

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1.4.3: Create a better understanding within the community of the services and facilities council provides


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.3.1	Promote Council's services and facilities	Coordinate a local government week program to raise awareness of the services provided by Council.	Manager McMaugh Garden aged care DON	Program	Delivered		Dates for 2021 identified - 02/08/2021 to 08/08/2021
		Oversee the preparation and distribution of a regular Council newsletter to residents.	Manager McMaugh Garden aged care DON	Newsletter published	Monthly		Monthly newsletter compiled, printed, distributed and available online

1.4.4: Provide opportunities for residents to enjoy access to arts, festivals, sporting activities, recreation, community and cultural activities

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.4.1	Increase community participation in community and cultural events	Promote Uralla Shire community events through Council's website.	Tourism Promotion and Operations Officer	Events promoted	As requested		Done and ongoing, however under COVID19 events have been widely cancelled. We communicate with event holders to source information about any upcoming events.
		Seek Youth Week funding and facilitate the coordination of the Youth Week program of activities.	Manager McMaugh Garden aged care DON	Funding application	Lodged		Youth Week Program provided in partnership with Uralla Neighbourhood Centre
		Facilitate youth program of activities.	Manager McMaugh Garden aged care DON	Youth activities	Delivered		Youth Week activities provided
				NAIDOC activities	Delivered		




Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Seek National Aboriginal and Islander Day Observance Committee (NAIDOC) funding and coordinate Council's NAIDOC activities in consultation with the Elders.	Manager McMaugh Garden aged care DON				NAIDOC Day activities completed

1.4.5: Lobby government to maintain and improve community and public transport services and infrastructure

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.5.1	Enhance transport services	Advocate, when necessary, for continuing access to Mascot airport at peak times.	General Manager	Advocate	As necessary		Air transport industry currently operating reduced capacity re pandemic. Regional flight access to Mascot currently no issue. Remains an important strategy and issue raised with NE Regional NSW, local and Federal Members Jan 2021.

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1.4.6: Work towards achieving the status of a Disability Friendly community through the provision of accessible and inclusive facilities and services

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
1.4.6.1	Develop and implement a range of strategies to improve access and inclusion to council facilities and services	Incorporate principles of inclusion into Council's asset planning and renewal programs (DIAP).	Director - Infrastructure & Regulation	Principles	Implemented		Ongoing. Access for people with disability provided for in new works and renewals including ramp at Central School entrance and Bundarra Sports and Rec amenities building.
		Develop and implement a Disability Inclusion Action Plan (DIAP).	Manager Community Care - TCSO	Plan developed	Implemented		Performance against DIAP reviewed.
		Operate the Visitor Information Centre.	Tourism Promotion and Operations Officer	Visitor Information Centre	Operational		No advice or progress on access and inclusion - may sit within Infrastructure & Development / Planning areas. VIC removed to Library during site redevelopment and operating at normal hours. Stock and furnishings securely stored.



2: Our Economy

2.1: An attractive environment for business, tourism and industry

2.1.1: Promote Uralla Shire and the region as a place to live, work, visit and invest



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.1.1	Promote Uralla Shire through the Visitor Information Centre	Deliver the goals of the Uralla Shire Promotional Campaign project through the NSW Bushfire Community Resilience & Economic Recovery Fund - Phase 1 grant funding.	Tourism Promotion and Operations Officer	Project milestones	Met		Delay due to staff changes. Key support from General Manager, including Uralla Shire Business Map and the Travel Writer and Videography / Photography. Despite late advice about this Activity all project RFQs sent.

2.1.2: Promote the Uralla Shire to business and industry and increase recognition of the areas strategic advantages



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.2.1	Improve recognition of Uralla Shire and the region's strategic economic advantages	Commence implementation of the Visitor Information Centre improvement project. Partner with neighbouring councils to coordinate delivery of the Regional Economic Development Strategy.	Director - Infrastructure & Regulation Manager McMaugh Garden aged care DON	Project implementation Sub-regional working group meetings	Commenced Attended	 	Contract awarded. Construction to commence in January. General Manager meetings with Armidale and Walcha General Managers. REDS discussed with Armidale Council Economic Development Officer

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2.1.3: Lobby for government funded infrastructure and services to match business and industry development in the region (education, transport, health)

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.3.1	Enhance infrastructure to support regional education, transport and health development	Lobby government for funding to undertake necessary upgrades to provide HML capacity.	Director - Infrastructure & Regulation	Number of lobbying activities	Maintained		Liaising with Transport for NSW for HML arrangements for Lone Pine Bridge over the Gwydir River. Issue raised with NE Regional NSW, Local and Federal members Jan 2021.
		Develop a list of priority transport infrastructure projects to capitalise on grant funding opportunities.	Director - Infrastructure & Regulation	Priority list	Compiled		Under development. Includes Bakers Creek Crossing on Barraba Road.

2.1.4: Implement tools to simplify development processes and encourage quality commercial, industrial and residential development

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.1.4.1	Process building and development applications	Assess and determine development, construction, and other regulatory applications.	Manager - Planning and Regulation	Applications determined	=Statutory timeframes		Up to date.
		Construction certificates provided in accordance with legislation.	Manager - Planning and Regulation	Certificates provided	=Statutory timeframes		Up to date.



2.1.5: Develop the skills of businesses to maximise utilisation of new technologies and the emerging broadband and telecommunication networks

2.2: Growing and diversified employment, education and tourism opportunities

2.2.1: Provide land use planning that facilitates employment creation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.1.1	Optimise land use planning instruments to support employment creating business and industries	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents.	Manager - Planning and Regulation	LEP and DCP	Maintained		Up to date. Currently no amendments proposed.

2.2.2: Support and encourage existing business and industry to develop and grow

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.2.1	Encourage business and industry development	Assess and maintain a sufficient supply of residential, lifestyle, agricultural commercial and industrial zoned land. Commence construction of Stage 1 for the Rowan Avenue, Uralla, subdivision, subject to funding and resolution of Council.	Manager - Planning and Regulation Director - Infrastructure & Regulation	Supply and demand review Construction of Stage 1	Completed Commenced	 	Adequate land stock available in all zones. Currently not funded. Alternative staging to be assessed along with further grant funding applications.

2.2.3: Support the attraction of new businesses, including sustainable employment generating projects

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.3.1	Provide information to support new and existing business operators	Provide consultation with potential new business operators and pre-development application assistance.	Manager - Planning and Regulation	Consultation and assistance activities	Documented		Up to date.
		Facilitate disaster preparedness and resilience training and resources to local businesses through the NSW Bushfire Community Resilience & Economic Recovery Fund - Phase 1 grant funding.	General Manager	Project milestones	Met		Sourcing quotes/options from RTO providers. Liaison with Uralla Shire Business Chamber in progress. Workshops/online webinars (TBD) scheduled Feb/Mar 2021.





2.2.4: Partner with neighbouring Councils to effectively market the unique natural characteristics and diverse tourism opportunities available within Uralla Shire and New England region

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.2.4.1	Promote Uralla Shire and the region as a tourism destination	Collaborate with other councils and tourism bodies to promote the region with a Uralla Shire focus.	Tourism Promotion and Operations Officer	Promotional activity	=2		Our partnership with New England High Country LGAs is fruitful and productive. Some difficulties remain with the NEHC website which has not been launched and we plan to go to market for another developer.


2.2.5: Facilitate major social and cultural events being staged in our Shire and our region

2.3: A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained



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

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.1.1	Deliver road and drainage maintenance services and capital works programs	Deliver sealed roads capital renewal program - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed	90%		Complete Bingara Rd upgrade construction. Undertake urban, rural and regional sealed road resealing and rehabilitation per work program 20-21.
		Seek funding for transport infrastructure expansion projects.	Manager Civil Infrastructure	Number of funding applications	Maintained		Fixing Local Roads grant application submitted to rehab and widen Hawthorne Drive (another 3.2km).
		Deliver unsealed roads grading program in line with established service levels and intervention points - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed	90%		Undertake routine maintenance grading per TAMP.
		Deliver unsealed roads re-sheeting program in line with established service levels - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed	90%		Ongoing.
					90%		

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Inspect all bridges and carry out the required maintenance programs.	Manager Civil Infrastructure	Percentage of program completed			Undertake bridges inspection after recent storm event. No structural damages. Ongoing routine maintenance to patch minor surface defects.

2.3.2: Maintain, review and replace Council bridges and culverts as required


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.2.1	Deliver bridge and culvert maintenance services and capital works programs	Deliver sealed roads capital renewal program - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed/	90%		Undertake vegetation control at bridges. Replace pipe culvert damaged by storm. Remove debris trapped under bridges
		Deliver bridge and culvert capital works program - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed	90%		Tolley Gully Bridge replacement tender has been awarded to successful contractor. To receive 80% design in February and commence bridge construction in March 2021.

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2.3.3: Ensure road network supporting assets (signs, posts, lighting, guardrails, etc.) are maintained adequately and renewed as scheduled

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.3.1	Deliver roads, lighting, signs, guard rail, and posts maintenance and renewal program	Deliver unsealed road network supporting infrastructure replacement program. Renew and maintain lighting, signs, posts, and guard rail assets as necessary.	Manager Civil Infrastructure Manager Civil Infrastructure	Percentage of program completed As necessary	90% Completed	 	Ongoing. Ongoing.


2.3.4: Provide a network of town and village streets that balances asset conditions with available resources and asset utilisation

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.4.1	Deliver town and village streets maintenance services and capital works programs	Deliver town streets maintenance and resealing programs - per Transportation Asset Management Plan.	Manager Civil Infrastructure	Percentage of program completed	90%		Complete urban town streets resealing. 75% complete of Uralla town streets rehabilitation works. Undertake routine maintenance.


2.3.5: Maintain existing and cycling networks across the region

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.5.1	Deliver walkways and cycle ways maintenance services and capital works programs	Inspect footpaths and deliver maintenance and repair program.	Manager Civil Infrastructure	Percentage of program completed	90%		Undertake inspection. To complete construction in Quarter 3 and 4.

2.3.6: Facilitate the enhancement and expansions of accessible walking and cycle networks where strategically identified and interconnect them with other transport and recreation facilities

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.6.1	Expand the Shire's integrated and accessible cycle ways and walkways network	Seek funding from Roads and Maritime Services to extend shared pedestrian/cycleway along Plane Avenue to from East Street for 185m towards Rowan Avenue.	Manager Civil Infrastructure	Funding applications	Submitted		Grant funding application pending opening for applications.

2.3.7: Implement and maintain developer contribution plans


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.7.1	Develop section 94 and section 64 contribution framework	Develop Section 64 and Section 7.11 and Section 7.12 contribution plans for consideration	Manager - Planning and Regulation	Plan	Completed		No progress on Section 64 plans as yet. 7.11 and 7.12 drafts prepared, waiting on accompanying works schedule.

2.3.8: Provide the required public infrastructure and work with key partners to expand the provision of cost effective public transport





Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.3.8.1	Enhance Council's public transport infrastructure	Develop a renewal and maintenance program for Council bus stops.	Manager Civil Infrastructure	Service levels	Developed		Assets reviewed. No renewals identified at this time.

2.4: Communities that are well serviced with essential infrastructure





2.4.1: Develop a strategically located network of quality, accessible and safe public amenities that are adequately maintained and renewed

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.1.1	Provide public amenities for residents and visitors	Deliver maintenance and renewal programs for public amenities - per Buildings Asset Management Plan.	Director - Infrastructure & Regulation	Service levels	Maintained		Buildings Asset Management Plan under review to reflect current condition and renewal works and upgrades undertaken as part of the grant funding programs.


2.4.2: Implement Council's strategic asset management plan and continue to develop asset systems, plans and practices for infrastructure assets to minimise whole of life costs

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.2.1	Develop and implement asset management plans	Prepare an overarching asset management policy and strategy.	Director - Infrastructure & Regulation	Draft	Completed		Under preparation.
		Review and update the Plant Asset Management Plan.	Director - Infrastructure & Regulation	Plan update	Completed		Renewal program under review.
		Review and update the Buildings Asset Management Plan, including service levels.	Director - Infrastructure & Regulation	Plan update	Finalised		Review underway.
		Review and update the Transport Asset Management Plan.	Director - Infrastructure & Regulation	Review	Completed		Review underway.
				Plan	Completed		

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Incorporate Council cemeteries into the Parks and Open Spaces Asset Management Plan.	Director - Infrastructure & Regulation				Draft plan to be reviewed.
		Review and update the Sewer Asset Management Plan.	Manager Waste, Water & Sewerage Services	Plan update	Completed		Under review.
		Review and update the Water Supply Asset Management Plan.	Manager Waste, Water & Sewerage Services	Plan update	Completed		Under review.
		Implement the Stormwater Drainage Asset Management Plan.	Director - Infrastructure & Regulation	Plan update	Completed		Requires further development.

2.4.3: Provide the infrastructure to embellish public spaces, recreation areas and parkland areas

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.3.1	Provide connectivity to public spaces	Continue with footpath and cycleway program as per the Pedestrian Access and Mobility Plan.	Manager Civil Infrastructure	Connectivity	Improved		Funding to construct shared path / cycleway at Plane Avenue approved. Construction to commence in Quarter 4.

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2.4.4: Ensure adequate public car parking and kerb and gutter infrastructure is provided, maintained and renewed

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
2.4.4.1	Maintain kerb and guttering to established service levels	Inspect all kerb and gutter and undertake the required repair and replacement program.	Manager Civil Infrastructure	Program delivered	>90%		Scoping complete. To commence design in Quarter 3 and construction in Quarter 4.

3: Our Environment

3.1: To preserve, protect and renew our beautiful natural environment

3.1.1: Record and promote the region's heritage in partnership with the community

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.1.1.1	Preserve Uralla Shire's heritage	Progressively implement the recommended actions from the Heritage Strategy.	Manager - Planning and Regulation	Strategy actions	Implemented		Amendment of LEP not warranted and not funded. Heritage strategy out of date and requires review and updating.
		Continue management of Council's Crown Reserves.	Manager - Planning and Regulation	Management activities	Maintained		Draft POMs prepared.

3.1.2: Protect the Shire's historic buildings and sites, recognising their value to the community


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.1.2.1	Provide heritage services and support	Facilitate a Heritage Advisory Service and Local Heritage Assistance Fund.	Manager - Planning and Regulation	Number of service activities	Maintained		Cancelled during COVID.

3.1.3: Protect and maintain a healthy catchment and waterways

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.1.3.1	Maintain compliant catchment and waterways management	Undertake annual maintenance program for Council's gross pollutant traps.	Manager Civil Infrastructure	As necessary	Maintained		Undertake routine maintenance. Undertake inspection and maintenance after storm event.
				Plan	Reviewed		


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Develop Operation and Maintenance Plan and Emergency Management Plan for the Kentucky Creek Dam.	Manager Waste, Water & Sewerage Services				Documents reviewed for finalising.
		Maintain compliance with Environmental Protection Licence requirements for the Uralla landfill, sewer and water treatment plants.	Manager Waste, Water & Sewerage Services	Testing regime	Compliant		Ongoing.

3.1.4: Raise community awareness of environmental and biodiversity issues


Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.1.4.1	Provide bush generation activities and information	Continue to implement the actions for the Bush Regeneration Work plan.	Manager - Planning and Regulation	Implementation	Commenced		Ongoing. Priority focus on urban areas for 2021.
		Liaise with the New England Weeds Authority to manage Council's statutory obligations under the Biosecurity Act.	Manager - Planning and Regulation	Statutory obligations	Met		Ongoing

3.2: Maintain a healthy balance between development and the environment

3.2.1: Retain open space and greenbelts that are accessible to everyone

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.2.1.1	Preserve sensitive greenbelt lands	Review and monitor vegetation and environmental protection measures for sensitive land.	Manager - Planning and Regulation	LEP and DCP	Maintained		Up to date.

3.2.2: Educate the community about sustainable practices in the home, at work and in public places

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.2.2.1	Raise community awareness of sustainability practices	Collaborate and partner with the Uralla ZNET.	Manager - Planning and Regulation	Number of awareness programs	Maintained		Partnering with ZNET on the Lets talk About Water project.
		Continue to review and Implement the Environmental Sustainability Action Plan priorities.	Manager - Planning and Regulation	Implementation of priorities	Commenced		Ongoing

3.2.3: Ensure that Uralla Shire is sufficiently prepared to deal with natural disasters including bushfires, major storms and flood events

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.2.3.1	Collaborate with service providers to be emergency response ready	Participate in natural disaster mitigation and provide local emergency management officer.	Director - Infrastructure & Regulation	Seasonal mitigation activities	Maintained		Ongoing participation on the LEMC.

3.3: Reuse, recycle and reduce wastage




3.3.1: Promoting recycling, reusing and providing regular and efficient waste and recycling services

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.3.1.1	Provide waste removal and recycling services within the Shire	Provide general waste collection services to the defined service areas.	Manager Waste, Water & Sewerage Services	Service levels	Maintained		Ongoing.
		Provide recycling waste collection services to the defined service areas.	Manager Waste, Water & Sewerage Services	Service levels	Maintained		Ongoing.
				Evaluation	Progressing		



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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Continue operations evaluation and begin community consultation regarding future operation of the Bundarra Landfill site.	Manager Waste, Water & Sewerage Services				Operations evaluation continuing.
		Develop and implement a Waste Services Asset Management Plan.	Manager Waste, Water & Sewerage Services	Plan	Complete		Draft plan developed. Under review in coordination with the Site Development Plans.

