



ORDINARY MEETING OF COUNCIL

Held at 12:30pm
22 August 2017

ROLL CALL

Councillors:

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

Staff:

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

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 22 August 2017

Resolution
Number

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The Meeting Commenced at: 12:32pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Bell (Deputy Mayor), and Councillors, B Crouch, M Dusting, N Ledger, L Sampson, I Strutt, K Ward, General Manager (Mr A Hopkins), Director Infrastructure and Regulation (Mr T Seymour), Director Community and Governance (Ms P Kirkland), Chief Finance Officer (Mr S Paul), Community Development and Tourism Coordinator (Kim Hastings) Planning Consultant (Ms E Cumming), Minute Clerk.

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT TO COUNTRY

4. APOLOGIES

The Chair advised receipt of an apology from Cr T Toomey.

MOTION (Crs I Strutt / R Bell)

That;

Council accept the apology from Cr T Toomey for the ordinary meeting held 22 August 2017.

1.08/17 CARRIED

5. REQUESTS FOR LEAVE OF ABSENCE

The Chair advised there were no requests for Leave of Absence.

6. DISCLOSURES & DECLARATION OF INTERESTS

The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 22 August 2017 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr K Ward	Schedule of Actions: Item 10.06/17	Non-Pecuniary	Person to whom the Item refers
Cr N Ledger	Late Reports: DA-25-2017	Pecuniary	Direct employee of the Applicant or employee of a business in which the Applicant may hold an interest
Cr M Dusting	Late Reports: DA-25-2017	Non-Pecuniary	Family relative of a person employed by a business in which the Applicant may hold an interest
General Manager, Andrew Hopkins	Late Report to Closed Session - Uralla Historical Society "Raise the Roof" Project	Non-Pecuniary	Patron of the Society

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7. CONFIRMATION OF MINUTES

Minutes to be confirmed or received and noted at the 22 August 2017 Meeting:

- Minutes of Ordinary Meeting held 25 July 2017 (to be confirmed)

AMENDMENTS

The Chair called for any amendments to the Minutes.

Cr N Ledger made reference to the 3 July entry under her written account of Councillor Activity (Section 14 of the Minutes) and requested an amendment to the event detail to replace the word 'Timberline' with the word 'Uniplan'.

MOTION (Crs I Strutt / N Ledger)

That;

Council adopt the Minutes, together with amendments as noted, as a true and correct record of the Ordinary Meeting held 25 July 2017

2.08/17 CARRIED

8. ANNOUNCEMENTS

The Chair advised there were no announcements.

9. TABLING OF REPORTS & PETITIONS

The Chair advised there were no reports or petitions to be tabled.

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

The Chair made reference to the agenda items recommended for consideration in the confidential section of the meeting.

PROCEDURAL MOTION (Crs K Ward / M Dusting)

To refer agenda items for hearing in closed session

That;

The Reports in regard to the General Manager's Annual Performance Review and the Uralla Historical Society Inc. 'Raise the Roof' Project be heard in closed session of Council, under Section 21 of the Meeting Agenda.

3.08/17 CARRIED

11. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

The Chair advised details of the urgent, supplementary and late items of business recommended for addition to the published Meeting Agenda.

Late Reports to Council:

- Development Application 25/2017 - 4 Rocklea Road Invergowrie
- Bundarra Water Treatment Plant - Lot 1 DP 815912 - Land Acquisition

PROCEDURAL MOTION (Crs M Dusting / B Crouch)

To hear late items of business as additions to the Meeting Agenda.

That;

The late items of business be heard following Report 12 in the Meeting Agenda as;

- Report 13 - Development Application 25/2017 - 4 Rocklea Road Invergowrie
- Report 14 - Bundarra Water Treatment Plant - Lot 1 DP 815912 - Land Acquisition

4.08/17 CARRIED

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12. PRESENTATIONS

Speaker 1:	Mr Brian CURRIE
Subject:	Development Application 28/2017

The Chair introduced the Speaker, Mr Brian Currie.

