



ORDINARY MEETING OF COUNCIL

**Held at 12 noon
On 22 October 2012**

Cr M Pearce (Mayor)
Cr B Crouch (Deputy Mayor)
Cr L Cooper
Cr K Dusting
Cr M Dusting
Cr D Field
Cr F Geldof
Cr I Strutt
Cr K Ward

Attendees:

Mr T O'Connor, General Manager
Mrs J Michie, Director of Administrative Services
Ms L Cumming, Manager of Planning
Ms R Davis, Minute Clerk

MINUTES

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Assignment of Action Items

GLOSSARY OF ACTION OWNERS	
GM	Mr T O'Connor, General Manager
DES	Mr R Bell, Director of Engineering Services
DAS	Ms J Michie, Director of Administrative Services
MP	Ms L Cumming, Manager of Planning
EA	Mr P Steedman, Executive Assistant

The Meeting Commenced at: 12:03pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, L Cooper, K Dusting, M Dusting, D Field, F Geldof, I Strutt, K Ward, General Manager (Mr T O'Connor), Director of Administrative Services (Mrs J Michie), Manager of Planning (Ms L Cumming) from 12:04pm, Minute Clerk (Ms R Davis).

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGY

*The Director of Engineering Services, Mr R Bell was noted as being on leave.
MEDIA - Mr B Blair was noted as an apology.*

CONFIRMATION OF MINUTES

Ordinary Meeting of 21 September 2012

Cr K Ward requested an amendment to the Minutes of the 21 September 2012 Meeting:

*Page 13, Item 4, Resolution 398/12
- Removal of duplicated words: "to undertake".*

Councillors indicated their agreement to the suggested amendment.

414/12 MOVED/ CARRIED (Crs K Ward/ B Crouch)

That the Minutes of the Ordinary Meeting held on 21 September 2012, as amended, be adopted as a true and correct record of proceedings.

EA

Closed Session of Ordinary Meeting of 21 September 2012

415/12 MOVED/ CARRIED (Crs B Crouch/ D Field)

That the Minutes of the Closed Session of the Ordinary Meeting held on 21 September 2012 be adopted as a true and correct record of proceedings.

EA

MATTERS ARISING FROM THE MINUTES

Ordinary Meeting of 21 September 2012

There were no Matters Arising from the Minutes

Closed Session of Ordinary Meeting of 21 September 2012

There were no Matters Arising from the Minutes

DECLARATIONS OF CONFLICT OF INTEREST

At request of the Chair, the Minute Clerk tabled details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 22 October 2012 meeting.

Submitted By:	Interest Declared:
<i>Cr F Geldof</i>	<i>Non-Pecuniary interest as the owner of an onsite waste management system relating to Item number 3 of the General Manager's Planning Report to Council.</i>

RESPONSES TO QUESTIONS ON-NOTICE

Questions On-Notice Received and From Previous Meetings

The Chair referred Councillors to the responses provided to "Questions On-Notice" raised at the Ordinary meeting of Council held Friday, 21 September 2012:

Action:

Cr B Crouch

QUESTION:

Emu Crossing Feasibility Study

Can an advice be provided regarding anticipated timeframes for completion of the Emu Crossing Feasibility Study?

GM

RESPONSE:

The preliminary surveying of the Emu Crossing area has been completed. The next stage is to evaluate the options for alignments prior to requesting design and costings from Consultants.

A report of costs and options should be available for the Monday, 21 January 2013, ordinary Council meeting.

Update to 21 September 2012 response to "Question On-Notice" raised at the Ordinary meeting of Council held Monday, 25 June 2012:

Action:

Cr M Pearce

Control of Companion Animals

QUESTION RAISED AT MEETING OF 25 June 2012:

"Could the General Manager have a draft Policy prepared for the consideration of Council to control the number of Companion Animals held on properties within RU4, RU5 and R5 zoning in the Uralla Shire Council?"

RESPONSE TO MEETING OF 21 September 2012:

A draft policy will be prepared for consideration of Council at its 22 October 2012 meeting.

UPDATE TO MEETING OF 22 October 2012:

The preparation of the draft Keeping of the Companion Animals (Rural Residential Areas) Policy has identified that the Keeping of Animals (Urban Areas) Policy requires major re-writing to comply with and support the Uralla Local Environmental Plan 2012 and the Uralla Shire Council Development Control Plan. Both policies need to be consistent and it is therefore essential that these policies are prepared and revised for consistency. The policies will be reported to the November Council Meeting for adoption for advertising for submissions during the period December 2012 and January 2013.

GM

The Chair advised that no "Questions On-Notice" were received for inclusion to the Business Paper for the 22 October 2012 Meeting of Council:

NOTICES OF MOTION

There were no Notices of Motion submitted to the 22 October 2012 Meeting:

STAFF REPORTS

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Tape Recording of Meetings

U07/70

416/12 MOVED/ CARRIED (K Ward/ D Field)

That Council:

1. deletes the Current Clause 35 of the Code of Meeting Practice stating:
Council permits staff to use a tape recorder to record the proceedings of a meeting, for the sole purpose of preparing minutes and resolving questions concerning the minutes. Following confirmation of the minutes of a meeting, those tapes are to be cleared unless Council, by resolution, agrees to specific tapes being kept for a set period.

The tapes of the Council meeting are to be securely stored in a locked cupboard. The tapes are neither to be taken out of the office nor to be made available for listening to by any person other than the General Manager and the minute secretary without written authority of the General Manager. If authorised people are allowed access to listen to the tapes, they must do so by making arrangements with the General Manager to use Council's equipment to listen to the tapes. The use of the tapes under these circumstances is to be appropriately supervised and will include the need to have an authorised staff member present during the whole of the listening process.

Appropriate staff are authorised to take the tapes to and from the meeting room.

2. adopt a new Clause 35 for the Code of Meeting Practice stating:
The recording of the proceedings of a Council meeting by Councillors or staff using electronic media (tape, digital or similar) is not permitted without the expressed resolution of Council for the expressed purposes recorded in that resolution.

Such recording of part or whole of the Council meeting, being public documents, are to be transcribed to digital format and made available in that form to any authorised applicant.