3.3.2: Providing education to the community on ways to minimise the waste produced by households

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.3.2.1	Improve community awareness of recycling and waste minimisation	Support the Northern Inland Regional Waste Community Recycling Centre Regional Communication and Education Plan.	Manager Waste, Water & Sewerage Services	Program	Delivered		Ongoing.
		Offer schools access to Council-supported participation in waste education programs.	Manager Waste, Water & Sewerage Services	School participants	3		Programs are on offer in coordination with NIRW.
		Operate the Uralla Community Recycling Centre.	Manager Waste, Water & Sewerage Services	Service levels	Maintained		Ongoing.

3.3.3: Implementing initiatives to reduce illegal dumping and providing community education to prevent litter

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.3.3.1	Promote litter reduction	Continue to participate in the Northern Inland Regional Waste Litter Implementation Plan.	Manager Waste, Water & Sewerage Services	Program	Delivered		Ongoing.
		Review the NSW Illegal Dumping Strategy for participation and implementation opportunities.	Manager Waste, Water & Sewerage Services	Strategy	Reviewed		Currently reviewing for funding opportunities.

3.3.4: Identifying and implementing water conservation and sustainable water usage practices in Council operations

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.3.4.1	Minimise water wastage	Review council water consumption for major council facilities against historical records.	Manager Waste, Water & Sewerage Services	Inspections	Completed		Not yet commenced.

3.3.5: Identifying technologies in Council facilities, infrastructure and service delivery to reduce our ecological footprint



Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.3.5.1	Reduce Council's environmental footprint	Partner with ZNET to deliver the Elephants in the Woodlands project. Update and implement criteria to assess environmental management and compliance in infrastructure and development projects.	Manager - Planning and Regulation Manager - Planning and Regulation	Participation at meetings Criteria implementation	=4 Commenced	 	Ongoing. Solar installations complete at six sites. LED lights installed on several Council buildings. LED streetlight program underway.

3.4: Secure sustainable and environmentally sound water-cycle infrastructure and services

3.4.1: Maintain and renew water network infrastructure to ensure the provision of secure, quality and reliable drinking water supplies

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.4.1.1	Provide water supply	Deliver Uralla and Bundarra water supply in compliance with the Drinking Water Quality Management Plan.	Manager Waste, Water & Sewerage Services	Compliance	Achieved		Ongoing.
		Work with landholders to improve protection of Kentucky Creek and Taylors Pond drinking water storages.	Manager Waste, Water & Sewerage Services	Improvement initiatives	Implemented		Further discussions to be held for improved stock control around Kentucky Creek dam.
		Develop the Integrated Water Cycle Management consultancy brief and progress the investigations for the augmentations of the Bundarra and Uralla water supplies to increase yield via alternative water sources.	Manager Waste, Water & Sewerage Services	Brief	Completed		IWCM progressing to deed funding letter, awaiting "Department of Planning Infrastructure and Environment - Water" feedback.
			Investigations	Commenced			
		Manager Waste, Water & Sewerage Services	Investigations	Conducted		Approval given by "Department of Planning Infrastructure and Environment - Water" to fund investigations under IWCM.	
		Manager Waste, Water & Sewerage Services	Program	Delivered		Assets being reviewed. Assessing any additional replacement requirements.	
		Improvements		Completed			




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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Implement recommended work place health and safety improvements to Uralla and Bundarra water supply schemes.	Manager Waste, Water & Sewerage Services				Tender documents to be released in the next financial quarter for identified works including reservoirs, treatment plants and pumping stations.
		Implement recommended work place health and safety improvements to Uralla and Bundarra water supply schemes.	Risk Management & Safety Officer	Improvements	Completed		Liaising with the Water, Waste and Sewage Manager and supervisors on future requirements around the water alert. Supervisors attended contractor management workshops.



3.4.2: Maintain and renew the sewerage network infrastructure to ensure the provision of efficient and environmentally-sound sewerage services

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.4.2.1	Provide sewerage services	Operate the Uralla sewer treatment plant in an efficient and effective manner.	Manager Waste, Water & Sewerage Services	Licence compliant	Met		Ongoing.
		Maintain and renew the sewer infrastructure network in line with established programs.	Manager Waste, Water & Sewerage Services	Service levels	Met		Maintenance program continuing.
				Additional funding	Secured		

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Undertake the project management of the construction phase of the Bundarra Sewerage Scheme through the engagement of project management staff or consultant.	Manager Waste, Water & Sewerage Services				Project Manager to commence early 2021.
		Implement the recommended work place health and safety improvements to the Uralla sewerage scheme.	Manager Waste, Water & Sewerage Services	Improvements	Completed		Tender documents to be released in the next financial quarter Q3 for identified works.
		Implement the recommended work place health and safety improvements to the Uralla sewerage scheme.	Risk Management & Safety Officer	Improvements	Completed		Water alert has been the priority. Supervisors attended contractor management workshops. not related to WHS Safety Program



3.4.3: Ensure adequate stormwater and drainage infrastructure is provided, maintained and renewed

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
3.4.3.1	Provide stormwater and drainage infrastructure	Maintain and renew stormwater and drainage infrastructure.	Manager Civil Infrastructure	Maintenance program	Met		Routine maintenance ongoing. To commence urban street drainage improvement in Quarter 4.
		Develop a stormwater asset management plan for the urban stormwater network.	Director - Infrastructure & Regulation	Plan	Complete		Draft under review


4: Our Leadership

4.1: A strong, accountable and representative Council

4.1.1: Provide clear direction for the community through the development of the Community Strategic Plan, Delivery Program and Operational Plan

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.1.1	Deliver integrated strategic planning and reporting requirements	Continue to develop and adjust the Resourcing Strategy in support of the 4-year Delivery Program. The resourcing strategy consists of the: Asset Management Strategy Workforce Management Plan Long Term Financial Plan	Director - Infrastructure & Regulation	Resourcing strategy	Monitored and updated		Development and adjustment ongoing.
		Continue to develop and adjust the Resourcing Strategy in support of the 4-year Delivery Program. The resourcing strategy consists of the: Asset Management Strategy Workforce Management Plan Long Term Financial Plan	Manager Human Resources	Resourcing Strategy	Monitored and updated		Workforce Management Plan under review



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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Continue to develop and adjust the Resourcing Strategy in support of the 4-year Delivery Program. The resourcing strategy consists of the: Asset Management Strategy Workforce Management Plan Long Term Financial Plan	Chief Financial Officer	Resourcing Strategy	Monitored and updated		A further presentation on the sustainability of the Water Fund was made to the Budget Review and Finance Committee in December 2020. Budget setting for 2021-22 has also commenced.
		Develop and monitor the annual Operational Plan, including Budget.	Coordinator Governance and Risk	Plan adopted	30 June		First quarter report presented to Council. Staff strategic planning workshops took place in January 2021 to review the next year's Operational Plan.
		Monitor the annual Operational Plan by way of regular progress reporting to Council.	Coordinator Governance and Risk	Progress reported	Quarterly		The first quarter review of the Operational Plan was presented to Council at its Ordinary Council Meeting held in November 2020. It is anticipated that the second quarter review will be presented to Council at its Ordinary Meeting in February 2021.

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Coordinate and produce the Annual Report.	Coordinator Governance and Risk	Report adopted and provided to the Office of Local Government	30 December		The Annual Report was presented to Council at its Ordinary Council Meeting 24 November 2020. The Annual Report was forwarded to the Minister and Office of Local Government on 18 December 2020.




4.1.2: Engage with the community effectively and use community input to inform decision making

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.2.1	Incorporate inclusive community consultation and stakeholder engagement in Council decision making	Facilitate the delivery of community presentations to Council.	Executive Assistant to GM and Mayor	Eligible community presentations to Council	Facilitated		Community requests to participate in a Council Public Forum have all been facilitated during the second quarter of 2020/21.
		Conduct Councillors community engagement events.	Manager McMaugh Garden aged care DON	Number of councillor community engagement activities	=3		Dates set for Listening Posts
					Met		



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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Deliver the community survey and engagement goals of the Local Business Community Engagement project through NSW Bushfire Community Resilience & Economic Recovery Fund - Phase 1 grant funding.	General Manager	Project milestones			RFQ process completed. Community engagement work scheduled Jan-Mar 2021.



4.1.3: Provide open, accountable and transparent decision making for the community

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.3.1	Implement and maintain a transparent and accountable decision making framework	Review and update the agency information guide.	Coordinator Governance and Risk	Update	Completed		The Agency Information Guide was adopted by the Council at its Ordinary Meeting held in February 2020. Council has commenced work in an organisational restructure, once completed the document will be reviewed for Council's consideration.
		Develop an IT Strategic Plan.	Manager McMaugh Garden aged care DON	Plan	Developed		Planning discussions with current IT Coordinator.
		Undertake the actions of the IT Strategic Plan.	Manager McMaugh Garden aged care DON	Implementation milestones	Met		Service review underway

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Maintain the register of government contracts over \$20,000 and publish to the website.	Coordinator Governance and Risk	Register of government contracts updated	Every 20 days		The Contracts Register was last updated in October 2020. Staff with delegations off \$20,000 expenditure have been reminded that the Contracts Register requires to be updated.
		Priority statutory and corporate policies and codes reviewed and updated as part of a broader policy register review program.	Coordinator Governance and Risk	Implementation milestones	Progressing		A report on the policies that lapsed under S165(4) of the LG Act is due to be presented to ARIC in February. The Gifts and Benefits Policy, the Procurement Policy and the Enterprise Risk Management Policy were adopted by Council in the last quarter.
		Council and Council Committee business papers and minutes are distributed to Councillors and Committee members, and published to the community within agreed service levels.	Executive Assistant to GM and Mayor	Code of Meeting Practice or relevant Committee Charter	Compliant		Service levels and statutory requirements met.
					Conducted		

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Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Council ordinary and extraordinary meetings are conducted and open to the public.	General Manager	Adopted schedule of meeting			Meeting dates set for year 5 of Council term at the September 2020 Ordinary Council Meeting. July, Aug, Sep, Oct, Nov and Dec Council meetings open to the public. 5 closed items during the first half year.
		Oversee Council and Council Committee meetings.	Coordinator Governance and Risk	Meetings conducted	Compliant with policies and legislation		UTEC met on 10 November 2020 and 8 December 2020. The Committee is due to hold a workshop in January 2021. The Australia Day Committee and the Bundarra School of Arts Committee also met this quarter.



4.1.4: Provide strong representation for the community at the region, state and federal levels

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.4.1	Maintain effective partnerships and advocacy activities	Advocate the needs of the shire to State and Federal Governments through the New England Joint Organisation.	General Manager	As necessary advocacy activities	Maintained		Council delegate attended annual LGNSW AGM and conference. Regionally Council is a member of 12 groups with representatives on each. Regular communications with State and Federal member with excellent support from both levels.

4.1.5: Undertake the civic duties of Council with the highest degree of professionalism and ethics

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.1.5.1	Implement and manage Council's integrity system	Maintain Public Interest Disclosure, Conflict of Interest, Related Party Disclosures, and Code of Conduct Complaints Registers in accordance with legislative requirements.	Coordinator Governance and Risk	Registers	Maintained		No Public Interest Disclosures or Code of Conduct complaints have been submitted in this quarter. Council met its statutory reporting deadline, with information in relation to the Public Interest Disclosures reported before the due date.
		Coordinate Public Interest Disclosures and Code of Conduct complaints in accordance with legislation, policy, and procedures.	Coordinator Governance and Risk	Reporting	Compliant		No Public Interest Disclosures or Code of Conduct complaints have been submitted during this quarter.

ATTACHMENT 15.9 #1

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
		Publish a register of pecuniary and non-pecuniary interests disclosures to council's website in accordance with Government Information (Public Access) Act guidelines.	Coordinator Governance and Risk	Interests disclosure log updated and published	every 45 days		Disclosure of Pecuniary Interests were circulated to Councillors and Designated Persons and was tabled at the Ordinary Council meeting held in October 2020.
		Implement the Fraud and Corruption Control Strategy.	Coordinator Governance and Risk	Implementation milestones	Progressing		Registers are being maintained. Improvements and process changes have been implemented.

4.2: An effective and efficient organisation

4.2.1: Provide a range of services that meet benchmarks determined with the community, having regard to quality and cost

Code	Principal Activities	Annual Action	Responsible Officer	Performance Measure	Target	Status	Comments
4.2.1.1	Improve the cost effectiveness and efficiency of community service provision	Complete 2 Infrastructure and Development 'service level' reviews.	Director - Infrastructure & Regulation	2 service level reviews	Completed		Service reviews for the suite of Infrastructure and Development Services underway
		Complete 2 Corporate Services 'service level' reviews.	Manager McMaugh Garden aged care DON	2 service level reviews	Completed		Corporate Service 'service level' preliminary reviews completed as part of the Services Register development process. Service review of library and communications service areas.

15.10 CODE OF MEETING PRACTICE REVIEW

Department:	Corporate Services
Prepared by:	Coordinator Governance and Risk
TRIM Reference:	UINT/21/1446
Attachments:	UI/21/833 Attachment 1 Submission UINT/20/11089 Attachment 2 Notice of Motion UINT/21/411 Attachment 3 Table of Submissions UINT/19/2469 Attachment 4 Code of Meeting Practice

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

SUMMARY:

Council is required to adopt a Code of Meeting Practice that complies with the provisions of the prescribed Model Code. The Code of Meeting Practice was adopted in February 2019. Following community input, a report was presented to Council to consider amending a notice period from four days to one day. The draft Code of Meeting Practice was placed on public exhibition; Council received one submission. Council also received one Notice of Motion suggesting further amendments to the Code and this was presented to the December Ordinary Council meeting at which a motion to make numerous amendments was moved, seconded but then laid on the table. A workshop was held in February 2021 to inform Councillors of the submission and Notice of Motion.

RECOMMENDATION:

1. That the Code of Meeting Practice be amended as follows:

Delete Clause 3.33 which currently reads as 'Pre-meeting briefing sessions are to be held in the absence of the public'.

Clause 4.1 add: That the public forums be scheduled 30 minutes before the Ordinary Council meeting.

Clause 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 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 'comment upon', speak 'for' or 'against' the item.

Clause 4.6: The general manager or their delegate may refuse an application to speak at a public forum. Before refusing any applications, the general manager (or their delegate) is to liaise with the mayor. The general manager or their delegate must give reasons in writing for a decision to refuse an application and this must be communicated as soon as practicable.

Clause 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 no more than one (1) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

Clause 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 12 months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

That 'Omitted' replace 'N/A' in the Code of Meeting Practice.

2. That the amended Code of Meeting Practice be placed on public exhibition for a period of 28 days and if no substantive submissions are received, that the amended Code be adopted.

BACKGROUND:

This report addresses the issues outlined in a submission to Council and a Notice of Motion raised by a councillor in relation to amendments to the Code of Meeting Practice. Within the Attachments is (1) a redacted copy of the submission received by Council, (2) the Notice of Motion, and (3) a copy of the table presented to Council at a Workshop on 2 February 2021.

REPORT:

At the October 2020 Council meeting the Coordinator Governance and Risk presented a business paper recommending that the Code of Meeting Practice be amended to allow a speaker to present to Council by giving at least one business days' notice instead of four and that the amended Code be placed on public exhibition for a period of 28 days.

A table of the submissions has been included within the Attachments as has the Notice of Motion. For clarification purposes staff recommend the following in relation to the proposed changes contained within the submission and Notice of Motion:

Pre-meeting briefing sessions

Clause 3.33: Council recently resolved to have General Manager workshops and briefings open to the public. This clause, which reads "*Pre-meeting briefing sessions are to be held in the absence of the public*", should therefore be deleted.

Public Forums

Clause 4.3: It is recommended that the notice period to apply to be heard at a public forum be reduced to one business day. Amending the clause by adding 'comment upon' is broad and would therefore encompass suggesting amendments. Adding 'or the topic' is not recommended. Clause 4.1 states that Council may hold a public forum prior to each ordinary meeting of Council for the purpose of hearing oral submissions from members of the public **on items of business to be considered at the meeting**. It is anticipated that a community engagement framework will include forums, such as the listening posts, for the Uralla community to have its say on other topics.

Increase number of items permitted to speak to

Clause 4.4: The original clause provides Council with the means to permit people to speak on more than one item. The recommendation is not to amend this clause.

Process to determine refusal

Clause 4.6: Feedback suggested deleting this clause. This is not advisable as the General Manager would not be able to refuse an application where there are large number of speakers or the speaker is vexatious. If this is a concern, a protocol can be included to state that the General Manager would liaise with the Mayor before refusing any applications. It is advisable to have a written record of the reasons for refusal. Bearing in mind the notice periods, it is likely that the General Manager would be providing a quick turnaround on decisions; if it is felt necessary to amend, a statement 'as soon as practicable' could be added.

Equipment / Written material notice period

Clause 4.10: This should be amended to one business day in line with the notice period. Order of Speakers

Clause 4.11: A submission suggests deleting this clause. It is recommended that this clause remain. If Council removes the General Manager, it could replace the General Manager with the Mayor so that some structure is in place. The General Manager's current practice is to schedule speakers in alignment with the order of business.

Additional time to speak

Clause 4.12: A submission suggests moving an extension of time; this is not deemed necessary as Councillors have the ability to extend time to speakers as a Procedural Motion.

Speakers staying on topic

Clause 4.13: It is recommended that this Clause not be amended. The Mayor has statutory responsibilities to manage meetings under Section 226 of the *Local Government Act 1993*.

Scheduling of Public Forums

It is recommended that the public forums be scheduled 30 minutes before the Ordinary Council meeting. This could be dealt with in clause 4.1.

Retention period for webcast recordings

Clause 5.22: This clause should be amended to include the retention period set by the *State Records Act 1998*.

Recording of voting at Council meetings

Clause 11.11: It is recommended that this clause remain omitted; currently Clause 11.6 allows for a Councillor to have his/her dissent recorded. Clause 11.8 allows for Council to call for a division. If this Clause is included, Clauses 11.6 – 11.9 and Clause 11.3 may be omitted.