Mr Currie spoke on the matter before Council in relation to Development Application 28/2017.

The Chair thanked Mr Currie for his presentation to Council.

PROCEDURAL MOTION (Crs B Crouch / M Dusting)

To reschedule the Report 10 agenda item

That;

Report 10, Development Application 28/2017 be brought forward in the Agenda for consideration by Council ahead of Report 1.

5.08/17 CARRIED

16. REPORTS TO COUNCIL

Department: **Infrastructure & Regulation**
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 10 - Development Application 28/2017
K Smith – Dual Occupancy – 55 Budumba Road, Invergowrie

OFFICER'S RECOMMENDATION:

That;

Council approve Development Application 28/2017 submitted by K Smith for a dual occupancy building on land known as 55 Budumba Road, Invergowrie, being Lot 111 DP 1153542 subject to the prescribed conditions.

PROCEDURAL MOTION (Crs K Ward / I Strutt)

To move to Committee of the Whole

6.08/17 CARRIED

Councillors held a detailed discussion in committee regarding Development Application 28/2017.

PROCEDURAL MOTION (Crs K Ward / B Crouch)

To resume Standing Orders

7.08/17 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

MOTION (Crs R Bell/ K Ward)

That;

Council approve Development Application 28/2017 submitted by K Smith for a dual occupancy building on land known as 55 Budumba Road, Invergowrie, being Lot 111 DP 1153542 subject to the following conditions:

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PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

Erection of signs

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

Notification of Home Building Act 1989 requirements

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

136D Fulfilment of BASIX commitments

7. 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).
8. 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.

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GENERAL CONDITIONS

9. The development must take place in accordance with the approved plans (bearing the Uralla 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.
10. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.
11. *The dwelling is to be inspected at the following stages of construction:
 - before the pouring of footings**
 - before covering drainage (under hydrostatic test)
 - before pouring any reinforced concrete structure **
 - before covering 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**
 - in the case of a swimming pool, after the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992) has been erected and before the pool is filled with water,

*** denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a *development where a critical stage or other nominated inspection has not been carried out.*

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

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

12. The existing dwelling is not to be used as accommodation on a commercial basis.
13. The construction of the dwelling is to comply with:
 - AS 3959 – 2009 for BAL 12.5, sections 3 and 5 with gutter guards
 - the NSW Rural Fire Service publication *Planning for Bushfire Protection 2006 Section A3.7 of Addendum Appendix 3 and Section 4.1.3 for gas and electricity installation.*

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. The plans and specifications accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1(a) building.

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

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

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CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

16. 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 clause 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent.
17. 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 DURING CONSTRUCTION

18. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and between 8.00am and 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
19. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
20. 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.
21. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
22. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
23. Construction of an internal all-weather access road from the property boundary to the dwelling is to be undertaken in order to minimise soil erosion with suitable profiling and drainage to reduce surface water run off volumes and velocity with relation to the slope of the land.

The width of the carriageway is to be 4 metres with a 1 metre verge either side maintained in a fuel reduced state. The vertical clearance of 4 metres to any overhanging branches is to be maintained.

All Engineering works to be designed by a competent person e.g. Professional Engineer and carried out in accordance with Councils Engineering Code unless otherwise indicated, to ensure that these works are of a sustainable and safe standard

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

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

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

25. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.
26. The Principal Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
27. Storage tank overflow, roof and surface stormwater from paved and impervious areas is to be directed away from the building and any on site waste disposal system to protect the site and adjoining property from the effects of flooding. Such work must be completed prior to the use and/or occupation of the premises commencing.
28. Provision of not less than 90,000 litres of domestic water storage. However, where the property has an additional water source or storage, e.g. dams, bores, streams or swimming pool, not less than 45,000 litres of domestic water storage will be required.

Although not specifically required by Council, it is recommended that landowners consider providing a greater storage capacity where an additional water source or storage is not available.