The recording of the proceedings of a Council meeting by the general public attending the meeting using electronic media (tape, digital or similar) is not permitted. Should a member of the public wish a whole or section of the meeting to be so recorded, prior written permission must be requested, providing reasons for the recording, and permission granted by Council by resolution including the expressed purposes for the recording in that resolution.

3. advertise the change to the Code of Meeting Practice for public comment and submission for the period Friday, 27 October 2012 to Friday, 23 November 2012.

GM

Item 2
Uralla Shire Council Operating Policies
U07/70

417/12 MOVED/ CARRIED (Crs I Strutt/ K Dusting)
That Council

1. adopt the Banners on Council Banner Poles Policy 1.2.17 as amended, and
2. place the policy into Council's Register of Codes, Policies and Plans and publish the policy on Council's website.

GM

Item 3
Namoi Councils
U11/6797

418/12 MOVED/ CARRIED UNANIMOUSLY (Crs K Ward/ I Strutt)

That Council note the preliminary agenda for the Namoi Councils Board Meeting to be held on Thursday, 1 November 2012.

The Manager of Planning left the meeting at 12:27pm, during debate on the above Motion, and returned to the Meeting at 12:29pm, prior to the Motion being put.

Cr K Dusting left the meeting at 12:28pm, during debate on the above Motion, and returned to the Meeting at 12:29pm, prior to the Motion being put.

Environment, Health and Building

Item 1
Environmental Committee Meeting 2 October 2012
TRIM file U12/150

419/12 MOVED/ CARRIED (Crs M Dusting/ I Strutt)
That Council:

1. Note the minutes of the Environmental Committee meeting held Tuesday, 2 October 2012., and adopt the following recommendations:
 - That Mr Browning and Mr Russel are invited to repeat their presentation at the Ordinary Meeting of Council on 26 November 2012, for the benefit of the all Councillors and Senior Executive Staff.
 - That annual New England Weeds Authority reports are presented by the NEWA Councillor delegate (Cr M. Dusting) for discussion at the Ordinary Meeting of Council in the month following release of the report.
 - That Uralla Shire Council consider sending a representative to the Northern Inland Weeds Advisory Committee meetings (NEWA is represented at these meetings by James Browning).
 - That Council organise a tour of Council's waste management facility and environmental project sites for all Councillors at a time and date to be discussed and agreed upon by Councillors and Senior Executive Staff.
2. Encourage Councillors to provide feedback on the Draft NSW Renewable Energy Action Plan by forwarding their comments via e-mail to the Environmental Project Officer.

GM

Cr M Dusting explained the workings of the New England Weeds Authority and the meetings of the Northern Inland Weeds Authority Committee which meets quarterly. Cr M Dusting also tabled a copy of the New England Weeds Authority Annual Report and the Draft 10 Year Strategy.

MOTION

- 420/12 Northern Inland Weeds Committee
MOVED/ CARRIED (Crs K Ward / B Crouch)**

That Cr M Dusting represent the Uralla Shire Council at the Northern Inland Weeds Committee meetings when held within the region.

Planning

Item 1 DIVISION DECISION

**Gateway Determination for Planning Proposal
U12/6915**

- 421/12 MOVED/ CARRIED (Crs I Strutt/ K Ward)**

That Council note that the Gateway Determination has been received from the Department of Planning & Infrastructure, for the Planning Proposal to amend the Uralla Local Environmental Plan 2012 to rezone land at Devoncourt Road, Uralla from R5 Large Lot Residential to E3 Environmental Management, amend the lot size map and correct a drafting error to clause 4.2A Erection of dwelling houses on land in certain rural and environmental protection zones.

A Division was called and the result was as follows:

FOR: L Cooper, B Crouch, D Field, F Geldof, K Dusting, M Dusting,
M Pearce, I Strutt, K Ward.

AGAINST: Nil

ABSENT: Nil

Item 2

**Appointment of Council Representatives of Joint Regional Planning Panel
U07/171**

- 422/12 MOVED/ CARRIED (Crs M Dusting/ B Crouch)**

That Council:

1. Appoint the Mayor, Cr M Pearce, as its principal appointee to the Joint Regional Planning Panel for the Uralla Shire Council and seek further members for the Panel.
2. Determine suitable remuneration for Council appointed panel members. **GM**

The General Manager tabled a full copy of the Namoi Councils Business Paper for Councillors' information (refer to resolution 418/12).

ADJOURNMENT

LUNCHEON RECESS (1:00 - 1:30pm)

- 423/12 MOVED/ CARRIED (Crs K Dusting / F Geldof)**

That Council break for a 30 minute Luncheon Adjournment (1:00pm – 1:30pm)

The Meeting resumed at 1:30pm.

PRESENTATIONS TO COUNCIL

Have Your Say

PROCEDURAL MOTION

Late Request to Address Council lodged by Mr Craig Ritchie

The Chair advised details of a Late Request received from Mr Craig Ritchie to have an email read to Council as a 'Have Your Say' presentation. .

424/12 MOVED/ CARRIED (Crs K Ward/ L Cooper)

That the email from Mr Craig Ritchie be received in place of a 'Have Your Say' presentation in respect to Item 6 of the General Manager's Planning Report regarding the Development Application 27/2012 – RF Wright and Associates for T and S Bower.

PROCEDURAL MOTION

Change of order for Item 6

425/12 MOVED/ CARRIED (Crs M Dusting / L Cooper)

That Item 6 of the General Manager's Planning Report be brought forward to this time in the meeting.

STAFF REPORTS (continued)

GENERAL MANAGER'S REPORT

Planning

Item 6 DIVISION DECISION

Development Application 27/2012 – R F Wright & Associates
DA 27/2012

MOVED (Crs B Crouch / K Ward)

That Council approve Development Application No 27/2012 for a 42 lot subdivision on land known as 114 Barleyfields Road, Uralla being Lot 100 DP 1177852 subject to development conditions:

MP

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

1. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, and subject to the conditions below to ensure the development is consistent with Council's consent.
2. All Engineering works to be designed by a competent person, endorsed by a Certified Practicing Engineer, and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
3. A Construction Certificate shall be submitted to and approved by the relevant Certifying Authority prior to construction commencing.
4. The utility lot containing the proposed water reservoir being proposed Lot 41 is be dedicated to Council.
5. An easement be created for access to Lot 42. This is to allow for the construction and future maintenance of the water reservoir.