Recording of voting at Committee meetings

Clause 20.24: Similar argument to 11.11 above.

KEY ISSUES:

The key issues relate to running meetings as effectively and efficiently as possible and so as to support Councillors to make decisions that impact upon the community.

Council has recently recruited a Communications Engagement Officer and anticipates that the Community Engagement Framework will be reviewed with further improvements in this area to help address some of the issues brought forward in the submissions.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Draft Code of Meeting Practice was placed on public exhibition.
The submissions were presented to Council at a workshop on 2 February 2021.
- 2. Policy and Regulation**
The *Local Government Act 1993*.
- 3. Financial (LTFP)**
Public forums consume varying quantities of administrative resources which is difficult to predict, but is generally provided for within current budget practices. A database agenda and minutes system would improve the efficiency and accuracy of Council meeting administrative processes.
- 4. Asset Management (AMS)**
Nil

5. **Workforce (WMS)**

No substantial workforce arrangements are impacted by the Code.

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: Council has identified issues in relation to the current Code of Meeting Practice. This risk has been assessed as low.

8. **Performance Measures**

Meets the Integrated Planning and Reporting Strategy 4.1.3: 3 *Provide open, accountable and transparent decision making for the community.*

9. **Project Management**

Codes are managed by the Coordinator Governance and Risk.



Extract Summary from Dr Bruce McMullen

DRAFT

Policy:

Code of Meeting Practice

2020

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.

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.



NOTICE OF MOTION

Submitted by: Cr Tara Toomey

Subject: Amendments to the Code of Meeting Practice

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective: 4.1 A strong, accountable and representative Council.

Strategy: 4.1.2 Engage with the community effectively and use community input to inform decision making.

COUNCILLOR'S MOTION:

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

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

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

RATIONALE:

The amendments have been made in response to community feedback, they involve sections of the Code of Meeting Practice that Council can modify and these changes will bring the Code more in to line with our community's expectations.

For clarity the changes reflect the following:

1 – this would remove **4.6** which states:

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.

4.11 would be removed, it states:

The general manager or their delegate is to determine the order of speakers at the public forum.

2 – 4.10 would be amended to state:

Approved speakers at the public forum are to identify any equipment needs no more than 1 day before the public forum

3 - 4.4 would then become:

A person may apply to speak on no more than 3 items of business on the agenda of the council meeting.

4 – 4.3 would then become:

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 by 1 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, or the topic, and whether they wish to speak 'for' or 'against' the item.

5 – 4.13 would then become:

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, or the topic. 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.

6 – 4.22 would then become:

Where a speaker engages in conduct of the type referred to in clause 4.19, the Council 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.

7 – 20.24 would be included and this states:

All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded

8 – 11.11 would be included and this states:

All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

9 – 3.33 would be removed, it states:

Pre-meeting briefing sessions are to be held in the absence of the public.

Submitted by Councillor Toomey

EXECUTIVE ADVICE:

The recommended amendments are all lawful and within Council's power to change.

Some of the recommendations are significant changes to the policy.

In 2018 the Office of Local Government provided a new model policy for the conduct of Council meetings.

In 2019 Council undertook a review of its *Policy: Code of Meeting Practice* and endorsed the current Policy.

At the Oct 2020 Council meeting a minor amendment to address a timing anomaly was endorsed by Council and the amended Policy was placed on public exhibition.

Council has received one submission from a member of the public giving feedback to Council across a number of areas of the Policy.

Executive have scheduled a Council workshop for February to review this feedback so that a further report to Council (likely March 2021) can be prepared for decision making on any further changes to the Policy, as well as further public exhibition if required.

The feedback includes consideration of the conduct of Public Forums. Council also needs to further develop its Community Engagement Framework and the Council's Public Forums are part of this framework. This work should have the input of Council's Communication Officer (currently vacant).

It is recommended that Councillor Toomey's proposed changes to the Policy be deferred until a workshop be held by Council to consider the proposed amendments, along the feedback from members of the public, in detail before any decisions to further amend the Policy are made.

Should Council instead determine to proceed to debate the Notice of Motion as drafted, the following considerations are recommended:

- (1) Removing 4.6 would mean that the General Manager cannot refuse an application for someone to speak at a *Public Forum*. This removes the General Manager's administrative role in preparing the Council agenda and scheduling for Council. Council may find it difficult to manage this process without the General Manger's role when circumstances see a large number of speaker requests on one or more topics which may or may not relate to the items of business on the Council agenda. It may also mean that members of the public could politely criticise councillors or staff.

Under Clause 4 – the Council may hold a public forum PRIOR to each Ordinary Meeting of the Council. In fact on page 9 of Council's current Code of Meeting Practice (CMP) it states Note: Public Forums should **not** be a 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.

However, it also states that 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.

Staff are currently reviewing the Community Engagement Framework and input from Councillors on how the Public Forums should be run would be helpful. The Coordinator Governance and Risk recently spoke with the Office of Local Government (OLG) and their officer indicated that the Public Forum does not have to be held immediately before the meeting, so it could be held on Monday prior to the Tuesday Council meeting (as an example).

- (2) The Notice of Motion (NOM) suggests removing 4.11 which states that the General Manager or their delegate is to determine the order of speakers at the public forum. If Council removes the General Manager, perhaps it could consider replacing the General Manager with the Mayor, so that some structure is in place.
- (3) 4.10; Council many wish to amend the recommendation slightly so that it reads: Approved speakers at the public forum are to identify any reasonable equipment needs **at least one business day** before the public forum.
- (4) 4.4; The NOM suggests that a person may apply for more than three (3) items on the agenda of the Council meeting.

The original clause provided Council with the means to permit more than one if it was agreed to. From a risk perspective it is easier to permit something than reject it.

- (5) 4.3; For clarification purposes, it is recommended that applications must be received at least one (1) business day before the public forum is to be held. Public Forums may take place on Monday, and it is unreasonable to expect staff to be aware of requests on a Sunday.
- (6) If Council choose to allow applicants to speak on topics that are not on the agenda, it is recommended that this forms part of the three items recommended in 4.4.
- (7) Within the NOM 4.3 and 4.13 make reference to 'or the topic'.

- (8) 4.22; from an administrative perspective, Council would have to **resolve** to refuse applications from a person who misbehaves in the forum. From a risk perspective, this is on the public record and could create a risk to Council's reputation.
- (9) 20.24 and 11.11 would require manual recording of Councillors' votes. Currently the unanimous decision are being recorded and dissents are recorded upon request. This suggestion would be easier to implement if software such as InfoCouncil was uploaded onto Council's systems, otherwise it is somewhat onerous for the officer taking the minutes and is likely to add significantly add to the duration (and resource consumption) of meetings. There is also a risk that this approach fractures the Council by allowing Councillors to state their personal position (with reference to the relevant resolution) rather than abide by the (unwritten) approach that Councillors must support all decisions of Council irrespective of whether they voted against the resolution.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Any amendments to Council's policies are required to be placed on public exhibition for a minimum of 28 days and should any substantive submissions be received Council are required to consider those before finalising the Policy.

2. Policy and Regulation

Policy: Code of Meeting Practice 2019.

3. Financial (LTFP)

Negligible; however, see workforce implications.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

Potential increased volume of community engagements at Public Forums consumes staff time, particularly the Office of the GM (GM, EA).

Communications Officer is scheduled to be recruited early in 2021.

6. Legal and Risk Management

Reputation - The notice of motion creates a possible reputation risk if Council proceed with further amendments to the Policy now prior to considering the recent feedback from the community; however, this is considered **low risk**.

Service delivery – A number of the proposed amendments to remove the General Manager's role to manage the agenda for Council may create a service delivery risk for Council; this is assessed as **medium risk**. [for example: scheduling order of speakers; managing the time allocated to the public forum; managing vexatious customers (rare)]

7. Performance Measures

To be determined subject the Policy amendments.

8. Project Management

N/A

ABBREVIATIONS USED:
 TT: Councillor Toomey
 BM: Mr McMullen

Clause	Current	Feedback	Options	Considerations
3.33	Pre-meeting briefing sessions are to be held in the absence of the public.	TT: Delete 3.33		This is an optional clause from the issued Model Code of Conduct. Further, Council recently resolved to have its workshops open to the public, this would align with Council's current practice.
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 four (4) days 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. <i>Note: At the 27 October 2020 Council meeting, Council resolved to amend the current Code to one (1) business day's notice and place on public exhibition.</i>	BM: 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 comment upon, speak 'for' or 'against' or suggest an amendment to the item.	Reduce the period of notice to one (1) business day.	4 days was considered too onerous as the business paper is often published with 3 days notice. For clarification purposes, it is recommended that applications must be received at least one (1) <u>business day</u> before the public forum is to be held so that the General Manager has the opportunity to assess if there are any potential risks to Council. Public Forums may take place on Monday or the day after a public holiday.

Commented [SP1]: Has this been addressed or are we rejecting the proposal?

		<p>TT: Modify 4.3 to permit to speak on items not on the agenda, but which the Council agrees are in the public interest to be addressed to Council by adding the words 'or the topic' following the words 'the person wishes to speak on'.</p> <p>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 four (4) days 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, or the topic, and whether they wish to speak 'for' or 'against' the item.</p>	<p>Review the Community Engagement Framework to identify means of hearing Community's concerns.</p>	<p>The Model and Council's current Code of Meeting Practice states in 4.1:</p> <p>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.</p>
4.4	<p>A person may apply to speak on no more than one (1) items of business on the agenda of the council meeting; additional items permitted if agreed by council.</p>	<p>TT: Modify 4.4 to permit more than 1 item, amending the wording 'up to 3 items'</p>		<p>The original clause provided Council with the means to permit more than one if it was agreed to. From a risk perspective it is easier to permit something than reject it.</p>
4.6	<p>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.</p>	<p>BM: 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. The reason(s) should be communicated to the applicant by electronic or written means, or by personal communication within one business day of receipt of the refused application.</p>	<p>Bearing in mind the notice periods, it is likely that the GM would be providing a quick turnaround on decisions; however an option might be to add 'as soon as practicable' instead of one business day.</p>	<p>It is advisable to have a written record of the reasons for refusal.</p> <p>Council needs to consider whether one business day turnover is reasonable. Council's Customer Service Charter currently states:</p> <p>4. When customers write to us, we will:</p>

				<p><i>Respond to letters, emails and faxes within nominated timeframes for each type of correspondence or within ten (10) working days of receipt if no previously nominated timeframe;</i></p>
		<p>TT: Delete 4.6</p>	<p>Amend 4.6 to require the General Manager, prior to the meeting, to liaise with the Mayor before refusing any applications.</p>	<p>Removing 4.6 would mean that the General Manager cannot refuse an application for someone to speak at a <i>Public Forum</i>.</p> <ul style="list-style-type: none"> • Large number of speakers • Vexatious speakers.
4.10	<p>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 no more than four (4) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.</p>	<p>BM: suggests deleting the proposed word 'business' to read as 'at least one day'.</p>	<p>Amend to one (1) business day.</p>	<p>It had been proposed to amend this section to include the word 'business'. Approved speakers at the public forum are to identify any reasonable equipment needs at least one business day before the public forum.</p>
4.11	<p>The general manager or their delegate is to determine the order of speakers at the public forum.</p>	<p>TT: Delete 4.11</p>		<p>If Council removes the General Manager, perhaps it could consider replacing the General Manager with the Mayor, so that some structure is in place. Note, the General Manager's practice is to schedule speakers in alignment with the order of business.</p>

4.12	Each speaker will be allowed five (5) minutes to address the council. This time is to be strictly enforced by the chairperson.	BM: Councillor may move an extension of time for the speaker, but for no more than an additional 5 minutes. This extension will be granted upon passing of the motion.		This is not considered to be necessary; Councillors have the ability to extend time to speakers as a Procedural Motion.
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.	BM: Delete the final 'phrase' and add - May move from the chair that that speaker be no longer heard. Should this be adopted, the speaker will not be further heard. If the motion fails, the speaker will be permitted to continue for the remainder of their available time.	Remain consistent with requirements of the legislation.	This would be ultra vires as it conflicts with the Mayor's statutory responsibilities to manage the meeting. (LGA 1993 (NSW) s 226).
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.	TT: Include 'or the topic' TT: Replace 'general manager or their delegate' with 'the council'.	Amend to the effect that: ...the General Manager may recommend to Council that they resolve that further applications from that person to speak at future public forums be refused.	See note re 4.3 From an administrative perspective, Council would have to resolve to refuse applications from a person who misbehaves in the forum. From a risk perspective, this is on the public record and could create a risk to Council's reputation. The General Manager should apply natural justice processes and seek a Council resolution to deem a member of the public vexatious in any event.
Note	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	BM: see highlight	Hold the Public Forum prior to the meeting: (1) Morning of Meeting Date (2) Previous Day	As currently written, Council has the option of conducting public forums during the meeting (per current practice).

5.22	<p><i>conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.</i></p> <p>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 recordings is to be retained on the website]. Recordings of meetings may be disposed of in accordance with the <i>State Records Act 1998</i></p>	<p>BM: Set the timeframe.</p>	<p>Amend to include the time frame required by the State Records Act.</p>	<p>This is regulated by the State Records Act and it is recommended that this be 12 months in line with the State Records Act.</p>
11.11		<p>TT: Include 11.11 from the Model Code of Meeting Practice 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p>	<p>If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.</p>	<p>11.6 Allows for a Cr to have his/her dissent recorded. 11.8 Allows for a Cr to call a division. Council runs its minutes live, manually and currently records unanimous decisions. It has not implemented an automated software system.</p>
20.24		<p>TT: Include 20.24 from the Model Code of Meeting Practice 20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p>		<p>Committees are run by volunteers; some training may be required.</p>

Note Armidale Regional Council have recently amended their Code of Meeting Practice to include presentations (maximum of 15 minutes duration and limited to two per meeting).

Copy of Armidale Regional Council Media Release published on 06 Jan 2021:

Community groups and organisations invited to share their aspirations and needs at council meetings

Community groups and organisations are encouraged to take advantage of a new addition to Council meetings with time now set-aside for presentations to Councillors.

Armidale Regional Council Mayor Cr Ian Tiley introduced a Mayoral Minute at the December 22 Council meeting in conjunction with the mandatory review of the Code of Meeting Practice to introduce a new agenda item for presentations.

“It is considered important to enable presentations at open Council meetings by community groups and organisations as well as Commonwealth and State bureaucracies,” said Mayor Tiley

“This will enable the Council and the community to be well briefed on the salient issues of the day. Presentations would also give local groups and organisations the ability to convey their aspirations and needs to the governing body.”

Presentation would be a maximum of 15 minutes duration and limited to two per meeting. To register your community group or organisation’s interest in a presentation register via the Council website and search for ‘Participate at a Council Meeting’. Requests must be submitted prior to 12 noon the day prior to the meeting.

The revised Code of Meeting Practice will soon be placed on public exhibition for 28 days.

TRIM UJNT/21/411



Policy:

Code of Meeting Practice

2019

INFORMATION ABOUT THIS DOCUMENT

Date Adopted by Council	26 February 2019	Resolution No.	30.02/19
Document Owner	<i>Executive Manager Corporate Services</i>		
Document Development Officer	<i>Coordinator Governance and Risk</i>		
Review Timeframe	<i>Within 12 months following an ordinary election (Local Government Act 1993 s360(3))</i>		
Last Review Date:	February 2019	Next Scheduled Review Date	September 2020

Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
1	February 2019	Draft Policy presented to Ordinary Meeting of Council
2	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).

Related Legislation*	Local Government Act 1993 Local Government (General) Regulation 2005
Related Policies	Code of Conduct 2019
Related Procedures/ Protocols, Statements, documents	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 (4th) Tuesday of the month
- December – on the third (3rd) 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 four (4) days 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) items of business on the agenda of the council meeting; additional items 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 no more than four (4) business days 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.

Department:	Corporate Services	
Prepared by:	<i>Coordinator Governance & Risk</i>	
TRIM Reference:	UINT/21/1541	
Attachments:	UINT/19/53	Abandoned Vehicles 2013
	UINT/19/54	Backyard Burning 2013
	UINT/19/55	Cemeteries 2013
	UINT/19/58	Deferment of Conditions of Development Consent 2013
	UINT/19/56	Bonds Management 2013
	UINT/19/66	Landscaping Bonds 2013
	UINT/19/59	Developments (Small) - Disposal of Stormwater 2013
	UINT/19/60	Displays on Footpaths 2013
	UINT/19/25	Genetically Engineered Crop Trials and Commercial Crops in Country NSW 2013
	UINT/19/32	Hairdressers and Skin Penetration Premises 2013
	UINT/19/76	Section 149(d) Certificates - Building Certificate Fee 2013
	UINT/19/77	Street Vendors 2013
	UINT/19/79	Thermal Insulation for Class 1, 2 and 3 Buildings 2013

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	Strong, accountable and representative Council
Strategy:	Provide open, accountable and transparent decision making for the community

SUMMARY

At the Audit, Risk and Improvement Committee meeting held on 9 February 2021, a report detailed the absence of any policies that had lapsed under section 165(4) of the Local Government Act. The report also noted a series of policies that were considered redundant and that should therefore be removed as policies of Council. This report deals with those redundant policies.