The minimum quantities of water storage required above, are to include at least 20,000 litres reserved for fire fighting purposes. A suitable connection for Rural Fire Service purposes must be made available. In general a 65mm Storz outlet with a Gate or Ball valve should be provided. Underground tanks with an access hole of 200mm will allow bushfire fighting tankers to refill direct from the tank. Any underground tanks shall be fitted with a childproof access hole of 200mm x 200mm will allow bushfire fighting tankers to refill direct from the tank. Tanks for fire fighting water must be constructed of a Metal or Concrete unless screening is provided and must incorporate a 65mm storz fitting.
29. Signage must be provided to the Front Gate and the location of the Storz valve connection with a Static Water Supply (SWS) sign.
30. Tanks for fire fighting water must be constructed of a Metal or Concrete unless screening is provided and must incorporate a 65mm storz fitting
31. Stormwater tanks to also to be provided with first flush disposal device to prevent the potential pollution of the potable water supply by contaminants contained in the roof gutter drainage system.

CONDITIONS RELATING TO ONGOING OPERATIONS

32. The construction of the dwelling, vegetation maintenance, landscaping and Asset Protection Zones are to comply with the NSW Rural Fire Service publication *Planning for Bushfire Protection 2006*.
33. The Asset protection Zone surrounding the new dwelling shall be managed as an Inner Protection Area (IPA) and regularly maintained with a surface fuel load less than 8t/Ha. Patches of shade trees can be retained within the APZ if the canopy is separated by >5m between patches of trees. There are to be no over-storey vegetation within 5 metres of the proposed dwelling.

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

FOR: Cr R Bell, Cr K Ward, Cr I Strutt, Cr M Pearce, Cr M Dusting, Cr B Crouch, Cr L Sampson, Cr N Ledger

AGAINST: nil

ABSENT: Cr T Toomey

8.08/17 CARRIED

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13. DEPUTATIONS

There were no deputations registered for the 22 August Meeting.

14. WRITTEN REPORTS FROM DELEGATES

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

COUNCILLOR NAME:		Mark Dusting
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION

COUNCILLOR NAME:		Bob Crouch
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
31 July	VIC walkthrough	Uralla
8 August	Council Workshop	Uralla
22 August	Council Meeting	Uralla

COUNCILLOR NAME:		Levi Sampson
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION

COUNCILLOR NAME:		Natasha Ledger
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
12 July	Workshop	
24 July	Bus Chamber	Uralla Bottom Pub
25 July	Volunteers Dinner	McCrossin's Mill
26 July	Careers Festival	Duval High
27 July	Jobs Australia	
22 August	Meeting	

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COUNCILLOR NAME:		Robert Bell
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
8 August	Strategic Planning Meeting	Uralla
18 August	Inspection – Parking at Hill Street & Pedestrian Crossing at McMaugh's	Uralla
22 August	DA Visits	Invergowrie

COUNCILLOR NAME:		Kevin Ward
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
8 August	Council Workshop	Council
18 August	Inspection – Parking at Hill Street Medical Centre	On-site
22 August	D.A. site visits	

COUNCILLOR NAME:		Isabel Strutt
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
31 July	Walkthrough of VIC	Uralla
8 August	Strategic Planning Workshop	Uralla
22 August	On-site inspections at Budumba & Bundarra Roads	Uralla
22 August	Council Meeting	

COUNCILLOR NAME:		Tara Toomey (absent)
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION

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COUNCILLOR NAME:		Michael Pearce
COUNCIL MEETING DATE:		22 August 2017
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/7/17	Mayor's Office – Admin	Uralla
27/7/17	Mayor's Office – Admin Attend funeral – Dean Doran.	Uralla Armidale
28/7/17	Media release with Adam Marshall re: Stronger Country Communities funding.	Armidale
31/7/17	Mayor's Office – Admin. Walk through VIC with Community members, Councillors and Staff.	Uralla
1/8/17	Mayor's Office- Admin	Uralla.
2/8/17	2AD Radio interview. Mayor's Office- Admin.	Uralla
3/8/17	Mayor's Office- Admin. Uralla Branch, United Hospital Auxiliary AGM.	Uralla
3/8/17	Destination NSW – meet/greet Board Members, networking	Tamworth.
5/8/17	Media release with Adam Marshall re: Innovation funding for Uralla Shire Council.	Uralla
7/8/17	Mayor's Office – Admin. Youth Mentors program.	Uralla
8/8/17	Mayor's Office – Admin. Councillor Workshop.	Uralla
9/8/17	Mayor's Office- Admin	Uralla
10/8/17	NAMOI Councils Board meeting. Meeting with Ministers and Government Staff.	Sydney
11/8/17	Country Mayors Association meeting.	Sydney
14/8/17	Mayor's Office- Admin. Youth Mentors program.	Uralla
15/8/17	New England Bush Fire Management Committee meeting.	Armidale
16/8/17	2AD Radio interview. Mayor's Office- Admin.	Uralla
17/8/17	Mayor's Office- Admin	Uralla
21/8/17	Mayor's Office- Admin	Uralla
22/8/17	Mayor's Office- Admin DA Site visits with Councillors and Staff. August Council meeting.	Uralla

15. MAYORAL MINUTE

There was no Mayoral Minute to the 22 August Meeting.

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16. REPORTS TO COUNCIL (continued)

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

OFFICER'S RECOMMENDATION:

That;

Council note the cash position as at 31 July 2017 consisting of cash and overnight funds of \$4,859,297, term deposits of \$9,450,000 totalling \$14,309,297 of readily convertible funds.

MOTION (Crs B Crouch / M Dusting)

That;

Council note the cash position as at 31 July 2017 consisting of cash and overnight funds of \$4,859,297, term deposits of \$9,450,000 totalling \$14,309,297 of readily convertible funds.

9.08/17 CARRIED

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

OFFICER'S RECOMMENDATION:

That;

The report be received and noted for the works completed or progressed during July 2017, and works programmed for August 2017.

MOTION (Crs K Ward / R Bell)

That;

The report be received and noted for the works completed or progressed during July 2017, and works programmed for August 2017.

10.08/17 CARRIED

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

OFFICER'S RECOMMENDATION:

That;

Council receive and note the development approvals and refusals for July 2017.

MOTION (Crs I Strutt / R Bell)

That;

Council receive and note the development approvals and refusals for July 2017.

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

OFFICER'S RECOMMENDATION:

That;
The Heritage Advisory Services Summary for August 2017 be received and noted by Council.

MOTION (Crs B Crouch / L Sampson)

That;
The Heritage Advisory Services Summary for August 2017 be received and noted by Council.

12.08/17 CARRIED

Department: **Infrastructure & Regulation**
Submitted by: Health & Building Surveyor
Reference/Subject: Report 5 - Food Shop Annual Inspection Program

OFFICER'S RECOMMENDATION:

That;
Council receive and note the Annual Food Inspection Program results for 2016/2017.

MOTION (Crs R Bell / B Crouch)

That;
Council receive and note the Annual Food Inspection Program results for 2016/2017.

13.08/17 CARRIED

Department: **General Manager**
Submitted by: General Manager
Reference/Subject: Report 6 - Local Government NSW Annual Conference

OFFICER'S RECOMMENDATION:

That;
Council be represented at the 2017 Local Government NSW Annual Conference by the Mayor, or his alternate delegate and the General Manager, or his alternate delegate.

MOTION (Crs I Strutt / M Dusting)

That;
Council be represented at the 2017 Local Government NSW Annual Conference by the Mayor, or his alternate delegate and the General Manager, or his alternate delegate.

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Department: **General Manager**
Submitted by: General Manager
Reference/Subject: Report 7 - National Local Roads and Transport Congress 2017

OFFICER'S RECOMMENDATION:

That;
Council be represented at the 2017 National Local Roads and Transport Congress by the Mayor, or his alternate delegate.

MOTION (Crs M Dusting / N Ledger)

That;
Council be represented at the 2017 National Local Roads and Transport Congress by the Mayor, or his alternate delegate.