6. No individual lot is to take access off Barleyfields Road, Rocky Abbey Road or Warwick Street. This is to be ensured by way of provision within a Section 88b Instrument under the *Conveyancing Act 1919*.
7. A joint access location is to be provided for Lots 8, 9 and 10 with the access handle to Lot 10 being bitumen sealed. Maintenance provisions for the access and associated handle are to be provided for within a Section 88b Instrument under the *Conveyancing Act 1919*.
8. The land within the E4 zoning, within the residue lot being proposed Lot 42 is to be fenced off to control stock grazing, trampling and compaction.
9. A Section 88b Instrument under the *Conveyancing Act 1919* is to be prepared to ensure that all Lots;
 - a) Have management of weed control including follow-up weed suppression;
 - b) Retain all fallen timber and other potential habitat features
 - c) Retain all mature canopy trees with a diameter at breast height (dbh) of greater than 200mm.
10. An easement is to be created along Lots 35 and 36. The width of the easement is to be 30 metres and the length is to be 60 metres with the centre of the easement being the closest point to the corner of the dwelling located on Lot 101 DP 1177852. The positive covenant numbered 3 in the Section 88b instrument prepared for the boundary adjustment between Lot 225 DP 755846 and Lot 841 DP 857745 (being registered plan DP 1177852) is to be taken up except for number (b) as this does not comply with the recommendations set out in the Flora and Fauna assessment carried out over both lots.
11. Lot 29 and Lot 30 are to have a buffer of a minimum of 50 metres that has soft plantings against the boundary of Lot 842 DP 857745.
12. All plantings in the buffer areas are to be maintained for a twelve month period.
13. The method and type of fencing material used for boundary fencing is to be approved by Council prior to installation. Council will not allow paling or colourbond fencing as boundary fencing.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. Prior to the issue of a Construction Certificate, the applicants shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval, generally in accordance with Council's DCP 2011, for the construction of the all internal roads and intersections of Warwick Street/new internal road a in accordance with the following requirements:
 - a) Pavement design for all new internal roads shall be based on a design traffic load of 3×10^5 ESA's with subgrade testing on 10 day soaked CBR's.
 - b) The internal access roads to the development shall be constructed with a minimum 2 coat hot bitumen sealed pavement width of 6 metres with kerb and gutter, including all necessary underground drainage.
 - d) All Cul De Sac bulbs shall be constructed at the end of the proposed new internal roads with a minimum radius of 15 metres to face of kerb to accommodate the turning movement of a semi rigid truck.

- e) At the new internal roads intersection with Warwick Street, the applicants shall design and construct a typical T intersection at both locations.

All the above works are to be designed and completed generally in accordance with Council's DCP 2011, and professional practical standards, before the issue of a Subdivision Certificate.

15. Prior to the issue of a Construction Certificate the applicants shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's *Managing Urban Stormwater - Soils and Construction* is to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The soil and water management plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.
16. Prior to the issue of a Construction Certificate the applicants shall have prepared a plan demonstrating the protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedence Probability (AEP) and fail-safe aboveground floodways to cater as a minimum for a flooding frequency of 1% AEP, to connect to the existing drainage gully adjacent to the site. Details to be provided to the relevant Certifying Authority for approval before the issue of a Construction Certificate for the development. Completed works are to be inspected and approved by the relevant Certifying Authority or works secured for an amount approved by Council's Development Engineer or nominee, before the issue of a Subdivision / Occupation Certificate.
17. Prior to the issue of a Construction Certificate the applicants shall have prepared an Inter-allotment drainage design for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details to be provided to Council's Director of Engineering Services or nominee for approval before the issue of a Construction Certificate for the development. Completed works are to be inspected and approved by the Council's Director of Engineering Services or nominee or works secured for an amount approved by Council's Development Engineer or nominee, before the issue of a Subdivision Certificate.

Title Plan submissions are to confirm easement details before the issue of a Subdivision Certificate for the development.

Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedence Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.

18. Prior to the issue of a Construction Certificate the applicants shall have prepared a design for the extension of sewer reticulation mains from the existing infrastructure downstream of the site to serve each of the proposed allotments within the development. Detailed Engineering drawings prepared by a suitably qualified person must be submitted for the approval of Council's Director of Engineering Services or nominee before the issue of a Construction Certificate for the development. Completed works are to be inspected, tested and approved by the Council's Director of Engineering Services or nominee or works secured for an amount approved by Council's Director of Engineering Services or nominee, before the issue of a Subdivision Certificate.

19. Prior to the issue of a Construction Certificate the applicants shall have prepared a design for the extension of water supply mains to serve the proposed development. Detailed engineering drawings, prepared by a suitably qualified person, must be submitted for the approval of Council's Director of Engineering Services or nominee before the issue of a Construction Certificate for the development. Completed works are to be tested and approved by the Council's Development Engineer or nominee or works secured for an amount approved by Council's Director of Engineering Services or nominee, before the issue of a Subdivision Certificate. Works are to be inspected and tested upon completion before the issue of a Subdivision Certificate.

The internal water mains within the estate are to form a looped system with no dead ends. Water supply design is to be for sustainable cost effective operation by Council in the future. Fire flows required are 11L/sec at a pressure of not less than 275 kPa (28m). These flows are to be supplied in addition to peak instantaneous demands for a typical residential water demand.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

20. Prior to the issue of a Subdivision Certificate the applicants shall have made arrangements and paid for the provision of new street lighting to be provided to all new footways and streets, and thus maintain visibility and safety for pedestrians. The developer is to liaise with Essential Energy with regard to street light location. Completed works are to be inspected and approved by the Council's Director of Engineering Services or nominee before the issue of a Subdivision Certificate/release of any bond for incomplete works.
21. Developer's suggestions for the name of the new road, together with the reasons for the name proposed, should be submitted at least 3 months before issue of the Subdivision Certificate for the development, for Council's consideration. Council favors names with historical, zoological, botanical or geographic association with the locality.
22. Prior to the issue of a Subdivision Certificate the applicants shall lodge with Council a monetary security for civil works, to cover the cost of carrying out rectification work in public areas in connection with the proposal should any defect arise within 12 months of completion of the works. Security shall be in the form of cash or bank guarantee for an amount determined by Council. Application for a 90% refund of the security may be made on documented completion of the works, with full refund of the remaining 10% upon satisfactory completion of the 12 months' defects liability period.
23. Prior to the issue of a Subdivision Certificate the applicants shall provide one set of print film copies of "work as executed" plans to Council for works carried out on Council property or benefiting Council. Each plan is to have a scale adjacent to the title block showing the scale used on that plan. The location of any fill introduced, by both plan limit and depth, together with relevant classifications shall be shown on the "work as executed" plans to be submitted to Council.
24. Prior to the issue of a Subdivision Certificate, the applicants shall provide written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of telecommunications and electricity services to each of the proposed allotments within the development.