RECOMMENDATION

That Council formally revoke the following redundant policies:

1. Abandoned Vehicles 2013
2. Backyard Burning 2013
3. Cemeteries 2013
4. Deferment of Conditions of Development Consent 2013
5. Bonds Management 2013
6. Landscaping Bonds 2013
7. Developments (Small) - Disposal of Stormwater 2013
8. Displays on Footpaths 2013
9. Genetically Engineered Crop Trials and Commercial Crops in Country NSW 2013
10. Hairdressers and Skin Penetration Premises 2013
11. Section 149(d) Certificates - Building Certificate Fee 2013
12. Street Vendors 2013
13. Thermal Insulation for Class 1, 2 and 3 Buildings 2013

BACKGROUND

At the Audit, Risk and Improvement Committee meeting held on 13 October 2020 the following was resolved:

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

REPORT

Section 165 (4) of the *Local Government Act 1993* states the following:

A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

Section 165 of the *Local Government Act 1993* falls under Part 3 of the Act and relates specifically to local policies concerning approvals and orders.

Council has no policies that fall within Section 165 (4).

However, as part of this review the following policies were identified as being redundant.

Policy	Comment	TRIM
Abandoned Vehicles 2013	Regulation of these activities is already covered by the existing statutory framework <i>Impounding Act 1993</i>	UINT/19/53
Backyard Burning 2013	Regulation of these activities is already covered by the existing statutory framework <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i>	UINT/19/54
Cemeteries 2013	Regulation of these activities is already covered by the existing statutory framework <i>Cemeteries and Crematoria Regulation 2014</i>	UINT/19/55
Deferment of Conditions of Development Consent 2013	Regulation of these activities is already covered by the existing statutory framework <i>The Environmental Planning and Assessment Act 1979</i> Local Environmental Plan 2020	UINT/19/58
Bonds Management 2013	Procedure, not a policy	UINT/19/56
Landscaping Bonds 2013	Procedure, not a policy	UINT/19/66
Developments (Small) - Disposal of Stormwater 2013	Superseded by application of the Armidale Regional Council Engineering Design Codes	UINT/19/59
Displays on Footpaths 2013	Superseded by Development Control Plan	UINT/19/60
Genetically Engineered Crop Trials and Commercial Crops in Country NSW 2013	Governed by other bodies and Council has no jurisdiction over the regulation	UINT/19/25
Hairdressers and Skin Penetration Premises 2013	Council is not a regulator for the purposes of the Public Health Act 2010	UINT/19/32

Section 149(d) Certificates - Building Certificate Fee 2013	Regulation of these activities is already covered by the existing statutory frameworks <i>Environmental Planning & Assessment Regulation 2000</i> <i>Swimming Pools Act 1992</i>	UINT/19/76
Street Vendors 2013	Redundant under the provisions of S68 of the Local Government Act 1993	UINT/19/77
Thermal Insulation for Class 1, 2 and 3 Buildings 2013	Building Code of Australia Housing Provisions cover minimum thermal insulation levels	UINT/19/79

It is recommended that redundant policies be repealed.

KEY ISSUES

- Council has no policies under the *Local Government Act section 165(4)* - approvals and orders.
- The review has identified a number of policies that are redundant and for completeness it is advised that Council formally revoke them.
- The review of Council policies will continue with the intention of reducing the current governance backlog.

COUNCIL IMPLICATIONS

1. Community Engagement/ Communication (per engagement strategy)

Relevant staff have provided feedback in relation to the report.

A report was provided to the Audit, Risk and Improvement Committee for their consideration which was duly noted.

2. Policy and Regulation

There has been a lag with respect to policy review; however, staff have been tasked with reviewing policies and this project is now on track with a number of policies presented to Council over the past 12 months.

A schedule for policy review has been prepared and a report will be presented to Council recommending amending, endorsing and repealing relevant policies over the next nine months.

3. Financial (LTFP)

Staff resources in terms of reviewing policies.

4. Asset Management (AMS)

Not Applicable.

5. Workforce (WMS)

Staff resources in terms of reviewing policies. This exercise of policy review forms part of Council's normal business. This area is now resourced; however, staff vacancies and/or capacity issues have created a backlog which is forecast to be addressed by September 2021.

6. Legal and Risk Management

Corporate Governance – A review of all policies should take place regularly to ensure that the policies remain relevant. A schedule has been developed and work on this project is currently on track. This risk is assessed as low/medium.

7. Performance Measures

That the policies be reviewed in accordance with the review schedule.

8. Project Management

A schedule has been provided in the register for policy review.

- Section:** 3.1.1 – Engineering Services – Transport
- Subject :** Abandoned Vehicles
- Description:** This document describes Council’s Policy towards the removal of abandoned vehicles.
- Objectives:**
- To ensure all abandoned vehicles are removed expediently.
 - To ensure all abandoned vehicles that are causing an obstruction to traffic (vehicles or pedestrians) or is likely to be a danger to the public is immediately impounded.

Policy:**Policy Statement:**

Council will order the removal of abandoned vehicles from roads or public places where such vehicles are considered to be abandoned in accordance with the Impounding Act 1993, Section 16, which states:

1. An impounding officer must make all reasonable inquiries in an effort to find out the name and address of the owner of a motor vehicle before the officer impounds the vehicle.
2. If the impounding officer’s inquiries fail to reveal the name and address of the owner, the officer may proceed to impound the vehicle.
3. If the impounding officer’s inquiries do reveal the name and address of the owner, the officer is not to impound the vehicle until notice of the proposed impounding has been given to the owner and the period specified in the notice has elapsed.
4. The notice to the owner must be in writing addressed to the owner and must indicate that the vehicle may be impounded unless it is removed within a specified period (not less than 3 days) and may be destroyed if its value is less than \$500 (or such other amount as may be prescribed under section 18).
5. A motor vehicle may be impounded immediately (without following the procedures in this section) if the vehicle is in a public place and the impounding officer is satisfied on reasonable grounds that its immediate removal is justified because it is causing an obstruction to traffic (vehicular or pedestrian) or is likely to be a danger to the public.

Note. Section 43 provides of the Impounding Act 1993 provides for assistance in finding out who the owner of a motor vehicle is. See section 49 for the ways in which notice can be given to the owner of a vehicle.

Exemptions: Nil

Other Matters: Nil

Responsibility: **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated.

The **General Manager** has the responsibility to authorise the Policy.

Directors and Managers are responsible for reviewing, updating and enforcing the Policy.

Employees are responsible for following the Policy.

Related Documents:

- Impounding Act 1993

Review: This Policy will be reviewed as necessary or at least every four (4) years from date of adoption.

Last review: October 2013

Reviewer: Director of Engineering Services

Resolution # 265/97, 94/05 (March 2005), 419/09 (September 2009), 249/13 (August 2013)

Authorised by:

General Manager

.....

Date

- Section:** 5.1.1 - Health and Building/Public Order and Safety
- Subject :** Backyard Burning
- Description:** This document describes Council's policy towards backyard burning.
- Objectives:** To implement provisions to better control backyard burning in the Uralla Shire.

Policy:

Overview:

- Home incinerators are prohibited in urban areas.
- Total prohibition of burning items that will pollute including tyres, coated wire, solvent containers and residues, paint containers and residues and treated timber – copper chromium arsenate (CCA) and pentachlorophenol (PCP).
- A general obligation for any person to prevent or minimise pollution when burning.

Policy Statement:

Council adopts the *Protection of the Environment Operations (Clean Air) Regulation 2010*. The Regulation is designed to prevent air pollution from air borne particulates and chemicals and eliminate localised nuisance caused by smoke and odour generated by inefficient backyard burning off.

- Exemptions:** This policy allows Council to prohibit burning of vegetation with the following exceptions:
- As part of an agricultural operation, prunings, thinnings, diseased plant material or any other legitimate agricultural activity.
 - Cooking and barbequing.
 - Training in methods of fire fighting by an appropriate person.
 - In a licensed incinerator meeting specified requirements.

Other Matters: *Health and Other Issues*

Note: There are provisions in the *Protection of the Environment Operations Act 1997* that enable Council's authorised officers to require extinguishment of any fire, which the officer can confirm is causing a serious risk to the health of any person. A similar provision applies where it can be confirmed that a fire is not conducted in such a manner as to minimise air pollution.

This Policy does not relate to the safety aspects of burning off – this is covered by the *Rural Fires Act 1997*.

Penalties

Council authorised officers and Department of Environment Climate Change and Water officers, are empowered to serve penalty infringement notices where it can be established there has been a breach of the *Protection of the Environment Operations (Clean Air) Regulation 2010*. Penalties are set by the *Protection of the Environment Operations (General) Regulation 2009*.

- Responsibility:** **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated.

The **General Manager** is responsible for authorising the Policy.

Directors and Managers are responsible for reviewing, updating and implementing the Policy.

Employees are responsible for following the Policy.

Review: This Policy will be reviewed as necessary or every four (4) years from date of adoption.

Last review: October 2013

Reviewer: Manager of Planning

Resolution # 475/01, 94/05 (March 2005), 249/13 (August 2013)

Authorised by:
General Manager Date

Section: 5.1.2 : Health and Building/ Public Order and Safety : Health and Building

Subject : CEMETERIES

Description: This policy deals with interment within the Uralla Shire local government area.

Objectives:

- To ensure that all interments within the Shire are carried out officially and expediently.
- To ensure appropriate recordkeeping.

Policy:

Overview:

This Policy deals with the interment process of all burials or ashes placement within Uralla Shire. Specific policy is required for the Lawn, Niche Wall, Niche Garden, Private Cemeteries, Monuments, Administration and Schedule of Fees to provide guidelines for staff. This policy complements but does not override all relevant legislation regarding cemetery management.

Policy Statement:

Council requires adherence to all procedures before and after all interments.

Undertakers are required to check with Council on reservation, plot right or unused plot/niche before the plot is excavated or niche filled. An application for permit to bury is to be lodged with Council prior to the interment and is to contain full details of the deceased, Doctor's or Coroner's certificate, section, plot/niche and any interment requirements requested.

Individual requests can be applied for to Council for special consideration.

- Lawn Cemeteries

All first interments are to be a minimum 2.00 m deep allowing a second interment in the same plot.

Lawn plots can not be used solely for placement of ashes.

The Uralla Lawn Cemetery is to be non-denominational.

The Bundarra Lawn Cemetery located in the Bundarra Church of England section is non-denominational, a separate Catholic Lawn section is located in the Catholic area.

Plaque dimensions - Standard base and plaque measurements are Base section 660mm w x 490mm h x 65mm height, Plaque tier of 510mm w x 340mm h x 60mm height, and Plaque of 280mm w x 215mm h set into the top tier. The maximum size allowable is 1200mm w x 650mm h with total height not exceeding 175mm.

- Niche Gardens

Each plot within the Niche Garden can be used for up to three lots of ashes.

- Niche Walls

Ashes or plaques can only be placed by council staff or have a staff member present during placement within Council cemeteries.

- Monuments

Maintenance and restoration of monuments are to follow the adopted guide entitled '*Cemetery – conservation of monuments, Uralla Shire Council, August 2013*' as prepared by Mitch McKay, Heritage Consultant.

- Private Cemeteries

Development consent is required to establish a cemetery on privately owned land.

Interment details are required before any interments can occur in a private cemetery. Details of the deceased are to be provided to Council for inclusion into the Private Cemeteries burial records.

- Administration

The Council will keep a register of interments including the name of the deceased, date of death, date of interment, and location of every interment site in the cemetery. The location details shall include the section, block number and plot/niche number of the interment.

The Council will maintain plans that will indicate the locations of each section, block, and plot/niche number.

The Council will keep a register of burial rights which will include the number of burial right, the burial right holders name and address and the date when the burial right was granted.

- Schedule of Fees

Council's cemetery fees and charges are included in the Council's Revenue Policy within the Operational Plan and are reviewed and updated with any necessary changes annually.

Exemptions: Nil

Other Matters: • Nil

Responsibility: **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated.

The **General Manager** has the responsibility to...

Directors and Managers are responsible for reviewing, updating and enforcing the Policy.

Employees are responsible for following the Policy.

Related Documents:

- Cemetery – conservation of monuments, Uralla Shire Council, August 2013
- Uralla Shire Council Operational Plan
- Interment Procedure

Review: This Policy will be reviewed as necessary or at least every four years from date of adoption.

Date created:

Last review: October 2013

Reviewer: Manager of Planning

Resolution # 265/97; reviewed January 1998:17/98; September 2000: 412/00; March 2005: 94/05; revised September 2009: 419/09; adopted without change August 2013 (249/13).

Authorised by:

General Manager

.....

Date

Subject: DEFERMENT OF CONDITIONS OF DEVELOPMENT CONSENT

Description: This document describes Council's policy over all aspects of Development Consent

Objective: To ensure that staff and developers understand Council's practice concerning deferment of any conditions of consent for development applications

PART 1 – POLICY

1. Council not agree to allow any deferment of any of conditions of consent for development applications to a time after which either the linen plan is signed or release of the Construction Certificate.
2. That Council would only agree to allow such developments to commence operation without having all the works completed if the developer either pays to Council a cash amount to cover the costs of those works (which Council is authorised to use for those works) or provides a bank guarantee along the same lines.

PART 2 – EXEMPTIONS

Nil

PART 3 – CRITERIA

Nil

PART 4 – OTHER MATTERS

The following Policies should also be considered when reading this Policy:

- ◆ Planning - Bonds Management
- ◆ Planning - Landscaping Bonds
- ◆ Relocation of Dwelling Houses (in Council's Local Approval Policies)

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

**Resolution No:392/99; Reviewed September 03; March 05:
94/05; Revised September 09; Revised February 2011: 46/11;
Adopted without Change August 2013 (249/13).**

Section: PLANNING

Subject: BONDS MANAGEMENT

Description: This document sets out the manner in which Council will deal with bonds lodged with Council as part of conditions of development consent.

Objectives:

1. To ensure that staff and developers understand Council's practice concerning the administration of the Bonds and to ensure that Council recoups some of the expenses involved with the management of the Bonds.
2. To encourage developers to expedite the work involved with the development application.

PART 1 - POLICY

1. All bond monies received will be deposited in Council's Trust Account.
2. The funds deposited in the Trust Account will share the interest earned in proportion to the balances at the end of each financial year.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

Nil

PART 4 - OTHER MATTERS

The following Policies should also be considered when reading this Policy:

- ◆ Planning – Deferment of Conditions of Development Consent
- ◆ Planning - Landscaping Bonds
- ◆ Relocation of Dwelling Houses (in Council's Local Approval Policies)

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 513/96; Reviewed June 1997: 265/97; August 1999: 392/99; Revised March 05: 94/05; Revised September 09: Revised February 2011: 46/11; Adopted without Change August 2013 (249/13).

Subject: **LANDSCAPING BONDS**

Description: This document outlines when a bond is to be lodged with a development application for landscaping.

To ensure that the landscaping required by Council is finalised.

Objective:

PART 1 - POLICY

1. Council adopted, as a Planning Policy, the lodging of a bond with a Development Application for landscaping as set out in Council's Management Plan:
 - (a) Residential flat/units
 - (b) Light industry/industry
2. The amounts are to be minimum amounts required with the maximum amount being the estimated cost of landscaping. The minimum amount be set by Council in adopting its Revenue Policy and will be increased by CPI on an annual basis.
3. The bond can be by Payment into Council's Trust Account, Deed or Bank Guarantee which is to be set up in such a manner a refund cannot be made without Council's agreement (General Manager's signature).
4. A register is to be set up to record all relevant matters in relation to any bond.
5. A refund or revocation of the bond will not be considered until the end of a two (2) year period, to ensure the consolidation of the initial landscaping establishment and will be subject to final inspection.
6. See also Council's Policy on Bonds Management.

PART 2 - EXEMPTIONS

In rare instances, Council may waive the requirement for a bond. However, this would only be allowed by a resolution of Council, via the Development Assessment Unit after all facts have been considered. In such circumstances, Council will state the reason for waiving the requirement for a bond.

PART 3 - CRITERIA

1. Council considers that flats/units, including urban dual occupancy buildings and industrial developments require some landscaping for them to blend aesthetically with adjacent and surrounding development.
2. The bond needs to be retained until Council is satisfied that suitable landscaping has been established. Once that has occurred, provision has been made to revoke or refund the bond. A start date is to be recorded. The bond will not be refunded until a final inspection has been carried out and all landscaping work has been established in accordance with the approved plan or two years, whichever is the later.
3. Recognition of the need for such flats/units or industrial developments to be landscaped.

PART 4 - OTHER MATTERS

The following Policies should also be considered when reading this Policy:

- ◆ Planning - Bonds Management
- ◆ Planning – Deferment of Conditions of Consent
- ◆ Relocation of Dwelling Houses (in Council’s Local Approval Policies)

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.
The bond amount to be updated annually at adoption of the Revenue Policy.

Resolution No: 265/97; Reviewed August 1999: 92/99; June 2000: 249/00; Revised March 05: 94/05; Revised September 09: Revised February 2011: 46/11; Adopted without Change August 2013 (249/13).

Subject: DEVELOPMENTS (SMALL) - DISPOSAL OF STORMWATER

Description: This document describes the stormwater disposal methods to be used from a development to a kerb and gutter/channel.