15.08/17 CARRIED

Department: **General Manager**
Submitted by: Andrew Hopkins
Reference/Subject: Report 8 - Stronger Country Communities Fund

OFFICER'S RECOMMENDATION:

That Council;

- a) Note that funding for the Stronger Country Communities Fund is intended for: building new community facilities (such as parks, playgrounds, walking and cycle pathways); refurbishing existing local facilities (such as community centres and libraries); and enhancing local parks and the supporting facilities (such as kitchens and toilet blocks).
- b) Nominate the following project(s), in order of preference, to be funded by its 2017 allocation of the Stronger Country Communities Fund and note that there may be insufficient funds in the 2017 allocation to fund all three (3) projects or components of projects):
 1. PARKS – providing new playground equipment (including soft fall as necessary), shade structure, seating, outdoor exercise equipment, lighting, active recreational facilities (e.g. skate park) and BBQs in Council parks/reserves.
 2. WALKING & CYCLING – building new walking paths/shared cycle paths in Bundarra and Invergowrie.
 3. HALLS – building a community hall in Invergowrie, and refurbishing parts of the Bundarra (School of Arts) Hall and the Uralla Memorial Hall (e.g. flooring).
- c) Note consultation was undertaken with the Uralla Shire community, between 10th August and 20th August, inclusive and was undertaken, variously, by way of Facebook, Council's webpage, radio and newspaper. The consultation asked the community to state their two preferred projects as identified in b), above.
- d) Make application for funding from the Stronger Country Communities Fund on or before 13th September 2017.

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PROCEDURAL MOTION (Crs I Strutt / K Ward)
To move to Committee of the Whole

16.08/17 CARRIED

Councillors held a detailed discussion in committee regarding priorities for the Stronger Country Communities Fund. Discussion focused on applying for funding to upgrade parks and creating a park of note at Pioneer Park, Uralla, in the first round.

Cr R Bell left the meeting at 2:12pm and returned at 2:14pm.

PROCEDURAL MOTION (Crs L Sampson / M Dusting)
To resume Standing Orders

17.08/17 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

Cr L Sampson left the meeting at this time (2:38pm)

MOTION (Crs I Strutt / M Dusting)
That Council;

- a) Note that funding for the Stronger Country Communities Fund is intended for: building new community facilities (such as parks, playgrounds, walking and cycle pathways); refurbishing existing local facilities (such as community centres and libraries); and enhancing local parks and the supporting facilities (such as kitchens and toilet blocks).
- b) Nominate the following project(s), in order of preference, to be funded by its 2017 allocation of the Stronger Country Communities Fund and note that there may be insufficient funds in the 2017 allocation to fund all three (3) projects or components of projects):
 1. PARKS – providing new playground equipment (including soft fall as necessary), shade structure, seating, outdoor exercise equipment, lighting, active recreational facilities (e.g. skate park) and BBQs in Council parks/reserves.
 2. WALKING & CYCLING – building new walking paths/shared cycle paths in Bundarra and Invergowrie.
 3. HALLS – building a community hall in Invergowrie, and refurbishing parts of the Bundarra (School of Arts) Hall and the Uralla Memorial Hall (e.g. flooring).
- c) Note consultation was undertaken with the Uralla Shire community, between 10th August and 20th August, inclusive and was undertaken, variously, by way of Facebook, Council's webpage, radio and newspaper. The consultation asked the community to state their two preferred projects as identified in b), above.
- d) Make application for funding from the Stronger Country Communities Fund on or before 13th September 2017.
- e) Receive and note the Stronger Country Communities Fund 'Community Survey Priority Projects' Report

18.08/17 CARRIED

Cr L Sampson, having been absent from the meeting during the vote on the Motion, returned to the meeting at this time (2:40pm).

PROCEDURAL MOTION (Crs R Bell / I Strutt)
To reschedule the Report 13 agenda item

That;

The Late Report, 'Report 13 - Development Application 25/2017' - 4 Rocklea Road Invergowrie, be brought forward in the Agenda for immediate consideration by Council.