25. At the time of the issue of a Subdivision Certificate, the applicants shall have prepared documentation for presentation to the Land Titles Office for the dedication to Council of all drainage easements, in order to protect the area from inadvertent filling or destruction that could change the flow characteristics of the flow regime.
26. At the time of submission of the application for a Subdivision Certificate, the applicant shall submit to Council three (3) copies of the Title Plan. The applicant/developer is to ensure that a checklist clearly showing that all conditions of consent have been met is provided with the application.
27. Approval is to be gained from the NSW Livestock Health & Pest Authority to cross the section of Crown Reserve 22252 being part of a Travelling Stock Route, and this section of crown reserve is to be dedicated as public road on the plan of subdivision.
28. Provision is to be made for a bus shelter within the development. The type and location is to be approved by Council prior to installation.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION COMMENCING

29. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000.
30. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

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

31. No storage of building materials, soil or equipment is to occur on Council's property or roads without the written consent of Council's Director of Engineering Services. No unfenced, potentially dangerous activity or material to be located in close proximity to the street boundary or pedestrian walkway adjoining the site. No unsupervised transit of plant, equipment or vehicles across public areas or other obstruction of those areas is permitted.
32. Under-road conduits are to be provided to cater for electricity, telecommunications, gas supply or other underground utility services. Utility crossings of public roads are to be under-road bored and Council's Director of Engineering Services advised of the intention to commence work at least 48 hours in advance. The developer and its agents are responsible for ascertaining the location of existing underground services before commencing work. Any damage to existing services or to the road construction is to be made good at the expense of the developer.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

33. Action being taken by the developer and contractors to ensure that public safety is maintained on roadways under construction at all times, by the provision of effective barriers to distinguish between adjacent public roadways and the roadways under construction.
34. Effective dust control measures to be maintained during construction to maintain public safety/amenity and construction activities are to be restricted solely to the subject site.
- ADVISING: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.*
35. Materials must not be burned on-site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
36. Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798-1990 *Guidelines on Earthworks for Commercial and Residential Developments*. The developer's structural engineering consultant shall:
- identify the source of the fill and certify that it is free from contamination; and
 - classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1.

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THE CONSENT

Conditions in accordance with Section 100B of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service:

Asset Protection Zones

37. At the relevant stage of subdivision, a restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on the following lots requiring the provision of asset protection zones (APZ) as indicated below. The APZ shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Stage 1:

- Northern boundary of Lots 24 to 29 – 10 metre APZ
- Eastern boundary of Lots 29 and 30 – 10 metre APZ
- Eastern boundary of Lots 31 and 32 – 21 metre APZ
- Southern boundary of Lot 32 – 27 metre APZ

Stage 2:

- Eastern boundary of Lots 33 and 34 – 21 metre APZ
- Eastern boundary of Lots 35 and 36 – 14 metre APZ
- Eastern boundary of Lot 37 – 10 metre APZ

38. At the issue of subdivision certificate for Stages 1 and 2, a 10 metre wide asset protection zone shall be provided on the residual lot (subject to a future development stage) along the boundary of that Stage. In accordance with section 88B of the Conveyancing Act 1919 a restriction to the land use shall be placed on the residual lot containing the asset protection zone requiring the asset protection zone to be maintained as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document 'Standards for asset protection zones'. Any restriction to land use for the purpose of an asset protection zone over a residual lot during staged release of the subdivision may be extinguished upon commencement of a subsequent stage of development over the affected areas.

Water and Utilities

39. Water, electricity and gas services are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

40. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'. The dead end road created in Stage 1 shall incorporate a temporary 12 metre outer radius turning circle and be clearly signposted as a dead end to provide safe operational access to structure and water supply for emergency services.
41. The property access road through the subdivision to the existing dwelling on Lot 842 DP 857745 shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

PROCEDURAL MOTION

Move to a Committee of the Whole

426/12 **MOVED/ CARRIED (Crs I Strutt / M Dusting)**

That Council move to a Committee of the Whole for discussion of the 42 lot subdivision on Lot 100 DP1177852, 114 Barleyfields Road, Uralla.

The Director of Administrative Services left the meeting at 2:28pm, during discussions and returned to the Meeting at 2:30pm prior to the resumption of standing orders.

MOTION

Resumption of Standing Orders

427/12 **MOVED/ CARRIED (Crs M Dusting / I Strutt)**

That Council resume Standing Orders.

428/12 **The motion moved by Crs B Crouch / K Ward on pages 11 to 17 was put and carried**

A Division was called and the result was as follows:

FOR: L Cooper, B Crouch, D Field, F Geldof, K Dusting, M Dusting, M Pearce, I Strutt, K Ward.