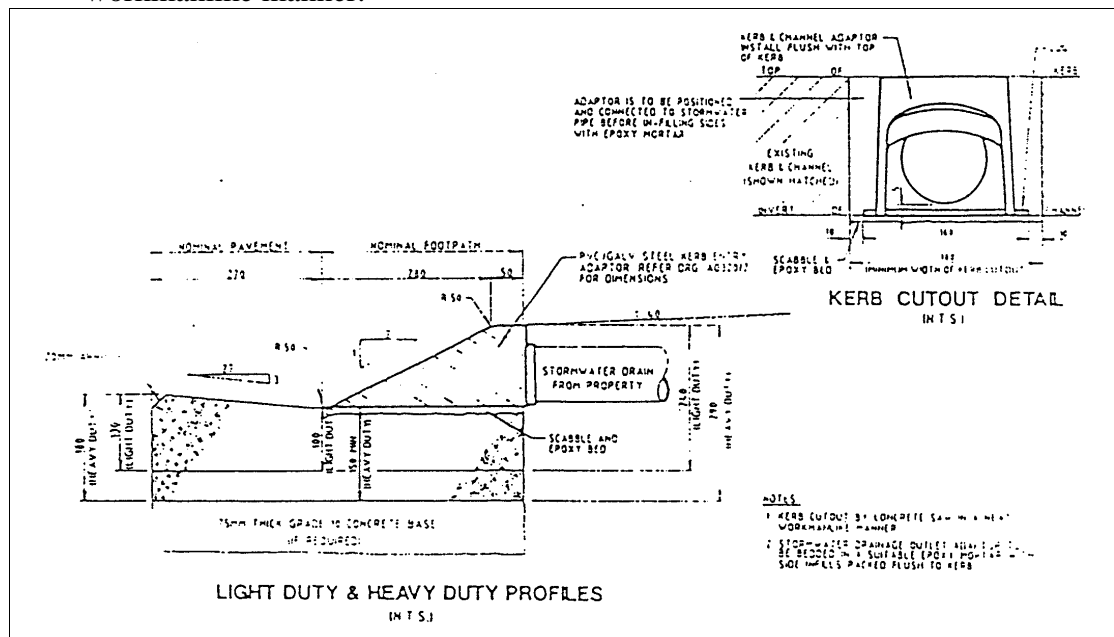
Objective: The objective of this policy is to ensure the proper disposal of stormwater through kerb and gutter/channel and satisfactory restoration of that work.

PART 1 - POLICY

1. This is to ensure that reasonable standards are being adopted by builders/owner builders in the practice of breaking through kerb and gutter/channel when installing a stormwater run-off system from a development to the street.

The following steps are required to be followed:

- (a) The opening in the kerb is to be sawcut.
- (b) A kerb adaptor is to be used which allows maximum cover over the pipe.
- (c) Ensure that the invert of pipe is laid at invert of kerb and channel, again for maximum cover.
- (d) Concrete to be used for patching (not mortar) and is to be finished off in a workmanlike manner.



- (e) No more than two (2) downpipes are to be accommodated in a kerb and channel penetration.
 - (f) Detail of installation
2. This policy will apply to:
- (a) Existing kerb and gutter/channel where adaptors have not been provided.
 - (b) New kerb and gutter/channel. A minimum of two (2) adaptors per lot will be provided in all new works undertaken by either Council or developers.
3. All plans submitted for approval to Council will be required to show both the number and locations of all downpipes.

It will be a requirement to nominate the method of discharge to be used, i.e. kerb and channel, interallotment system or stormwater pits.

Note: All stormwater is to be piped to the kerb and channel wherever possible.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

Council must take into account the following criteria in determining whether to approve or not approve an application to dispose of stormwater via kerb and gutter/channel.

- If a sufficient number of outlets are provided to each lot.
- If all works are to be done in a satisfactory manner.
- Stormwater is disposed of in this manner it will not cause a nuisance, damage to road works or other property.
- All stormwater is to be piped to the kerb and channel wherever possible. Take into account such factors as:
 - fall of land
 - no kerb and channel
 - other methods proposed for stormwater disposal.

PART 4 - OTHER MATTERS

Nil

Review: This policy is to be reviewed as necessary or every four years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 265/97; Reviewed June 2000: 249/00; March 05: 94/05; Reviewed September 09: Revised February 2011: 46/11; Adopted without Change August 2013 (249/13).

Subject: **DISPLAYS ON FOOTPATHS**

Description: This document describes Council's Policy regarding displays on footpaths.

Objective: To allow the placing of displays on footpaths whilst:

- (i) Not restricting the public use of the footpath or road;
- (ii) Not endangering the public use of the footpath or road;
- (iii) Not obstructing the footpath or road;
- (iv) Not interfering with the public convenience.

PART 1 - POLICY

1. This Policy applies to those commercial business premises located in Uralla and Bundarra.
2. All displays are to be located in a manner near the property boundary, and clear of all doorways and entrances. No signs or displays are to be located on the kerb that may interfere with the parking of vehicles in front of the applicant's business house during trading hours only.
3. All displays and stands are to be a minimum of 900mm high and maximum of 1,500mm high and 1,000 mm wide and Council will regulate the number, positioning and means of stabilising the structure to avoid movement in high wind. Displays are to be free of sharp or dangerous projections.
4. Displays are to be maintained in a clean and tidy condition.
5. Evidence be provided of currency of a public liability policy, minimum amount \$10,000,000 containing an extension noting the use of street footpaths for displays (on an annual basis). A copy should be provided to Council on an annual basis to ensure insurance currency.
6. The current policy is to clearly cover Council and specified goods advertised
 - all goods to be displayed are to be detailed
 - how the goods are to be displayed
 - the policy indemnifies Council against any claim arising from footpath displays.
7. The implementation of this code will be self-regulatory whereby commercial proprietors will be responsible for compliance with the code.

8. Council may charge a fee to permit a display sign in its annual Revenue Policy and staff may inspect at any time and order any display be removed immediately if the display:
- (i) is restricting, interfering or obstructing the public use of the footpath.
 - (ii) is endangering the public use of the footpath.
 - (iii) becomes unsightly and/or dilapidated.
 - (iv) is not covered by a current or adequate insurance cover or fee payment.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

A written application seeking Council's consent for a display on a footpath is required. The application is to contain all of the information as set out above.

PART 4 - OTHER MATTERS

If the application is in accordance with this Policy, it can be dealt with by staff.

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 265/97; Reviewed June 2000: 249/00; March 05: 94/05; Revised September 09: Revised February 2011: 46/11; Adopted without Change August 2013 (249/13).

Subject **GENETICALLY ENGINEERED CROP TRIALS AND COMMERCIAL CROPS IN COUNTRY NSW**

Description: This document describes Council's policy towards genetically engineered crop trials and commercial crops in country NSW

Objectives: To ensure precautionary principles are applied in this environmentally sensitive issue.

PART 1 - POLICY

Council will urge caution in any decisions by the gene technology regulator in relation to any applications received to carry out genetically engineered crop trials and commercial crops in Uralla Shire.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

Nil

PART 4 - OTHER MATTERS

Nil

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 401/01; Reviewed October 02: 496/02; March 05: 94/05; Reviewed September 09; Reviewed and Revised February 2011 (45/11); Adopted without Change August 2013 (249/13).



URALLA SHIRE COUNCIL

Hairdressers & Skin Penetration Premises

2013



Hairdressers & Skin Penetration Premises Policy

Section:

Subject : Hairdressers & Skin Penetration Premises

Description: To apply to all hairdressers and skin penetration premises within the Uralla Shire Council area.

- Objectives:**
- To protect public health by ensuring all operators are registered, conduct inspections of premises to ensure compliance with regulations and guidelines, maintain a public register.
 - To encourage hairdressers and skin penetration premises operators to achieve best practice.
 - To regularly monitor skin penetration hygiene practices for compliance with the *Public Health Act 2010* and *Public Health Regulation 2012*.
 - Meet legislative requirements being the *Public Health Act 2010* and *Public Health Regulation 2012*.
 - Ensure community needs and expectations are satisfied.

Policy:

Overview:

This Policy summarises the legislative requirements and applies to all hair dressers and skin penetration premises.

Hairdressing and other body decorating and grooming practices which may or may not deliberately pierce the skin are regulated under legislation but may still be subject to health and planning requirements.

Policy Statement:

Premises conducting skin penetration procedures must be approved, and registered with Council. These premises will be regularly inspected by Environmental Health Officers to ensure that:

1. The premises are maintained in a safe and hygienic condition; and
2. Operators conduct procedures safely to minimise risk to the health of their clients.

The *Public Health Act 2010* and *Public Health Regulation 2012* regulates body decorating and grooming practices that penetrate the skin and are carried out by people who are not registered as health professionals. Skin penetration is an activity that includes any of the following procedures:

- acupuncture
- beauty treatments (ie waxing, electrolysis)
- body piercing
- colonic lavage
- cosmetic enhancement
- body piercing
- tattooing
- nail artistry
- microdermabrasion

Premises not inspected by Council include:

- registered medical practitioners
- dentistry's
- chiropractors

- osteopaths
- dental technicians
- nurses
- optical dispensers, optometrists
- pharmacies
- physiotherapists
- podiatrists
- psychologists
- any procedure carried out by a person under the direction or supervision of such a professional where the procedure is carried out as part of that professional practice.

The *Public Health Act 2010* and *Public Health Regulation 2012* :

1. Specifies procedures to prevent disease transmission;
2. Requires operators to be registered with the local council; and
3. Supports Environmental Health Officer's to carry out hygiene inspections.

Environmental Health Officers have powers to enter premises to:

- Inspect premises
- Inspect equipment
- Ask questions
- Take samples, photos and videos
- Check records

Inspections will be carried out to ensure:

- Potential to spread disease is minimised
- Infection control techniques and procedures are followed
- Premises are clean and fitted out correctly
- Articles and equipment are clean, disinfected, sterilised and appropriate for the procedure
- Single use items are used only once
- Personal Protective Equipment is used
- Records are kept
- Premises are registered with Council

Part of Council's role is to provide advice to hairdressers and skin penetration premises and to follow up on complaints regarding either unhygienic practices, or unclean premises.

Hairdressers and skin penetration premises are to be inspected annually and results of previous inspections to ensure compliance with regulations. Council will take immediate action to address non-compliance. Premises that are found to have breaches may have their inspection frequency increased (this will result in an additional cost of an inspection fee).

In order for Council to undertake a regulatory inspection role, relevant fees and charges are required to be imposed. These are to be considered each year in the review of Council's Operational Plan.

Responsibility: **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated to inspect and educate hairdressers and skin penetration premises on conducting skin penetration procedures within the Uralla Local Government Area.

The **General Manager** has the responsibility to resource the inspection and education role.

Directors and Managers are responsible for implementing the inspections and provision of education as required.

Employees are to carry out inspections, maintain accurate records,

including inspections, notifications, and fees.

Attachments: Nil

Review: This Policy will be reviewed every two years from date of adoption.

Resolution # Adopted on Thursday, 11 July 2013 by Delegation under Resolution 134/13; Adopted without Change 27 August 2013 (Resolution 249/13).



URALLA SHIRE COUNCIL

Section 149(d) Certificates – Building Certificate Fee

2013



Section 149(d) Certificates – Building Certificate Fee Policy

Section:

Subject : Section 149(d) Certificates – Building certificate Fee

Description: To apply to all Section 149(d) Certificate – Building Certificates issued within the Uralla Shire Council area.

Objectives:

- Apply the fee for building certificates as set out by the *Environmental Planning and Assessment Regulations 2000*.
- To discourage illegal building work.
- Meet legislative requirements being the *Environmental Planning and Assessment Act 1979* or the *Local Government Act 1993*.
- Ensure community needs and expectations are satisfied.

Policy:

Overview:

This Policy provides guidelines for fee implementation for Section 149(d) Certificate known as building certificates.

Issued under Section 149(d) of the *Environmental Planning and Assessment Act 1979*. Commonly known as a Building Certificate, it gives property owners, potential buyers and financial institutions assurance that unapproved built structures on a property are in reasonable repair, structurally sound, and may have an approval but an Occupation certificate has not been issued. The Certificate means that, under the *Environmental Planning and Assessment Act 1979* or the *Local Government Act 1993*, Council will not order or take proceedings for an order to have the building demolished, altered, added to or rebuilt, or to take proceedings in relation to any encroachment by the building onto land under the control of Council, for a period of seven years.

Policy Statement:

A building certificate is a certificate applied for, and issued, under Section 149(d) of the *Environmental Planning and Assessment Act 1979*.

The certificate is usually needed by buyers or sellers of property before settlement to make sure that what is being bought or sold is not going to be the subject of action by the council. It is also commonly applied for when work is undertaken without the appropriate approvals being issued by the council or a private certifier.

For pool safety fencing, a Certificate of Compliance under the *Swimming Pools Act 1992* is the appropriate application to apply for rather than a building certificate.

A building certificate application may be made by:

- a. The owner of the property
- b. Another person, with the consent of the owner of the property.
- c. The purchaser of the property under a contract of sale (including the purchaser's solicitor or agent).
- d. A public authority that has notified the owner of its intention to apply for the certificate.

A building certificate application may be for a part or whole of a building.

As a minimum requirement, a building certificate application must include an original or certified copy of a survey report and plan. The survey report and plan must represent the property and buildings as they exist at the time of lodging the application. Additional information may need to be provided (including building plans, specifications and certificates) as may reasonably be necessary to enable the council to assess the

application.

Building certificate fees are set in the *Environmental Planning & Assessment Regulations 2000*. Single and dual residential properties have a set application fee. The fee for other building types is calculated according to the floor area of the building. The total floor area of the building to be inspected needs to be provided on the application form. Current fees that apply to an application for a building certificate are detailed in Council's Operational Plan.

Additional fees apply where reinspections are required to be carried out by council officer and to applications involving the assessment of unauthorised structures constructed in the previous two years.

In the case of applications involving unauthorised work that was undertaken by the current owner at time of application for the certificate, the additional costs associated with the application is the cost of the current fee of a development application and construction certificate or complying development certificate for the estimated cost of the illegal building work.

Applying for a building certificate does not eliminate the issue of fines that may be imposed for breaches under the *Environmental Planning and Assessment Act 1979* or the *Local Government Act 1993*.

Responsibility: **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated to issue building certificates as part of the regulatory services within the Uralla Local Government Area.

The **General Manager** has the responsibility to resource the regulatory services operations.

Directors and Managers are responsible for implementing regulatory services operations.

Employees are to carry out inspections, maintain accurate records, including inspections, notifications, and fees.

Attachments: Nil

Review: This Policy will be reviewed every two years from date of adoption.

Resolution # Adopted on Thursday, 11 July 2013 by Delegation under Resolution 143/13; Adopted without Change August 2013 (249/13).

- Subject:** STREET VENDORS
- Description:** This document describes the manner in which Council will deal with applications for street vendors
- Objective:** To ensure that applications for a street vendor's licence can be expedited prior to Council formally considering the application, under certain circumstances.

PART 1 - POLICY

1. That, upon payment of a development application fee for a street vendor's licence, interim approval may be granted by the Director of Engineering Services to any Uralla Shire ratepayer selling seasonal produce, **grown by the vendor**, pending a final decision on the application by the full Council.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

1. This concession applies for Uralla Shire ratepayers only.
2. This Policy is aimed to help local ratepayers while also protecting the interests of shopkeepers, pending a final decision on the application by the full Council.

PART 4 - OTHER MATTERS

- Review:** This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 265/97; Reviewed September 03; March 05: 94/05; Revised September 09; Adopted without Change August 2013 (249/13).

Subject: THERMAL INSULATION FOR CLASS 1, 2 and 3 BUILDINGS

Description: This document describes Council’s policy regarding the thermal insulation of Class 1, 2 & 3 buildings (residential use).

- Objective:**
- To increase the amenity of dwellings in Uralla Shire and improve the thermal comfort of their occupants;
 - To improve energy efficiency through reduced reliance on artificial heating and cooling FOR THESE CLASSES OF BUILDINGS in the Shire;
 - To reduce consumption of finite energy sources such as fossil fuels;
 - To contribute to a reduction in greenhouse gas emissions created by energy production and use, consistent with national and international protocols;
 - To contribute to a reduction in local wood smoke pollution;
 - To reduce recurrent costs of energy use for residents and energy supply authorities.

PART 1 - POLICY

This policy applies to all new Class 1, 2 and 3 buildings which includes residential sections and additions. In this Policy “R-value” means the thermal resistance or insulating effect of an insulation material measured in m²K/W.

Provision of thermal insulation

Minimum insulation levels/thermal resistance

For all new floor space, the following minimum levels of thermal insulation shall be provided in addition to the other materials used in construction of the building:

ELEMENT	MINIMUM R-VALUE
Roof or ceiling	R 3.5
External walls - cavity brick <i>OR</i>	R 1.5
External walls - brick veneer, weatherboard or the like	R 2
Suspended floors	R 1.0

Notes

- *Higher levels of insulation are recommended where central heating or mechanical cooling is installed.*
- *The Policy assumes that uninsulated construction has an R-value of 0.5.*
- *See over for exemptions from these requirements.*

PART 2 - EXEMPTIONS

This Policy does not apply to the following types of construction:

- (i) windows, vents and other similar openings in walls, roofs and ceilings;
- (ii) a garage forming part of a Class 1, 2 or 3 building which is separated from the habitable rooms of the building by a wall complying with the requirements for an external wall in the above Table;
- (iii) a building material used in the construction of an external wall, roof or ceiling of a dwelling which meets the relevant standard (above table) plus an additional R-value of 0.5 (for example certain forms of aerated concrete construction). *Allowances will also be made for building materials which provide a partial compliance with the standards in the above table;*
- (iv) walls or ceiling/roof areas of manufactured or relocated homes which are not readily accessible for the purpose of installing insulation.

PART 3 - CRITERIA

Council must take into account the following criteria in determining whether to approve or not approve an application.