19.08/17 CARRIED

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Department: **Infrastructure & Regulation**
Submitted by: Director of Infrastructure & Regulation
Reference/Subject: Report 13 (Late Report)
Development Application 25/2017 – M Smith & L Ducat
Staged Development – 4 Rocklea Road Invergowrie

Cr M Dusting, having previously declared a conflict of interest, left the meeting at this time (2:40pm)

Cr N Ledger, having previously declared a conflict of interest, left the meeting at this time (2:40pm)

OFFICER'S RECOMMENDATION:

That Council;

- a) Support the Clause 4.6 Development Application 25/2017 being for a variation of minimum lot size on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 under the ownership of PJ & CM Ducat subject to conditions.
- b) Request concurrence from the Director General of the NSW Office of Planning & Environment.
- c) Upon receipt of concurrence from the Director General of the NSW Office of Planning & Environment, delegation be given to the General Manager to approve Development Application 25/2017 submitted by M Smith and L Ducat for a staged development being:
 - Stage 1 - Subdivision of two lots being Lots 3 and 4 with building envelopes, and the construction of a dwelling in the E4 zoned land
 - Stage 2 - Subdivision of two lots being Lot 1 and 2 along the zone boundary with a building envelope on Lot 2on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 subject to the prescribed conditions.
- d) The Uralla Local Environmental Plan 2012 be amended:
 - To alter the zone boundary on Lot 13 DP 875212 between the E4 and R5 zone to be 50 metres from the edge of the working face of the quarry, and
 - Amend Clause 4.1A by modifying the wording to reflect the current model clause and one that would better suit the subdivision of split zoned land circumstance and be clearer in its intent.

MOTION (Crs R Bell / K Ward)

That Council;

- a) Support the Clause 4.6 Development Application 25/2017 being for a variation of minimum lot size on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 under the ownership of PJ & CM Ducat subject to conditions.
- b) Request concurrence from the Director General of the NSW Office of Planning & Environment.
- c) Upon receipt of concurrence from the Director General of the NSW Office of Planning & Environment, delegate the General Manager to approve Development Application 25/2017 submitted by M Smith and L Ducat for a staged development being:
 - Stage 1 - Subdivision of two lots being Lots 3 and 4 with building envelopes, and the construction of a dwelling in the E4 zoned land
 - Stage 2 - Subdivision of two lots being Lot 1 and 2 along the zone boundary with a building envelope on Lot 2on land known as 4 Rocklea Road, Invergowrie, being Lot 13 DP 875212 subject to the following conditions:

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PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

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

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

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 Fulfilment 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.

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GENERAL CONDITIONS

10. The development must take place in accordance with the approved plans (bearing the Uralla 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.
11. Approval is being given for Stage 1 being;
 - Lot 3 & 4 and building envelopes
 - Construction of a dwelling on Lot 1 in the E4 zoneApproval is being given for Stage 2 being;
 - Lot 1 & 2 being subdivided along the zone boundary
 - Building envelope on Lot 2
12. Stage 2 is not to commence until such time as an amendment to the *Uralla Local Environmental Plan 2012* has taken place:
 - Adjusting the zone boundary between the E4 and R5 zone to being 50 metres away from the working edge of both quarries, and
 - Altering Clause 4.1A to enable the subdivision
13. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
14. 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 a telecommunications and electricity services.
15. 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.
16. Prior to the issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e. water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
17. Each new driveway is to display a rural addressing number. The rural address number for each lot will be Lot 1 – 1489 Bundarra Road, Lot 2 – 4 Rocklea Road, Lot 3 – 6 Rocklea Road and Lot 4 – 8 Rocklea Road. The current fee for the 2017/2018 year is \$68.00 per number, which includes installation.