AGAINST: Nil

ABSENT: Nil

Item 3
Licensing of all On Site Sewer Systems

429/12 MOVED/ CARRIED (Crs K Ward/ L Cooper)

That Council:

- a) Implement the Uralla Waste Water Strategy 2011 by:
1. Compiling a register containing all known on-site sewerage treatment management systems and the current owner.
 2. Determining that all existing systems be currently unlicensed.
 3. Charge a registration and licensing fee for all known on-site sewerage treatment systems.
 4. Classify all registered systems as either high, medium or low risk.
 5. Implement an inspection regime where all systems that are classified as high risk be inspected annually, medium risk inspected every 3 years and low risk be inspected every 5 years.
 6. Charge an inspection fee for any further inspections required after initial inspection.
 7. Undertake an immediate inspection by a suitably qualified person, of all high risk areas relating to village areas (particularly Bundarra) and the outskirts of Uralla.
 8. Develop a procedure to maintain the risk inspection regime and renewal of licensing at transfer of land.
 9. Charge an inspection fee at time of renewal of licence.
 10. Create and maintain a register to ensure that quarterly reports are received from suitably qualified contractors on aerated wastewater treatment systems.
 11. Undertake an education program regarding the use and maintenance of all on-site sewer treatment systems.
- b) Prepare and advertise a tender to request for interested and qualified contractor's to supply tenders for 1.5 days a week of Building Assessment, including Certifying, uilding Certificates, Orders and Approvals, Section 68 Approvals, Complaints and investigations, checking of existing on-site sewerage management systems when no other work available, Food Shop Inspections with in the Uralla Council area, and where required reports to Council. This tender is for a 1 year provision of service with an option to extend for a further 1 year period.

MP

Item 4
Amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009 and Standard Instrument Order – Group homes
U07/02

430/12 MOVED/ CARRIED (Crs I Strutt/ M Dusting)

That Council note the amendments to the State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP) and to the Standard Instrument.

Item 5
Development Determination Advisory Unit Minutes
U07/171

431/12 MOVED/ CARRIED (Crs I Strutt/ D Field)

That Council note the minutes for the Development Determination Advisory Unit meeting held Thursday, 11 October 2012.

Item 7
Inspection Fees
U08/6504

432/12 MOVED/ CARRIED (Crs K Ward / D Field)

That Council:

1. Charge a flat rate of \$95.00 for all inspections relating to Development, Complying Development, Construction Certificate and Section 68 Certificate Applications.
2. Charge a rate of \$95.00 per Hour plus \$0.75 per km travel for inspection of dwelling for relocation.
3. Advertise the change in the Revenue Policy (Part 4 of the Operational Plan 2012/2013) for the period Friday, 26 October 2012 until Friday, 23 November 2012.

MP

Item 8
Regulatory Statistics
U07/168

433/12 MOVED/ CARRIED (Crs M Dusting/D Field)

That Council note the Regulatory Function statistics ending 30 September 2012.

Item 9
Planning Application Approvals and Refusals for the Month of September 2012
U07/168

434/12 MOVED/ CARRIED (Crs K Dusting/D Field)

That Council note the information contained within the Planning Application Approvals and Refusals Report for the month of September 2012.

Item 10 DIVISION DECISION
Development Application 17/2010 – Balala Composting Pty Ltd
DA 17/2010

MOVED (Crs D Field / F Geldof)

That Council approve Development Application 17/20101 for a composting facility on land being Lot 223 DP 844146 at Balala Road, Balala, subject to:

1. Stage one approval for the compost mix to consist of Dissolved Air Floatation (DAF) sludge and green waste only;
2. Further approval will need to be sought for Stage Two being the composting of hatchery waste after the Environmental Protection Agency have issued a resource recovery exemption; and
3. The conditions of development consent subject to the inclusion of the Technical Services conditions being:

MP

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

GENERAL CONDITIONS

1. This approval is for Stage One being the use of composting Dissolved Air Floatation (DAF) sludge and greenwaste only. This approval is for the processing of a maximum of 5,000 tonnes of raw organic material per annum. To extend the amount of raw organic material processed a further application will be required.
2. Further approval will need to be sought for Stage Two being the composting of hatchery waste after the Environmental Protection Agency have issued a resource recovery exemption.

3. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, and subject to the conditions below to ensure the development is consistent with Council's consent.
4. All Engineering works to be designed by a competent person, endorsed by a Certified Practicing Engineer, and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
5. A Construction Certificate shall be submitted to and approved by the relevant Certifying Authority prior to construction commencing.
6. The recommendations from the Threatened Species Assessment prepared by EnviroAg Australia report number 23087.4661 are to be followed.
7. The recommendations from the Noise Assessment prepared by EnviroAg Australia report number 23086.46554 are to be followed.
8. The recommendations from the Geotechnical Soils Assessment prepared by EnviroAg Australia report number 22975.45907 are to be followed.
9. The recommendations from the Aboriginal Cultural Heritage Assessment prepared by Eureka Heritage report number 23087.4661 dated July 2011 are to be followed.
10. The proposed facility is to operate Monday to Friday between the hours of 7am to 8pm. A register is to be kept of all management and monitoring issues that arise outside of these hours for review six months from the date of the approval.
11. A Construction Certificate is to be submitted to and approved by Council for all infrastructure buildings.
12. A Section 68 certificate is to be submitted to Council for approval for all onsite sewerage treatment devices.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

13. Prior to the issue of a Construction Certificate, the applicants shall have prepared, by a suitably qualified person, detailed engineering drawings, submitted for Council's approval,
14. Prior to the issue of a Construction Certificate the applicants shall have prepared an Erosion and Sediment Control Plan and Soil and Water Management Plan, in accordance with the requirements of the Department of Housing's *Managing Urban Stormwater - Soils and Construction* is to be submitted with the application for a Construction Certificate for the development for approval by the relevant Certifying Authority. The soil and water management plan must include sediment basin calculations and the approved plan implemented in conjunction with the project.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION COMMENCING

15. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000.
16. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to

be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- divert contaminated run-off away from disturbed areas,
- erect silt fencing along the downhill side of the property boundary,
- prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
- stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

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

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

17. Bushfire Management Plan is to be prepared prior to commencement of operations. This is to be prepared taking into account the principles outlined in the NSW Rural Fire Service document *Planning For Bushfire Protection 2006*.
18. The vermin proof fence is to be constructed around the facility prior to commencement.
19. An environmental monitoring, inspection and reporting schedule is to be developed prior to commencement of operations. All the various monitoring requirements is to be incorporated into one document. The results of all testing, inspection and monitoring will be recorded in an environmental audit log and kept on site at all times. A copy is to be provided to Council upon request.
20. An environmental management plan (EMP) is to be prepared for the composting facility. The EMP will be based on an environmental management system approach of plan, do, check and act, together with a philosophy of continual improvement of the system and its operation. It will specify:
 - (i) the standards and practices for the operation of the composting facility
 - (ii) strategies and measures for minimizing environmental risks
 - (iii) contingency plans for managing any environmental problems that may arise.