Fire resistance - Building Code of Australia

When tested in accordance with Australian Standards 1530.2 & 3, thermal insulation materials must meet the following requirements, derived from Specifications C1.9 and C1.10 of the Building Code of Australia at the date of printing*:

CLASS OF BUILDING	SPREAD OF FLAME INDEX 1530.3	SMOKE DEVELOPED INDEX 1530.3	FLAMMABILITY INDEX 1530.2
1	N/A	N/A	≤5 (Spec. C1.8, C1.9)
2 & 3 for general areas	N/A	N/A	≤5 (Spec C1.10, C1.2(a))
2 & 3 for fire isolated exits	N/A	N/A	0 (Spec C1.10, C1.3(b))

Other insulation materials

CLASS OF BUILDING	SPREAD OF FLAME INDEX 1530.3	SMOKE DEVELOPED INDEX 1530.3	FLAMMABILITY INDEX 1530.2
1	N/A	N/A	N/A
2 & 3 for general areas	≤ 9 (Spec C1.10, C1.2(b))	≤ 8 (where SFI >5)	N/A
2 & 3 for fire isolated exits	0 (Spec C1.10, C1.3(a))	≤ 2	N/A
2 & 3 for public corridors leading to a fire isolated exit	0 (Spec C1.10, C1.4(a))	≤ 5	N/A

* Council will endeavour to keep this Policy updated to reflect future changes in the Building Code of Australia. However, where any discrepancy between this Policy and the Building Code of Australia is evident, the Building Code of Australia shall take precedence.

PART 4 - OTHER MATTERS

NotesInstallation

The installation of thermal insulation materials should be carried out in accordance with Australian Standards 1904 for reflective foil laminates and Australian Standards 3999 for batts, blankets, rigid boards and loose fill materials.

Australian Standard Compliance

Australian Standards have been published for various types of insulation materials.

Council holds copies of these for your perusal. You should also ask your chosen supplier about quality control testing for particular products.

Evidence of Compliance with Policy

Council will accept a compliance certificate provided by the installer as evidence of the use of adequate insulation in buildings subject to this policy. Compliance will also be subject to periodic audits during routine building inspections by council staff.

Review: This policy is to be reviewed as necessary or every four years in accordance with Section 165, Local Government Act 1993.

Resolution No: 350/97; Reviewed September 03: 452/03; March 05: 94/05; Revised September 09; Adopted without Change August 2013 (249/13).

15.12 RESOLUTION REGISTER ACTION STATUS

Department: General Manager's Office
Prepared by: Executive Assistant
TRIM Reference: UINT/20/1779
Attachments: UINT/21/1837 Register – resolutions – action status for February 2021

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

SUMMARY:

The purpose of this report is to provide Council with the Resolution Action Status updates as at 17 February 2021.

RECOMMENDATION:

That Council receive and note the Resolution Action Status as at 17 February 2021.

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, in progress or completed.

Resolutions where the actions have been reported as fully completed as at the date of the report to the last Council ordinary meeting, 8 December 2020, have been removed from the document.

ATTACHMENT 15.12 #1

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
23/03/2015	26.03/15	Land Disposal – Karawa Place, Uralia	That Council: 1. Give the General Manager delegation to negotiate payment options; and 2. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.	DID	2/06/2015	Lot 103 – No agreement made. Property owners have so far declined to enter agreement. Council's solicitor engaging with property owners to progress.	B
23/11/2015	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	Jun-20	Survey plans completed. Council's solicitors to progress. Delays associated with changes to road closure process and resourcing.	B
25/07/2016	18.07/16	2.18.06.10 Gazetting of Land Acquired for approaches to new Emu Crossing Bridge	That Council: 1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (land formerly known as part of Lot 38 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. 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 753656 and part of the Crown Land described as Lot 110 in Deposited Plan 177 of the Roads Act 1993).	DID	Jun-20	1. Noted. 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
25/07/2017	22.07/17	Report 11 - Uralia Sporting Complex	That Council: (a) endorse the proposed upgrades to the Uralia Sports complex including the construction of the canteen facilities and disabled toilets and access. (b) provide additional seating around the perimeters of the fields and oval if residual funding is available, and (c) develop a plan of management for the sharing of the facilities among the user groups. (d) staff investigate relocation and redevelopment of the playground area.	MDP		a) Completed b) Seating provided through SCCF Round 2 funding. c) draft completed. To be considered in conjunction with the current preparation of the Open Spaces Strategy. d) Playground completed – turf to be placed in the spring. Funded under Stronger Country Communities Fund Round 1. Further works to the playground have been undertaken under SCCF Round2	COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL B COMPLETED & REPORTED TO COUNCIL
24/04/2018	30.04/18	Late Report 2 – Industrial Land Subdivision	That Council resolve to: 1. Endorse option 2 of the Kehoe Myers report dated 6 April 2018 for the subdivision of the Uralia Industrial Estate, being Lot 14 DP 787477, Rowan Avenue Uralia. 2. Progress detailed design of the subdivision and the construction of Stage 1. 3. Install billboard signage at the property indicating the endorsed layout and undertake additional marketing of the project.	DID		Noted Detailed design completed. Signage installed. Valuation received. Probity advice received and probity plan developed. DA Consent concluded. Grant funding application lodged under the Building Better Regions Fund Round 4 was unsuccessful. Further marketing pending funding and approval. Funding applied for under the BLEPF grant February 2021.	COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL B
24/07/2018	35.07/18	Report 14 - Petition for a Primitive Campground at The Glen recreation area	That Council consider the proposal detailed in the petition in the preparation of the Uralia Open Spaces Strategy.	MDP		Resourced in 20/21 Operational Plan budget - Consultant engaged Oct 2020 to prepare the Strategy.	B

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25/09/2018	30.09/18	Report 16 – Recommendations of Uralla Township and Environs Committee July and August 2018 meetings	<p>That Council resolve to:</p> <ol style="list-style-type: none"> 1. Consider re-adoption of the lapsed slogan, "Find Yourself In Uralla", and the stylised copperplate "Uralla" logo, in the context of the development of a Destination Marketing Plan, 2. Consider installation of "Find Yourself" street banners in Uralla should the slogan be re-adopted through the future development of a Destination Marketing Plan, 3. Engage with Uralla Arts in relation to their proposal to design a makeover for The Glen recreation area information shelter, 4. Engage with Uralla Arts in relation to their proposal to provide a strategy for the completion of "Constellations of the South" installation at The Glen recreation area, 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, 6. Incorporate minor "Fibonacci" design components within a prominent existing park or other public area within Uralla to gauge public interest in the concept, 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, barbecues, meeting facilities and regional and town entry features, 8. Advertise the Uralla Township and Environs Committee member vacancy resulting from the resignation of Fay Porter, 9. Provide a copy of this report and Council's resolution to the Uralla Township and Environs Committee. 	MDP		<ol style="list-style-type: none"> 1. Noted 2. Noted 3. Engagement in progress - last follow up mid 2020. 4. Unsuccessful application lodged under SCC Round 3 by Uralla Arts. 5. Pending – will be undertaken as part of the development of the Open Spaces Strategy 6. Added to project capital works future projects list, subject to community feedback and funding. 7. Complete 8. Complete 9. Complete 	<p>COMPLETED & REPORTED TO COUNCIL</p> <p>COMPLETED & REPORTED TO COUNCIL</p> <p>B</p> <p>COMPLETED & REPORTED TO COUNCIL</p> <p>B</p> <p>B</p> <p>COMPLETED & REPORTED TO COUNCIL</p> <p>COMPLETED & REPORTED TO COUNCIL</p> <p>COMPLETED & REPORTED TO COUNCIL</p>

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
28/11/2018	29.11/18	Report 15 – Heritage Advisory Services Summary Nov 2018	That; <ol style="list-style-type: none"> The Heritage Advisory Services Summary for November 2018 be received and noted by Council; and 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 MDP MDP		1. Complete 2. Pending Open Spaces Strategy preparation.	COMPLETED & REPORTED TO COUNCIL B
18/12/2018	34.12/18	Submitted by: Cr Tara Toomey Notice of Motion 1 – Bridge St Design Project	That; Should funding be received for the High Pedestrian Activity Area-Bridge Street Detailed Design, Council resolve to: <ol style="list-style-type: none"> As part of the community engagement strategy for the project: <ol style="list-style-type: none"> Publicise proposed designs of the project to the Uralla Shire community via Council's newsletter and Facebook page and other print media where relevant. Provide relevant additional information to any address where street frontage is impacted by the design. Give consideration to suggestions and/or ideas which come from community consultation activities and provide feedback to the community which articulates that consideration. 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. Request the design consultant address the potential for the project to increase traffic on local streets parallel to Bridge Street. Refer the draft detailed design to the UTEC committee for comment. 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. 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. 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 DID DID DID DID DID DID DID DID DID		Noted. Funding not yet received.	B B B B B B B B B B

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
4/02/2020	X08.02/20	Submitted by: Cr T Toomey Notice of Motion 2 - Economic Reparations to Impacted Businesses	That the General Manager: 1. contact each food or beverage business in the Uralla Shire reliant on town water, 2. understand what the additional costs that transitioning to a new water source for their business have been, 3. for food and beverage businesses who have not made the transition due to the cost, understand what the costs are, 4. provide a report to the Council at the 24 March 2020 meeting seeking funding from the State and Federal Governments, 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 CCE CCE CCE CCE	Feb-20	- Pilot survey by independent consultant conducted in Feb/Mar 2020. Council received funding through NSW Bushfire Community Resilience & Economic Recovery Fund to undertake Local Business engagement and support project with in progress. BCRERF Project 1 has commenced BCRERF Funding secured Volunteers publically acknowledged and thanked including at the 2020 Northern Inland Volunteer of the Year Awards (Mayor Volunteer Awards)	B B B B C COMPLETED & REPORTED TO COUNCIL
4/02/2020	X11.02/20	Submitted by: Cr T Toomey Notice of Motion 3 – Proactive Marketing to Recover Brand Damage	That Council seek funding from the State and Federal government to meet the cost of: a. The development of a Uralla Shire map which identifies businesses operating within the Uralla Shire; and 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 c. Creating a promotional social media video of Uralla Shire as part of a long term online campaign.	CCE CCE CCE CCE	Jun-20	In Progress- Funding through the NSW Bushfire Community Resilience & Economic Recovery Fund. Project 2 commenced Project 3 commencing Project 4 commencing	B B B B

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
25/02/2020	30.02/20	Report 15 – Amended Uralla Development Control Plan 2011 Amendment No 5	That Council: 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 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	Mar-20	Public exhibition 13 March - 27 May 2020. Extended exhibition on NSW Planning Portal. Amendments being incorporated in response to Councillor input.	COMPLETED & REPORTED TO COUNCIL B
24/01/2020	05.03/20	Submitted By: Mayor, Cr M Pearce Reference/Subject: COVID-19- Instrument of Delegation to the Mayor (Emergency Administrative Provisions)	That: 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 (i) to determine the process for appointment of the general manager by the council and to monitor the general manager's performance. 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. 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.	GM	May-20	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. Completed Not applicable to date Not applicable to date	COMPLETED & REPORTED TO COUNCIL B B
24/01/2020	19.03/20	Submitted by: Cr. N Ledger Notice of Motion 1 - Expansion of waste collection services	That, prior to further research regarding domestic waste collection, Council first considers this report, scheduled to be received by Council in the next quarter.	DID	Jun-20	Noted	B
5/05/2020	17.05/20	Report 7 - Recommendations of Uralla Township and Environs Committee February 2020 meeting	That Council: 1. Receive and note the minutes of February 2020 meeting of the Uralla Township and Environs Committee (UTEAC), and: 2. 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; b) request a report to a Council meeting on a proposal to amend the UTEAC 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; c) convene a workshop of councillors, Mrs Gwen Fuller, Uralla Garden Club, UTEC members and James Sinclair to develop options for Fuller Park, d) write to Riley Watson asking him to provide his suggestions for skatepark additions to the Uralla Township and Environs Committee through Council.	MDP	Jun-20	1. Noted 2. a) Publications have been purchased and made available. Heritage paints brochure available on website and hardcopy. b) Completed – workshop July 2020, report to Council Aug 2020. c) Letter of advice to convene workshop when appropriate has been sent to Gwen Fuller. Tentatively scheduled for March UTEC meeting. d) Attempts to contact have been made. Council will engage with a skate park designer to determine what improvements/additions could be made.	COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL B COMPLETED & REPORTED TO COUNCIL

ATTACHMENT 15.12 #1

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
26/05/2020	45.05/20	Confidential Report 1 -Ward Bros Quarry	That Council: 1. Note the Debt Settlement Deed of Agreement between Ward Bros and Uralla Shire Council, 2. Authorise the Acting General Manager to sign the deed on behalf of Council, and; 3. Review the S94 quarry operator charges and reporting arrangements to improve accountability and administrative obligations.	MDP MDP MDP	Jun-20	1. Noted 2. Debt Settlement Agreement complete 3. Pending. Consultant engaged for 7.11 (S94) plans	COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL B
23/06/2020	17.06/20	Report 6 Public Exhibition of draft Delivery Program 2017-22 and Operational Plan 2020-21	That Council: 1. Adopt the Draft Delivery Program 2017-22 for advertising purposes; 2. Adopt the Draft Operational Plan 2020-21 for advertising purposes; 3. Publicly exhibit the combined Draft Delivery Program 2017-22 and Draft Operational Plan 2020-21, including the Statement of Revenue Policy, contained at Attachment A, on public exhibition for a period of 28 Days from 24 June 2020 and indicating the at submissions may be made to the council at any time during the period that the draft operational plan is to be on public exhibition; 4. Adopt an interest rate equivalent to the maximum allowable percentage determined by the Office of local Government of the 2020-21 financial year to be charged on arrears of rates and charges; 5. Resolves that the process for the development of the annual budget, fees and charges, delivery program and operational plan commence no later than March each year with early draft documents ready for discussion to the March Ordinary meeting; 6. Resolves to adopt a format similar to that of other Councils where the operational plan has the financial resources associated with each item identified as part of that operational plan item; 7. Staff and Councillors participate in community forums such as pop up information sessions, webinars and community meetings for a 4 week period of not less than 4 such opportunities, prior to adopting the plan; 8. Vote an additional \$40,000 of internal audit during the 2020/2021 financial year.	CFO CFO CFO CFO CFO CFO GM CFO		1 COMPLETED 2 COMPLETED 3 COMPLETED 4 COMPLETED 5 will be started in March 2021 6 Briefing on new format 9/2/21 7 Scheduled Listening Posts started Feb 21 Briefing on new format 9/2/21 8 COMPLETED	C C C C B B B C
23/06/2020	26.06/20	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	Jul-20	Noted	B
25/08/2020	04.08/20	Committee Report 1 - Budget Review & Finance Committee Report LTFP 2030	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); and 2. To inform the implementation of the strategic objective, Council: a) consider shire continuity and financial sustainability including a review of financial performance measures; b) review 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 undertake further community consultation on the LTFP.	CFO CFO CFO CFO CFO	Aug-20	1. Noted for inclusion in the preparation of the next budget & LTFP 2. Noted with follow up at the October 2020 ASIC meeting	B B

ATTACHMENT 15.12 #1

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
22/09/2020	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: (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) workplan 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.	GM GM ARIC CGR GM CGR		1. Completed 2. represented and endorsed by ARIC Oct 20 Meeting 3. Completed. Copy provided to ARIC 4. Noted 5. CGR advised IA of resolution requesting report for February meeting. External Auditor completed review of Contracts Register	C COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL C
22/09/2020	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		RFQ issued with only one response. Report presented to ARIC 9 Feb 2021	C
22/09/2020	09.09/20	Report 1 of Committees: Minutes of the Audit, Risk & Improvement Committee Meeting Held 27 August 2020 and Amended Charter Completed Report presented on 15 Dec 2020 Council Meeting	(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		Report presented to ARIC 9 Feb 2021	C
22/09/2020	15.09/20	Report 7 – Amendments to the Code of Conduct	3) Expressions of Interest be sought for Code of Conduct Reviewers and report back to Council.	CGR		Scheduled to commence EOI in Jan 2021 - Scoping document has been drafted.	B

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
29/09/2020	304.08/20	Report 1 - Late report - Local Strategic Planning Statement Recommendation	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	MDP MDP MDP	Nov-20 Jan-21 Jun-21	1. Noted 2. Commenced. 3. Pending	COMPLETED & REPORTED TO COUNCIL B A
29/09/2020	X10.09/20	CONFIDENTIAL REPORT Report 2 - Commonwealth Home Support Program - Proposed Auspice Change	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.	GM GM GM		1. Noted - DSS advised of Council resolution 2. Deed executed	COMPLETED & REPORTED TO COUNCIL C
27/10/2020	17.10/20	15.2. Works Progress Report as at 30 September 2020	That Council request the General Manager to: * contact the Retreat Road Action Group to understand their concerns as part of an ongoing dialogue * contact the residents of Harriet Gully Road to understand how to be progress their concerns * report back to Council on both discussions and the way forward.	DID DID DID	Nov-20 Nov-20 Dec-20	Completed Completed Report to be provided as part of the development of the gravel roads upgrade to seal prioritisation list.	COMPLETED & REPORTED TO COUNCIL COMPLETED & REPORTED TO COUNCIL B
27/10/2020	33.10/20	15.9. Code of Meeting Practice	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.	CGR CGR	Nov-20 Dec-20	Amended Code of Meeting Practice in Trim Document UINT/20/09721 Amended Resolution Status from: Placed on public exhibition. No written submissions received during the exhibition period To: One submission received and the matter will be presented at a workshop. 15/02/21 Presented submission and officer's recommendation to Council at Workshop held on 2/2/21. Report drafted for Council consideration 23/2/2021.	COMPLETED & REPORTED TO COUNCIL B
24/11/2020	21.11/20	15.6 15.6 DPIE - Water Groundwater Investigation Project Funding	That Council accepts the funding offer from the NSW State Government of \$1,200,000 to undertake a Groundwater Investigation Project subject to the finalisation of the funding deed, for the investigation of groundwater or other alternative water sources capable of providing water security measures for the Uralla water supply	MWWS	Nov-20	Funding deed has been finalised	C