The objective will be to apply best management practice, in order to minimize the environmental impacts associated with facility operations and management, and to comply with legislative requirements. It will include:

- a) contact details, description of the facility and operations and an environmental management policy statement
- b) overall objectives and specific, measurable and time-bounded targets for each identified risk event
- c) a list of risk events identified using risk management principles
- d) day-to-day best practice strategies to minimize the potential for risk events
- e) details of contingency plans to deal with accident and emergencies (eg flood; fire; disposal of contaminated material; inability to deliver raw and composted material; chemical spill; power and/or water interruption), including trigger points and target response times for critical incidents
- f) details of the responsibilities of the facility owner/manager regarding environmental management

- g) details of monitoring systems for assessing environmental performance and procedures, to ensure regular and accurate recording of data
 - h) procedures for responding to complaints
 - i) provision for annual review and auditing of performance against EMP objectives, with appropriate adjustment made in light of findings and in accordance with continuous improvement principles
 - j) provision for post-incident investigation, review of emergency actions carried out, and reporting to local council if requested
 - k) environmental training undertaken by staff.
21. Landscaping is to be used to soften the visual impact of the development, and will also assist in reducing noise, dust and odour. Landscaping is to be undertaken around the facility site. All plantings will blend in with the local vegetation and are low maintenance and are suitable for the site.
22. The farm will be kept in a tidy condition as this will help the visual amenity. All existing vegetation will be retained where possible with the natural topography of the site and the existing vegetation cover and tree plantings being used to maximize visual screening.

CONDITIONS RELATING TO ONGOING OPERATIONS

23. A complaints register is to be kept as liaison between the facility owner/manager and neighbours is important. Open lines of communication will help identify problems, verify complaints and successfully apply relevant remedies to minimise the impact of farm operations. Measures used are to include:
- Neighbouring landholders will be informed of unusual events or problems that may arise
 - The complainant is informed of outcome and action taken to avoid reoccurrence
 - Significant on-farm operational activities are recorded, particularly those with potential impact
- The Environmental Management Plan is to have strategies, measures and contingency actions for managing community liaison and complaints about environmental impacts or problems that may arise.
24. All trucks are to be washed down prior to leaving the premises to prevent any residual matter being spread to areas outside of the facility.
25. All trucks are to be covered bringing material to the facility and leaving with the finished product.
26. There is to be no illegal dumping of contaminated material on the property. Council is to be provided with information within the Environmental management plan as to the method of disposal of contaminated material.
27. All stockpiling is to be kept to the following:
- Finished product – not greater than 7,500 tonnes
 - Raw organics – greenwaste 5,000 tonnes, DAF 2 days
28. Any DAF that cannot be processed on the day of receipt is to be covered with a 15cm thick layer of curing compost.
29. Any stockpiled finished product is to be maintained aerobic conditions and to distribute moisture and leachate within the pile.

- 435/12 The motion moved by Crs D Field / F Geldof on pages 19 to 22 was put and carried

A Division was called and the result was as follows:

*FOR: L Cooper, B Crouch, D Field, F Geldof, K Dusting, M Dusting,
M Pearce, I Strutt, K Ward.*

AGAINST: Nil

ABSENT: Nil

STAFF REPORTS (continued)

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance

Item 1

Cash at Bank and Investments

U10/1

- 436/12 **MOVED/ CARRIED UNANIMOUSLY (Crs K Ward/ I Strutt)**

That Council note the cash position at 30 September 2012 consisting of cash and overnight funds of \$1,399,203.75; term deposits of \$6,900,00.00 totalling \$8,299,203.75 of readily convertible funds.

Cr K Dusting left the meeting at 3:08pm, during debate on the above Motion, and returned to the Meeting at 3:10pm, prior to the Motion being put.

Item 2

Uralla Shire Council Finance Committee

U07/01

- 437/12 **MOVED/ CARRIED (Crs D Field/ M Dusting)**

That Council note the minutes of the meeting of the Uralla Shire Council Finance Committee, held on Wednesday, 10 October 2012, and adopt the following recommendations:

1. That the Financial Statements consisting of the Budget Review by Resource Code and Budget Review by Function, Collection of Rates, Loan Details and Outstanding Debtor Report for the year to 30 September 2012, be noted.
2. That, following consideration of a Hardship Rates Relief Application, a full pension concession be granted to assessment 9402 for the 2012/2013 financial year.

DAS

Community Services

Item 1

Visitor Information Centre Monthly Report

U07/273

- 438/12 **MOVED/ CARRIED (Crs I Strutt/ L Cooper)**

That the Community Development Officer's report on activities at the Visitor Information Centre for September 2012 be noted.

ADJOURNMENT (3:25pm – 3:35pm)

- 439/12 MOVED/ CARRIED (Crs D Field / M Dusting)**
That Council break for a 10 minute Adjournment (3:25pm – 3:35pm).

The Meeting resumed at 3:37pm

STAFF REPORTS (continued)

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services

Item 1

Alcohol Free Zone in Bundarra
U07/2652

- 440/12 MOVED/ CARRIED (Crs B Crouch/ D Field)**
That Council prepares a proposal for the establishment of an alcohol free zone in Bundarra and commences Public Consultation as per Section 644A of the Local Government Act 1993.

DES

Item 2

Works Planning
U07/3041

Item 3

Works Progress for Period Ended 12 October 2012.
U07/3041

- 441/12 MOVED/ CARRIED (Crs K Dusting/ F Geldof)**
That the Works Progress for the period ended 12 October 2012 and the Planned Works be noted.

Item 4

Namoi Water Utilities Binding Alliance
U07/268

- 442/12 MOVED/ CARRIED UNANIMOUSLY (Crs M Dusting/ I Strutt)**
That Council join the Namoi Councils Regional Water Utilities Binding Alliance and authorise the Mayor and General Manager to sign the Deed of Agreement for the period 1 July 2012 to 30 June 2016.

GM

Item 5

Draft NSW Long Term Transport Master Plan
U70/50

- 443/12 MOVED/ CARRIED (Crs I Strutt/ F Geldof)**
That Council:
- (i) raise their concerns with the Draft Long Term Transport Master Plan with the Department of Transport and the Member for Northern Tablelands, and
 - (ii) endorse the public comments made by Mr Bell on 28 September 2012.

GM

Item 6

Works Progress Advisory Unit

U07/172

444/12 MOVED/ CARRIED (Crs K Ward / B Crouch)

That Council note the minutes of the Works Progress Advisory Unit meeting held on 10 October 2012 and adopt the following recommendations:

Plant

1. That Council invite tenders for the purchase and trade or sale of its Komatsu GD 655-3A (ERG Class MG8 / MG9).

Emu Crossing, Bundarra

2. That Council thank the Minister for Roads and Ports and the Member for Northern Tablelands for the matching grant for the feasibility study on the replacement of Emu Crossing.
3. That following independent advice Council not proceed any further with the independent assessment of the existing Emu Crossing.

Martins Lane, Kentucky

4. That the short section of gravel between bitumen section on Martins Lane be considered by Council for bitumen sealing when it is considering its next round of upgrade work.

DES

Item 7

Pollution Incident Response Management Plan

U08/6484

445/12 MOVED/ CARRIED (Crs I Strutt / D Field)

That Council adopt the Pollution Incident Response Management Plan attached to this report.

MAILOUTS TO COUNCILLORS

Weekly Mailout Forwarded for the Information of Councillors

Item 1

Mailouts forwarded to Councillors for the Period Friday, 21 September 2012 to Friday, 12 October 2012.

U07/23

446/12 MOVED/ CARRIED (Crs D Field/ B Crouch)

That the Mailouts forwarded to Councillors for the period Friday, 21 September 2012 to Friday, 12 October 2012 which includes MANEX Meeting Minutes for Monday, 3 September 2012 and Friday, 21 September 2012, be noted.

MINUTES OF COMMITTEE MEETINGS

Minutes of Meeting for Council and Community Committees

Item 1

Minutes of Council Committees

447/12 MOVED/ CARRIED (Crs K Ward/ L Cooper)

That Council note the following Minutes of Meeting of Committees of Council:

- Minutes of the meeting of the New England Area Local Emergency Management Committee held 5 September 2012.
- Minutes of the meeting of the McMaugh Gardens Aged Care Centre Advisory Committee held 13 September 2012.
- Minutes of the meeting of the Uralla Shire Development Advisory Committee held 4 October 2012.

MOTION

McMaugh Gardens Aged Care Centre Advisory Committee

448/12 MOVED/ CARRIED (Crs K Ward / M Dusting)

That Uralla Shire Council appoint Cr I Strutt and Mr R T Filmer as community members of the McMaugh Gardens Aged Care Centre Advisory Committee.

DAS

Item 2

Minutes of Community Committees

449/12 MOVED/ CARRIED (Crs M Dusting / I Strutt)

That Council note the following Minutes of Meeting of Community Committees:

- Minutes of the meeting of the Southern New England Landcare Coordinating Committee held 15 August 2012.

REQUEST FOR LEAVE OF ABSENCE

A request for Leave of Absence was submitted by Cr B Crouch

450/12 MOVED/ CARRIED (Crs M Dusting / K Ward)

That the request for Leave of Absence from Cr B Crouch be acknowledged and the Leave of Absence between 8 November 2012 and 14 November 2012 be granted.

DELEGATE REPORTS

Councillors in turn provided a brief verbal summary of their Council related activities during the reporting period and submitted written Delegate Reports comprising details as follows:-

Councillor	Activity Date:	Activity Detail:
Cr M Dusting		
	21 September 2012	Uralla Shire Council Ordinary Meeting
	27 September 2012	Councillor Workshop – Review of EP&A Act
	2 October 2012	Environmental Committee Meeting
	4 October 2012	USC Development Advisory Committee
	11 October 2012	Development Determination Advisory Unit site inspections
	16 October 2012	Environmental Committee
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr B Crouch		
	4 October 2012	USC Development Advisory Committee
	5 October 2012	Lunch with the Hon Richard Torbay MP
	10 October 2012	Finance Committee Meeting
	10 October 2012	Works Progress Advisory Unit Committee Meeting
	15 October 2012	Mayor and Councillor Briefing
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr F Geldof		
	4 October 2012	USC Development Advisory Committee
	10 October 2012	Finance Committee Meeting
	10 October 2012	Works Progress Advisory Unit Committee Meeting
	11 October 2012	Development Determination Advisory Unit site inspections
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr D Field		
	19 September 2012	Uralla Shire Council Extraordinary Meeting
	21 September 2012	Uralla Shire Council Ordinary Meeting
	27 September 2012	Councillor Workshop – Review of EP&A Act
	4 October 2012	Advisory Committee Meeting
	11 October 2012	Development Determination Advisory Unit site inspections
	11 October 2012	McMaugh Gardens Advisory Committee
	15 October 2012	Mayor and Councillor Briefing
	12 October 2012	Putting Power Back to the Regions (RDI) UNE
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr K Dusting		
	21 September 2012	Uralla Shire Council Ordinary Meeting
	26 September 2012	Thunderbolt's Festival Meeting
	27 September 2012	Councillor Workshop – Review of EP&A Act
	4 October 2012	USC Development Advisory Committee
	11 October 2012	Thunderbolt's Festival Street Stall Committee
	15 October 2012	Food and Wine Festival Meeting
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr L Cooper		
	19 September 2012	SES Meeting for Thunderbolt's Festival Traffic Control
	26 September 2012	Thunderbolt's Festival Meeting
	22 October 2012	Uralla Shire Council Ordinary Meeting

DELEGATE REPORTS (continued)