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
24/11/2020	30.11/20	16.1 MOTION ON NOTICE Submitted by: Cr CROUCH Council's Water & Waste water Systems	That an overview report on the status Council's water and wastewater systems for Uralla and Bundarra be prepared for Council that advises the current status of development of the Integrated Water Cycle Management Plan (IWCMP) and water and wastewater asset management and renewal planning.	MMWS	Dec-20	Report under preparation	B
15/12/2020	02.12/20	7.1 Ordinary Meeting Minutes of Council held 24 November 2020	That Council adopt the Minutes to the meeting held 24 November 2020, with amendments as noted, as true and correct record of the Ordinary Minutes held 24 November 2020: Cr O'Connor made reference to 7.1 page 9 – Ordinary Meeting Minutes held states 24 November should be 27 October.	EA	Dec-20	Completed	C
15/12/2020	10.12/20	14.1 Report of Committees - Uralla Township & Environs Committee Minutes 10 November 2020	That Council 2. Liaise with Mrs Gwen Fuller, Uralla Garden Club, UTEC members and James Sinclair to convene a workshop for Councillors to develop suggested design options for Fuller Park; 3. Continue to maintain the path from Maitland Street (Porter Park) through Bridge Street underpass to Apex Park following remediation works by Transport NSW 4. Liaise with the landowner and Tamworth Regional Council to explore options for removal of the old Uralla Military Museum signs at the southern end of the highway approach to Uralla Shire, and 5. Circulate the design to consider the Main Street Beautification Design by the Creative Village Committee in the preparation of the Uralla Shire Open Space Strategy.	DID DID DID MDP		See 17.05/20 Noted Provided to consultants.	B C A C
15/12/2020	17.12/20	15.4 DIVISION DECISION - DA 87-2019 51 John st Uralla	That Council approve the Development Application 87/2019 for a dwelling, garage and strata subdivision at 51 John St Uralla (Lot 12 DP 1198902) subject to the following conditions of consent including: Stormwater management must be designed and constructed to a standard approved by Council's Director of Infrastructure and Development or nominee. Reason : to ensure appropriate management of stormwater prior to use.	DID		Completed	C
15/12/2020	27.12/20	15.5 Draft Policy – Gifts and Benefits	That Council place the draft Gifts and Benefits Policy on public exhibition for 28 days, with a minor amendment to page 2 (127 of business paper) delete the words in part 3 in the last paragraph "which is not of token value" and adding an additional sentence regarding the \$50 value as per code of conduct, and if no significant submissions are received that the Policy be adopted.	CGR	Dec-20	Public Exhibition period concluded on 20 January 2021. No public submissions were received.	C
15/12/2020	30.12/20	15.6 Draft Policy- Provision of Information and Interaction between Councillors and Staff	That Council lay the matter lay on the table	CGR	Feb-21	GM Memo issued re: interaction between Councillors and Staff. Further review of policy in progress.	B

ATTACHMENT 15.12 #1

MEETING DATE	RESOLUTION No#	REPORT TITLE	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION DATE	COMMENTS	STATUS
15/12/2020	36.12/20	16.1 Motions on Notice - Procurement Favouring Local Suppliers - Cr Robert Crouch	1. That Council amend Uralla Shire Council Policy: Procurement, to include a preference for local suppliers/local content section that specifies a 5% 'Local Business' weighting criteria for businesses whose registered business address is in Uralla Shire, and 2% weighting criteria for businesses in neighbouring LGAs. 2. The amended procurement policy be placed on public consultation for 28 days and if no substantive feedback is received, the policy be adopted as amended	CFO	Jan-21	Policy amended to include 5% 'local business' weighting.	C
15/12/2020	37.12/20	16.2 Motions on Notice - Open Workshops to the Public - Cr Robert Crouch	That Council: 1. Open councillor workshops to the public, except for agenda items that fall under Section 10A of the Local Government Act 1993, when workshops will be closed 2. Public Notice of the agenda items to be given 3 business days before the workshop.	GM	Jan-21	Policy on public exhibition. No substantive feedback received so policy now adopted.	C
15/12/2020	38.12/20	16.3 Motions on Notice - Policy - Code of Meeting Practice - Cr Tara Toomey	That Council lay the matter on the table.	GM	Jan-21	Actioned	C
15/12/2020	39.12/20	16.4 Motions on Notice - Councillor Expenses - Cr Tara Toomey	1) That Councillors table a statement of all claims made under the Councillor Expenses and Facilities Policy 2008 at each Ordinary Council meeting as part of their delegate report. 2) That Councillors who have incurred travel or other costs that are borne by Council directly, provide a statement of these at each Council meeting.	GM	Jan-21	Further review of policy; workshop with Councillors 2/2/2021. Relates to resolution 33-10/20	B
15/12/2020	40.12/20	17.1 CONFIDENTIAL - Supply and Delivery	That Council move into closed session and close the meeting to the members of the public and press for reasons outlined in Business Paper page 166	COUNCILLORS	Feb-21	Councillors to action	A
15/12/2020	41.12/20	Horizontal Discharge Bitumen Truck RF1936816 Evaluation	That Council accept the tender from JT Fossey Trucks – Tamworth for Supply 1 Nissan Quon with Ausroad Bitumen body for \$433,580.97 (including GST).	COUNCILLORS	Feb-21	Councillors to action	A
15/12/2020	43.12/20	Recommendation	The resolutions of closed session of Council become the resolutions of open session of Council	DID	Jan-21	Tender accepted	C

16 MOTIONS ON NOTICE/QUESTIONS WITH NOTICE

16.1 QUESTIONS WITH NOTICE

Department: General Manager
Prepared by: Executive
TRIM Reference: UINT/21/1575

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 4.3 Deliver the goals and strategies of the Community Strategic Plan
Strategy: 4.31 Resource the organisation of Council adequately to provide the services and support functions required to deliver the goals and strategies detailed in this plan.

RECOMMENDATION:

That the questions on notice be received and the responses noted.

QUESTIONS FROM CR TOOMEY:

Question: When will the roads priority list referred to by the Director of Infrastructure and Development in his email to Councillors on 7th October 2020 come to Council for consideration?

Response: It is anticipated that the upgrading from gravelled to sealed roads priority list will be presented at the March or April Councillor workshop. It will subsequently be presented to the next Council meeting for Council to adopt or publicly exhibit.

Question: When will the Asset Management Plan – Transport version 7 be finalised?

Response: The Transport Asset Management Plan is under review and a 10 year program of works is under development. It is anticipated that the program of works may be presented at the General Manager's May workshop.

Question: In the interim how are the road works being prioritised?

Response: The proposed roads for upgrading from gravel to seal are listed in the 2020/21 Operational Plan budget papers.

Question: How can Councillors be assured that the road works undertaken meet our community expectations?

Response: By reference to the service levels identified in the transport asset management plan and by reference to the recent road condition assessment undertaken as part of the 2020 roads revaluation.

Question: Can Councillors be provided with a copy of the letter that the 15th December Schedule of Actions stated had been sent to residents in response to the 27th October resolution (17.10/20)

Response: Appropriately redacted correspondence will be uploaded to *NextCloud*.

Question: Can Council be provided with the monthly progress reports required by Resolution 38.12/19 [Drought Extension Program], including a list, values and progress status of projects approved by the Committee to date.

Response: Yes. The February and future reports will be circulated to Councillors when approved by the Committee.

Question: Can the General Manager provide the resolution that authorises the application for a \$925,000 grant for the refurbishment of the Uralla Court House?

Response: There is no resolution of Council to make a grant application for refurbishment of the Courthouse. A resolution is not required to seek grant funding to undertake renewal works on Council owned infrastructure. If successful a report would typically be prepared to Council recommending acceptance of the grant funding offer. This would restore the building to a usable condition, protect existing heritage value, and reduce the building maintenance backlog at minimal cost to Council.

Question: Can the details of this application for grant funding in relation to the Court House be provided including plans and proposed use?

Response: Yes. Details of the application for grant funding will be made available to Councillors via NextCloud.

Question: [1] Can the General Manager please advise Council why Uralla's [workers compensation] costs are considerably higher than our neighbour, [2] which are the specific categories of risk that are giving rise to the higher costs and [3] provide Council with an understanding of the mitigation measures in place.

Response: [1] Workers compensation costs will vary from year to year and premium affecting claims have a three-year lifecycle and as such direct year-on-year benchmarking against other Council's is not strictly informative, particularly because of the unique nature of claim circumstances. Furthermore, although most Councils' are part of a mutual insurance scheme, the insurer will not disclose sufficient information to allow full-comparison. Nevertheless, Uralla's current premium rate when compared with the region and base tariff premium (BTP), is currently higher. Legacy issues have and will continue to affect the premium for several more years.

[2] Psychological injury claims and physical injury claims where return to work has not been achieved have been identified as the primary two categories for increased costs. Frequency of claims (including all return to work claims) is also a factor in the higher than regional average premium rate.

[3] Mitigation measures include:

- Improved/revised recruitment practices; probity screening conducted prior to issuing an offer of employment. Probity screening includes background checks (references/qualification/s), behavioural screening (psychometric/task assessment), medical assessment, police checks. Merit assessment also forms an integral part of this process and employees have been suitably trained to undertake this work;
- Employee assistance program (confidential counselling service);
- 2018/19 implementation of new performance management process for all staff (included training for employees, supervisors and managers);
- Coaching and development of employees with supervisory and management responsibilities;
- Continuous improvement of Council's work health safety system – 2020/21 focus on job safety assessment risk identification and risk management involving all team members;
- Return to work program is a priority focus to facilitate recover at work wherever possible; and
- Regular monitoring of the Work Health Safety system, investigation and root-cause analysis of all incident reports (includes 'near miss' reports), and all workers compensation claims by Executive.

Proposed for the 21/22 Operational Plan (subject to resourcing by Council): introduction of mental health first aid training and appointment of mental health first aid officers.

Question: Can the General Manager please advise:

- (a) The current number of positions and increase in staff positions allocated against the Water Fund since 2015.
- (b) What is the depreciation schedule for the Water Fund including the depreciated value of each item?
- (c) The reason for the increase in the cost of materials allocated to the Water Fund since 2015, along with a list of materials separated into those that are fixed and those that are variable?
- (d) Provide Councillors with the Annual Report that has been submitted to the Office of Water since 2015?

Response: For item b), this will be uploaded to NextCloud for the 2020 year. For item c), the major change in material costs between 2019 and 2020 was related to the cost of bottled water. For the remaining analysis required in items (a)-(c) – refer to Budget Review & Finance Committee paper and resolution 9 February 2021. Please also see at <https://www.industry.nsw.gov.au/water/water-utilities/lwu-performance-monitoring-data>. This site provides some interesting comparative data for water and wastewater utilities. For item d) annual reporting is via a portal – a summary of the data as reported is not provided from the website portal.

QUESTIONS FROM CR CROUCH

Question: Could the General Manager please advise Council what resources have been allocated and what action has been taken to fulfil Council's obligation in assisting businesses to comply with public health orders as outlined in this circular? [Office of Local Government Circular 20-22, issued June 2020]

Response: To support local businesses to comply with COVID Safe restrictions and guidelines, Council engaged a consultant at a cost of \$1,210 to visit food premises in order to provide business owners with information on compliance with the Public Health Orders.

Since the onset of the COVID-19 pandemic in March 2020, Council has communicated up-to-date COVID-19 information through the Council newsletter delivered to Shire businesses and residents, physical signage at Council facilities, on the Council website, and through Council's social media.

Council communications have promoted information and resources made available by the State and Commonwealth Governments for businesses such as the NSW Small Business Commissioner's COVID-19 Safety Plans templates, COVID-19 Recovery grants, free small business advice available through Business Connect, Business funding guide for financial assistance, and the Rural Financial Counselling Service.

Question: Could the General Manager please advise council what percentage of the water bills issued in the last six months have been queried by customers due to apparent anomalies.

Response: Council undertook over 1,500 readings in November 2020. This resulted in over 400 anomalies which were investigated prior to notices being finalised and issued. The majority of enquiries relating to the latest water invoices were concerned with the likely delivery date/postage issues. Less than 5% of invoices raised queries and the majority of these related to new water meters that had been replaced up to 12 months prior to the latest reading but had only received one invoice for the entire period i.e. up to 12 months. Each query was managed appropriately via explanation from council staff.

Question: Could the General Manager provide a reason for the delay between the reading and posting of the water bills?

Response: The delay between reading and delivery of notices (posting) arose mainly due to circumstances not under Council's control. Readings were disrupted due to staff sick leave. Finalisation of the invoices was delayed due to the number of anomalies that arose from the initial readings. The majority of the delay related to invoices being sent on 18 December 2020 and not being delivered via Australia Post until after mid-January 2021.

16.2 DIRECT INDUSTRIAL MARKETING – CR N LEDGER - NOTICE OF MOTION

Submitted by: Cr N Ledger
Subject: Direct Industrial Marketing

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: 2.2.2.1 Encourage business and industry development

SUMMARY:

To invite regional councils with industrial land on offer, to collectively identify attributes for each individual site to be collated for marketing purposes.

COUNCILLOR'S MOTION:

1. To invite regional councils with industrial land on offer, to collectively identify attributes for each individual site to be collated for marketing purposes.
2. To request that collectively together with the JO, we create a marketing/ strategy/ campaign/ package, to achieve industrial expansion throughout regional NSW.

RATIONALE:

The collated information will be held with the joint organisations, rurally created package offering savings, committed workforce, transportation facilities and highlighting attributes of this fantastic region and all that is.

Liaison with Sydney Councils who have identified the industries expanding and to offer them the rural package of advantage.

It has long been recognised that industry expansion in Greater Sydney is a contentious issue. Industry utilising green space and in many instances highly contested green space to expand their ever growing industries is becoming increasingly difficult to find.

To note many industries have been instructed by councils to build directly vertical in aid of freeing up essential CBD green space areas.

This growing Sydney industrial market is identified as seeking cheaper alternatives.

Many of our Sydney counterparts in industry expansion are seeking to expand without the huge costs associated with being also located in Sydney. Many growing Sydney industries are void of alternatives.

Submitted by Councillor Ledger

EXECUTIVE ADVICE:

The motions as presented are not supported as they require additional clarity to confirm the scope, desired outcome, as well as resourcing and budget requirements. Clarity is also sought to determine if this is a request to the New England JO or whether it is a request for Uralla Shire Council to undertake the collation and distribution of information.

Council was last briefed on the next steps to progress consideration and options for the Council owned industrial land in Uralla at the General Manager Strategic Workshops and Briefings for Council on 2 February 2021 in a CLOSED workshop session (information regarding commercial land development).

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Per Council briefing 2 February 2021.
2. **Policy and Regulation**
Local Government Act 1993 (NSW)
3. **Financial (LTFP)**
Unknown financial implications as the scope and desired outcome of the proposed motion is unclear.
4. **Asset Management (AMS)**
To be determined.
5. **Workforce (WMS)**
To be determined.
6. **Legal and Risk Management**
Financial and reputation are *high risk* if Council supports a motion before appropriate scoping and assessment of resource implications.
7. **Performance Measures**
To be determined.
8. **Project Management**
Director Infrastructure and Development.

16.3 SIGNAGE AND COMMUNITY NOTICES – CR N LEDGER - NOTICE OF MOTION

Submitted by: Cr N Ledger
Subject: Signage and Community Notices

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 1.1 A proud, unique and inviting community
Strategy: 1.1.1 Provide vibrant and welcoming town centres, streets and meeting places
Activity: 1.3.2.1 Facilitate the development of a range of community and cultural activities

SUMMARY:

To fund and retrofit new community noticeboards.

COUNCILLOR'S MOTION:

To request council liaise with each community information outlet, or emerging networks to create new council notice boards to be individually retro fitted in each location.

RATIONALE:

Policy

Uralla Shire has a population of over 6,000 people spread across an area of 3230 km that encompasses the main township of Uralla and the villages of Bundarra, Kentucky, Kingstown and Invergowrie as well as small communities.

Part of the council's core role is to engage with the community every day in a variety of ways. From shire wide high impact projects to locality-based low impact projects, this strategy will outline council's commitment to keeping the community informed, consulted and involved.

The Strategy

The strategy will result in representation from a broad cross section of the Uralla Local Government Area including its citizens, ratepayers, business employees, visitors, community groups and interest groups, a hallmark of a healthy community.

The strategy aims to give all stakeholders opportunities to participate, so no sector of the communities are disadvantaged. It includes measures to involve groups that are at risk of exclusion from public debate.

Story

Various committees, numerous residents participating in the recent Uralla and Bundarra listening posts, and locals in general conversation, have identified that communications take place within our community largely through billboards, and noticeboards, located outside various local stores and parks.

These noticeboards keep community members informed of local events, local products and services, or are utilised to inform locals of important bushfire updates or flood and fire warnings.

Essentially the billboards provide a community hub in which information can be communicated easily, effectively and with ease.

Uralla Shire council has many notices, business papers and updates that utilise the services of local community stores to distribute relative and timely information.

The billboards that accommodate this information freeway within the Uralla Shire Community presently are too small, old and debilitated or identified as being requested for new forming community groups in remote areas.

Submitted by Councillor Ledger

EXECUTIVE ADVICE:

Community noticeboards are an important communications tool for Council and other community based organisations.

Community noticeboards in Invergowrie, Kingstown, Bundarra and Kentucky are located on private property at the local stores. Information is also displayed at the Bundarra Hotel as required. These noticeboards are not owned by Council.

A review of these arrangements and any potential improvements, in consultation with property owners, could be undertaken by Council staff with budgetary implications incorporated into the 2021/2022 budget deliberations.