Councillor	Activity Date:	Activity Detail:
Cr K Ward		
	25 September 2012	Youth Council
	2 October 2012	Environmental Committee Meeting
	4 October 2012	USC Development Advisory Committee
	10 October 2012	Works Progress Advisory Unit Committee Meeting
	11 October 2012	McMaugh Gardens Advisory Committee
	11 October 2012	Development Determination Advisory Unit site inspections
	11 October 2012	DA Application – Balala Composting
	16 October 2012	Renewable Energy – Environment Committee Workshop
	17 October 2012	150 th Anniversary Public Education
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr I Strutt		
	25 September 2012	Youth Council
	27 September 2012	Councillor Workshop – Review of EP&A Act
	28 September 2012	New England Land Care and USC Tree Planting
	2 October 2012	Environmental Committee Meeting
	4 October 2012	USC Development Advisory Committee
	10 October 2012	Finance Committee Meeting
	11 October 2012	Development Determination Advisory Unit site inspections
	12 October 2012	Putting Power Back to the Regions (RDI) UNE
	15 October 2012	Mayor and Councillor Briefing
	16 October 2012	Environment Committee – Special Meeting
	22 October 2012	Uralla Shire Council Ordinary Meeting
Cr M Pearce		
	25 September 2012	Mayor's Office – administration and correspondence
	27 September 2012	Councillor Workshop – Review of EP&A Act
	28 September 2012	Police Remembrance Day
	29 September 2012	UNE Graduation Day
	2 October 2012	Mayor's Office – administration and correspondence
	4 October 2012	Mayor's Office – administration and correspondence
	4 October 2012	USC Development Advisory Committee
	5 October 2012	Lunch with the Hon Richard Torbay MP
	9 October 2012	Mayor's Office – administration and correspondence
	10 October 2012	Finance Committee Meeting
	10 October 2012	Works Progress Advisory Unit Committee Meeting
	11 October 2012	Mayor's Office – administration and correspondence
	11 October 2012	Development Determination Advisory Unit site inspections
	15 October 2012	Mayor and Councillor Briefing
	15 October 2012	Mayor's Office – administration and correspondence
	18 October 2012	Mayor's Office – administration and correspondence
	19 October 2012	Meeting with the Hon Richard Torbay MP and General Manager
	22 October 2012	Uralla Shire Council Ordinary Meeting

QUESTIONS ON-NOTICE RAISED**Questions On-Notice for Next Meeting of Council**

Councillors lodged "Questions On-Notice" as detailed below:

Cr B Crouch

QUESTION:

Inter-Council Benchmarking

Does Council undertake benchmarking of the cost/efficiency of service delivery against neighbouring Councils? If it does, could staff inform councillors of the results? If not, would it be possible to undertake benchmarking through the Regional Organisation of Councils?

GM

Cr F Geldof

QUESTION:

Uralla Shopping Precinct

- 1. What marketing support does Council provide to shops in the Uralla Shopping Precinct to assist in attracting local residents?*
- 2. Has Council investigated the provision of a service agency which would provide access to a range of state and federal government services and assist in preventing local residents from visiting other towns/cities for these services and consequentially shopping in other towns/cities?*

GM

Uralla Shire Council Printing

- 1. How much does Council spend on printing each year?*
- 2. How much of this amount is spent on 'out of house' printing?*
- 3. Is printing done under contract, and if so who was invited to tender?*
- 4. How many times has Uralla Printers been asked to provide a quote?*
- 5. How many times was Uralla Printers successful with a quote provided?*
- 6. Does Council intend on using Uralla Printers in the future?*

GM

Cr K Dusting

QUESTION:

Wombat Crossing in Queen Street

Can staff provide a timeline for the removal of the wombat crossing in Queen Street now that the corner treatment has been finalised at the corner of Queen and Park Streets? This is a follow-up to the Question on Notice raised at the Ordinary Meeting of Monday, 22 August 2011.

GM

Street Sweeping

- 1. Could the Uralla Shire Council hire or borrow a street sweeper from another town?*
- 2. How much would it cost to street sweep the 'Main Street' at least once a month?*

GM

Cr L Cooper

QUESTION:

Food and Wine Festival

Could the Uralla Food and Wine Festival be managed by the Uralla Events Management Committee?

GM

MOVE TO CLOSED SESSION

MEETING PROCEDURE

451/12 MOVED/ CARRIED (Crs M Dusting / B Crouch)

That Council move into Closed Session.

CLOSURE OF MEETING TO THE PUBLIC AND THE PRESS

The General Manager outlined the reason/s for the closure of the meeting to members of the Public and the Press.

452/12 MOVED/ CARRIED (Crs M Dusting / B Crouch)

1.
 - i. That the General Manager has correctly classified those matters which Council wishes to deal with in part of this meeting which is closed to the public.
 - ii. The General Manager's reasons for forming an opinion that the matters should be dealt with in Closed Session are correct in accordance with Section 10A(2) of the Act.
 - iii. That the matter includes advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege and which would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business.
2. That as a result of item 1. sub-items (i), (ii) and (iii) above, the public is excluded from this section of the meeting.

CLOSED SESSION RESOLUTIONS

453/12 MOVED/ CARRIED

That the following Resolutions of Closed Session become Resolutions of Council in Open Session.

APOLOGY (Closed Session)

The Director of Engineering Services, Mr R Bell was noted as being on leave.

STAFF REPORTS TO CLOSED SESSION

GENERAL MANGER'S REPORT

Planning (Closed Session)

Item 1 DIVISION DECISION

Encroachments on Council owned land – Lot 22 DP 746984 & Lot 613 DP 755846. Old water race on properties at Karava Place and Kleindeinst Rd.
U07/2

454/12 MOVED/ CARRIED

That Council:

1. Prepare a planning proposal to reclassify Lot 22 DP 746984 and Lot 613 DP 755846 to 'operational' land under the Uralla Local Environmental Plan 2012.
2. Forward the planning proposal to the Department of Planning & Infrastructure for a Gateway Determination;
3. Delegate authority to the General Manager to make any minor alterations requested by the Department of Planning & Infrastructure;
4. Advertise the Planning Proposal as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued;
5. Undertake a Public Hearing as per the provisions of S29 of the *Local Government Act 1993*; and
6. Obtain a valuation of the land, a full costing of surveying and conveyancing in preparation for sale of the land pending reclassification of the land to 'operational' to allow Council to make a decision as to Notional Sale Amount.

GM

MOVE TO OPEN SESSION

MEETING PROCEDURE

455/12 MOVED/ CARRIED

That Council move back into Open Session

There being no further business, the Chair declared the meeting closed at 5:44pm.

CLOSURE OF MEETING

The Meeting closed at 5:44pm.

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 22 October 2012, consisting of Page 31 and the previous pages, were confirmed by Resolution No. [nnn/12] on [Day Month Year].

.....Mayor