Executive Recommendation:

That Council reviews the community noticeboard arrangements in Invergowrie, Kingstown, Bundarra and Kentucky.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Direct liaison with key stakeholders at relevant locations. Budget implications to be considered through the Operational Plan 2021/22 community engagement process.
2. **Policy and Regulation**
Local Government Act 1993 (NSW)
3. **Financial (LTFP)**
Cost implications to be scoped and considered during the preparation of the Operational Plan 2021/22.
4. **Asset Management (AMS)**
Maintenance and renewal costs if new Council owned notice boards are procured.
5. **Workforce (WMS)**
Schedule within existing workforce capability.
6. **Legal and Risk Management**
Liaison and review are a low risk activities.
7. **Performance Measures**
Liaison and review completed and further considered by Council.
8. **Project Management**
Director Infrastructure and Development

16.4 COUNCILLORS INVOLVEMENT IN THE ASSESSMENT PROCESS FOR STATE AND REGIONAL SIGNIFICANT DEVELOPMENT – CR R CROUCH - NOTICE OF MOTION

Submitted by: Councillor Bob Crouch
Subject: Councillors involvement in the assessment process for State and Regional Significant Development

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective: 4.1 A strong, accountable and representative Council
Strategy: 4.1.3 Provide open, accountable and transparent decision making for the community
Activity: 4.1.3.1 Implement and maintain a transparent and accountable decision making framework

SUMMARY:

In the development of a Council submission for New England Solar Farm Councillors stressed the importance of community involvement and engagement in the development of a council position. They also stressed the importance of early engagement of councillors in the process.

COUNCILLOR'S MOTION:

That:

- 1. Councillors be kept fully informed in a timely manner (subject to commercial in confidence constraints) of communication with the Department of Planning regarding the development of renewable energy developments within Uralla Shire.*
- 2. Councillors be canvassed to provide comment on the Thunderbolt Energy Hub SEARs and a letter outlining council's expectations for issues to be considered in the Environmental Impact Statement for Thunderbolt Energy Hub be sent to The Developer, The Department of Planning and The Hon Adam Marshall.*
- 3. All future requests for comment relating to council comments on Regional Significant Projects be brought before Council to ensure community and councillor concerns are addressed at an early stage in the process, as possible, and that councillors are kept fully informed of renewable energy developments in Uralla Shire.*

BACKGROUND:

When council was asked for a response to the Environmental Impact Statement for New England Solar Farm, Council resolved, (X03.03/19)

That Council:

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

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

Further:

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

Council also resolved that a technical submission be made to the Department of Planning (X06.03/19).

With the expectation that New England Solar Farm would be the first of many such developments in Uralla Shire, Councillors, in developing these resolutions believed they had established the process by which Council would consider future Development Applications for State and Regional Significant Development.

REPORT:

In late 2020 Council was provided with the opportunity to provide comment to the Department of Planning on the Draft Secretary’s Environmental Assessment Requirements (SEARs) for the Thunderbolt Energy Hub – Wind Farm. On 23 December 2020, in a response to a question from Councillor Bell, councillors were advised that council staff had advised the Department of Planning that Council had “no comment” on the Draft SEARs. The SEARs has now been issued by the Department.

Our community and Council have considerable interest in ensuring such development is sustainable in the long term, has minimum adverse impact on lifestyle within Uralla Shire while maximising benefit for Shire residents, and is compatible with the goals in Uralla Shire Community Strategic Plan.

It is appreciated that there is a wide range of views within our community on how, or if, this development should proceed. It is the role of councillors to distil and represent these views to ensure they are effectively considered during the assessment process. That is, councillors must effectively represent the collective interests of residents, ratepayers and our community, and facilitate communication between community and council as per s232 (1) (d) and (e) of the Local Government Act 1993.

KEY ISSUES:

- Council was asked for comment on the Draft SEARs for Thunderbolt Energy Hub- Wind Farm and provided a “no comment” response.
- Council has a responsibility to effectively put community and Councillor views forward. The earlier in the process this occurs the more effective this representation will be.
- Council must put in place a process by which Councillor input into comments on State and Regional Significant Projects are considered in this and future development proposals.
- Council must ensure that in future Councillors are engaged as soon as practicable in the assessment process: At a minimum, prior to any comment being provided to the Department of Planning.

CONCLUSION:

By providing a “no comment” response to the request by the Department of Planning to comment on the draft SEARS for Thunderbolt Energy Hub- Wind Farm, Council has missed the first opportunity to ensure Councillor and community issues and concerns are fully addressed in the Environmental Impact Statement. Council needs to put in place a process to ensure similar opportunities are not missed in the future and to ensure this missed opportunity is redressed as well as possible.

Submitted by Councillor Crouch

EXECUTIVE ADVICE:**State Significant Development (SSD) SEARS function and process**

Under the *Environmental Planning & Assessment Act 1979* (EP&A Act), projects can be classified as State significant development if they are important to the State for economic, environmental or social reasons.

SSD projects are assessed under [Division 4.7](#) of the EP&A Act, and require development consent from the Independent Planning Commission or the Minister for Planning (or delegate) before they may proceed.

The Department of Planning co-ordinates the detailed assessment of the merits of these projects against the triple bottom line.

Community participation is an essential part of this process, and all development applications are exhibited for at least 28 days.

The Department’s website advises¹;

Prior to lodging a development application (DA) for an SSD project, the applicant must consult with the Department.

The purpose of this consultation is to clarify what approvals are required, identify what information must be included in the Environmental Impact Statement (EIS), and determine what community engagement must be undertaken by the applicant during the preparation of the EIS.

Following consultation, the Planning Secretary will issue the environmental assessment requirements (SEARs) for the EIS.

To obtain SEARs, the applicant must lodge a request and Scoping Report online.

The Scoping Report must:

- *describe the project*
- *identify the relevant strategic and statutory context*
- *summarise the results of any early community engagement*
- *identify the scale and nature of the impacts of the project*
- *outline the proposed approach to assessment and community engagement.*

The Department will publish the Scoping Report online and seek advice from the local council and other Government agencies about what should be included in the SEARs. It may also visit the site.

The SEARs will be published online within 28 days of the publication of the Scoping Report.

The Planning Secretary may revise these SEARs at any time.

Draft SEARs are essentially a pro forma document which outline broad environmental and social considerations to be addressed in any Environmental Impact Statement (EIS) for a proposed development.

SEARs is not a community consultation document and is not an assessment of the proposed development. Rather, “the SEARs will identify the information that must be included in the Environmental Impact Statement (EIS) for the project and the community engagement that must be undertaken.”

Community consultation will take place as directed by the SEARs during the preparation of the EIS and this would inform considerations in the final EIS (subject to a subsequent public exhibition period). Council would expect to be a key stakeholder consulted during both of these phases.

SSD EIS function and process

Once the EIS has been prepared DPIE will either place it on public exhibition or request amendments prior to public exhibition.

The second opportunity for stakeholders (including Council) to make submissions on the proposal is when the EIS is on public exhibition.

The statutory requirements for this process are detailed in the Environmental Planning and Assessment Act and Regulation.

As identified above, Council is not the approving authority however Council has already established its position in regards to renewable projects in that Council endorses sustainable development within the shire, and expects the Development application to be considered in the context of our Community Strategic Plan.

A summary of the process is provided on the Department’s website and has been copied below.¹

<https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process>



“In some cases there may be additional steps in the SSD Process including Amendments to DA, Public Hearings and Reviews and Appeals . To find out more about these steps, click on the links above or the boxes in the figure below.”¹

 <p>Amend DA</p> <hr/> <p>With the agreement of the Planning Secretary, the applicant of a SSD project may amend what it is seeking approval for at any time before the DA is determined.</p> <p>In some circumstances, the Department may exhibit the amended DA.</p> <p>must be carried out during the preparation of the EIS.</p>	 <p>Public Hearings</p> <hr/> <p>The Minister may ask the Independent Planning Commission to hold a public hearing into the carrying out of any SSD project.</p> <p>Public hearings may occur in multiple stages and are intended to increase the scrutiny of complex projects and provide additional opportunities for community participation.</p>	 <p>Reviews & Appeals</p> <hr/> <p>Decisions on SSD DAs are subject to judicial review by the Land and Environment Court. These proceedings may only focus on the legality of the decision, not its merits.</p> <p>In some cases, applicants and third-party objectors may appeal to the Land & Environment Court against the merits of an SSD determination. Applicants may also appeal against deemed refusal of a consent authority to determine a DA. These proceedings involve remaking the decision.</p>
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The SEARS as finalised has been forwarded to Councillors for review and comment and an analysis of the Councillor submissions will be provided back to Council for consideration in potentially providing advice to the Department as to the Council's recommendations for modifications to the SEARS. As advised above, the Planning Secretary may revise the SEARS at any time.

EXECUTIVE RECOMMENDATION:

That Council:

1. reviews the Councillor submissions received relating to the SEARS for the wind and solar farms as recently finalised by the Department and provide any recommendations to the Department for consideration in the structure of future SEARS templates and modifications to the current SEARS;
2. notes the process related to State Significant Developments on the Department's website;
3. invites representatives from the Department of Planning to present at a future General Manager's workshop on the planning processes for State Significant Development;
4. review any EIS for State Significant Development once it has been placed on public exhibition and make submissions that address concerns raised by stakeholders; and
5. notes that it has already established Council's position in regards to renewable projects in that Council endorses sustainable development within the shire, and expects the Development application to be considered in the context of our Community Strategic Plan , *particularly the following stated goals:*
 - *To Preserve, protect and renew our beautiful environment*
 - *Maintain a healthy balance between development and the environment*

- *An attractive environment for business, tourism and industry*
- *Growing and diversified employment, education and tourism opportunities*
- *Further:*
- *A ‘cradle to grave’ approach should be taken to ensure the project is environmentally sustainable during construction, operation, and decommissioning through appropriate bonding arrangements with the NSW Government*
- *Operation of the workers village should be best practice with regard to environmental impacts*
- *That local employment be preferred*
- *Systems be put in place to preserve environmental values*
- *Any upgrades and maintenance to Council infrastructure to service the construction and/or operation of the development should be at the developer’s expense*
- *No council infrastructure should be negatively impacted by the solar farm construction and or operation, and*
- *Protection of the amenity of residents surrounding the solar farm and along transport routes should be the paramount consideration in the decision-making process.*

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Community consultation for State Significant Development is a requirement of draft SEARs.
2. **Policy and Regulation**
Statutory requirements for assessment of State Significant Development are detailed in the Environmental Planning and Assessment Act and Regulation.
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

References:

1. <https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process>

16.5 MEDIA POLICY – MAYOR (CR) M PEARCE - NOTICE OF MOTION

Submitted by: Cr Michael Pearce (Mayor)
Subject: Media Policy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal : 4.1 A strong, accountable and representative Council
Strategy: 4.1.5 Undertake the civic duties of Council with the highest degree of professionalism and ethics
Activity: 4.1.5.1 Implement and manage Council's Integrity System

SUMMARY:

The objective of Council's Media Policy would be to provide a framework for communication with the Media and on Social Media to provide a coordinated, accurate and reliable presentation of Council information.

COUNCILLOR'S MOTION:

Through the General Manager, Council draft a Media Policy for Council's consideration.

RATIONALE:

In recent times, a number of issues and comments have been brought to the attention of myself and Council.

Comments have been made on Social media, both digital and print.

Currently, Uralla Shire Council does not have a Media Policy.

Submitted by Mayor (Cr) Pearce

EXECUTIVE ADVICE:

Council's Communications Service is yet to be fully established and resourced.

Council have resourced a full-time Communications Officer responsible for communications and community engagement.

A Communications Officer has been appointed and is scheduled to commence 1 March 2021.

The Communications Officer will develop a two year action plan to develop the Communications Service area.

An early priority will be to develop and recommend to Council a Media Policy supported by an updated Community Engagement and Communications Strategy.

The objective of Council’s Media Policy should be to provide a framework for communication with the media and on social media to provide a coordinated, accurate and reliable presentation of Council information.

Principles and considerations in developing the framework should include:

- Council encourages open, honest, accurate and timely communication with the media to promote a positive, progressive and professional image of council and staff.
- Interactions with the media or on social media should align with delivering benefits for our community in a way that adds value and builds trust.
- Media organisations and their representatives will be treated equally and without bias.
- Media enquiries are to be dealt with promptly and, where possible, within the media’s deadline.
- The Media policy will apply to all Council staff and Councillors for any written or verbal statements provided to the media or on social media.
- s 226 (c) of the *Local Government Act 1993* (The Act) describes the Mayor’s role to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities. The Delegations of Authority policy also appoints the Mayor as the spokesperson for the Council.
- Senior executives of Council authorised (subject to delegation) to speak on technical and/or operational matters within their area of management.
- Councillors would be able to communicate with the media provided their comments are not perceived as representing official Council position or policy and further that Councillors are consistent with their role under S 232 (f) of The Act *to uphold and represent accurately the policies and decisions of the governing body.*

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Following consideration by Council, the Policy will be placed on Public Exhibition.
- 2. Policy and Regulation**
This new policy will reflect the Mayor’s role as stated in the *Local Government Act 1993* s 226.
Council Community Engagement Strategy version 2.0 February 2017
- 3. Financial (LTFP)**
Staffing resources; this exercise is considered to be business as usual and would be undertaken with existing resources.
- 4. Asset Management (AMS)**
Nil.
- 5. Workforce (WMS)**
Staffing resources to draft the policy; this would fall within the portfolio of the Communications Officer.

6. Legal and Risk Management

The Policy will reflect the legislation as set out under section 226 of *the Local Government Act 1993* - Role of the Mayor ...*to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities.*

Providing reliable and accurate information will improve Council's reputation.

The risk of implementing a Media Policy has been assessed as low.

7. Performance Measures

Improved standing within the community.

8. Project Management

Communications Officer

16.6 ACKNOWLEDGEMENT TO MANAGEMENT & STAFF – CR I STRUTT - NOTICE OF MOTION

Submitted by: Cr I Strutt
Subject: Acknowledgement to Management & Staff
TRIM: UINT/21/1534

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.4	Access to and equity of services
Strategy:	1.4.1	Operate and maintain the McMaugh Gardens Aged Care Facility
Activity:	1.4.1.1.2	Maintain aged care facility accreditation and satisfactory aged care quality audit outcomes

SUMMARY:

Extension of Accreditation to McMaugh Gardens Facility.

COUNCILLOR'S MOTION:

That Council acknowledge the exemplary level of management and service provision in the McMaugh Gardens Aged Care Facility and commend management and staff for the outcome of the granting of an additional year of Accreditation for the facility.

RATIONALE:

The Councillor Bulletin of 22 January 2021 under the title "This Week at McMaugh Gardens" provided the following update:-

"McMaugh Gardens has been granted an additional year of Accreditation based on previous year's performance and results of recent ongoing audits and assessments. This means our current Accreditation due to expire in August 2021 has been extended to August 2022."

This extension of Accreditation acknowledges the high quality and professionalism of management in delivering the aged care program, with particular regard to the management of the COVID-19 threat, as well as the integrity and high quality of care provided by staff.

The management strategies implemented to manage the COVID-19 threat has been of service not only to the residents of McMaugh Gardens and their families, but to the whole Shire.

Submitted by Councillor Strutt

EXECUTIVE REPORT:

Following consultation and reviews with the Aged Care Quality and Safety Commission McMaugh Gardens received a Notice of Reconsideration decision on own initiative - Decision on the further period for which a residential service is to be accredited.

The decision was for the Authorised delegate of the Aged Care Quality and Safety Commissioner (Commissioner) under section 76 of the *Aged Care Quality and Safety Commission Act 2018* to reconsider a reviewable decision on own initiative under Part 7 of the Aged Care Quality and Safety Commission Rules 2018 (Rules).

The decision has been stated as follows:

Pursuant to section 102 of the rules, I have decided to vary the decision made on 4 August 2018 to re-accredit McMaugh Gardens for a further period of three years. I have decided to re-accredit the service for a further period of four years.

This has extended the current period of accreditation from 4 August 2018 to 4 August 2021 to now being 4 August 2018 to 4 August 2022.

The following has been advised as being taken into consideration in making this decision:

- The performance report for the site audit conducted on 15-16 May 2018
- The site audit report from the site audit conducted 15-16 May 2018
- The performance report for the assessment contact conducted on 28 February 2019, 23 March 2020 and 10 August 2020
- The Approved Provider's compliance history in relation to the service
- Whether McMaugh Gardens will undertake continuous improvement in relation to the service, measured against the Aged Care Quality Standards (Quality Standards)

The decision to vary the further period of accreditation to four years is reported to be based on the following:

- Satisfaction that compliance monitoring of the service has not identified any failure during recent periods of accreditation
- Satisfaction that McMaugh Gardens will continue to undertake continuous improvement in relation to the service as demonstrated by the effective governance system in place in relation to continuous improvement

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
McMaugh Gardens accreditation compliance information maintained on the Aged Care Quality and Safety Commission website and My Aged Care website
2. **Policy and Regulation**
Aged Care Quality and Safety Commission Act 2018
Aged Care Quality and Safety Commission Rules 2018
3. **Financial (LTFP)**
The Re-Accreditation Fee will now be due with submission of the Application for Re-Accreditation in February 2022 (6 months prior to the expiry of the new accreditation period).
4. **Asset Management (AMS)**
Nil.
5. **Workforce (WMS)**
Nil.
6. **Legal and Risk Management**
Nil.
7. **Performance Measures**
McMaugh Gardens maintains accreditation status and the highest 4 dot rating in the Residential Aged Care Service rating system.
8. **Project Management**
Nil.

17 CONFIDENTIAL MATTERS

Nil

18 COMMUNICATION OF COUNCIL DECISIONS

19 CONCLUSION OF THE MEETING

END OF BUSINESS PAPER