Stage One Only

GENERAL CONDITIONS

18. Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.
19. s 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**

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- before covering any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed**
- in the case of a swimming pool, after the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992) has been erected and before the pool is filled with water,

*** denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a *development where a critical stage or other nominated inspection has not been carried out.*

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

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

20. The following are requirements to be undertaken for compliance of a dwelling to a Bushfire Attack Level of BAL12.5 under the *Planning for Bushfire 2006* and Addendum 3.
- a) External Walls: Non-combustible material. Parts less than 400mm above ground or decks to be of non-combustible material, 6mm fibre cement cladding or bushfire resistant / naturally resistant timber.
 - b) Joints: Joints to be covered and sealed to prevent gaps greater than 3mm or sarking to be applied to frame.
 - c) Vents and Weep holes: Vents and Weepholes shall be screened with mesh with a maximum aperture of 2mm, made of corrosion-resistant steel, bronze or aluminium except where they are less than 3mm.
 - d) External Windows: Protected by bushfire shutter, or screened with mesh with a max aperture of 2mm made of corrosion resistant steel, bronze or aluminium mesh or 4mm grade A safety glass or glass blocks within 400mm of ground, deck etc. Operable portion metal screened with frame of metal or metal reinforced PVC-U or bushfire resisting timber.
 - e) Sliding Doors: Protected by bushfire shutter or screened with mesh with a max aperture of 2mm made from corrosion resistant steel, bronze or aluminium or A grade safety glass.
 - f) External Door: Protected by bushfire shutter or screened with steel, bronze or aluminium mesh or glazed with 5mm toughened glass, non-combustible or 35mm solid timber for 400mm above ground, decking etc. Tight fitting with weather strips at base.
 - g) Garage Door / Doors: Vehicle access doors within 400mm of the ground when the door is closed to be non-combustible material or bushfire resistant material or 6mm fibre cement sheet. Panel lift doors to be fitted with weather strips or draught excluders with maximum gap of 3mm, Roller doors to have guide tracks with maximum gap of 3mm and fitted with nylon brush, no ventilation slots allowable.
 - h) Roofs: Non-combustible covering. Roof / Wall junction sealed to prevent openings greater than 3mm. Openings fitted with non-combustible ember guards. Roof ventilation openings be fitted with ember guards with maximum aperture of 2mm.
 - i) Gutters and Downpipes: If installed, gutter and valley leaf guards shall be non-combustible.
 - j) Roof Penetrations: Roof penetrations shall be sealed at the roof to prevent gaps greater than 3mm. Flashing to be non-combustible. Overhead glazing to be A grade safety glass. Evaporative cooling units to be fitted with butterfly closers at ceiling level with a maximum aperture of 2mm, made from corrosion resistant steel, bronze or aluminium.
 - k) Eaves: Eaves penetrations to be protected the same as for roof penetrations, see clause 5.6.5. Eave ventilation openings greater than 3mm shall be fitted with ember guards made of non-combustible material or mesh with maximum aperture of 2mm.
 - l) Verandas, Patios and Decks etc.: Enclosed subfloor space- no special requirements for materials except within 400mm of ground. No special requirements for supports or framing. Decking to be non-combustible or bushfire resistant with in 300mm horizontally and 400mm vertically from a glazed element.
 - m) Water and Gas Supply lines: Above ground, exposed water and gas supply pipes shall be metal.

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CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

21. The plans and specifications accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1(a) building.

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

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

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION COMMENCING

23. 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 clause 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent.
24. 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 DURING CONSTRUCTION

25. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
26. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
27. 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.
28. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
29. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.

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30. Construction of an internal all-weather access road from the property boundary to the dwelling is to be undertaken in order to minimise soil erosion with suitable profiling and drainage to reduce surface water run off volumes and velocity with relation to the slope of the land.
- The intersection of the access to the land with the public road is to be located such that a 100 kilometre per hour safe intersection sight distance requirement is satisfied in both approach directions.
- A vehicular entrance must be provided in accordance with Council's standards, incorporating a 375 mm diameter stormwater pipe and concrete headwalls and minimum 150mm road base. Alternately where sufficient depth is not available, a 6m long by 1.5m wide reinforced concrete slab dish drain shall be constructed to provide access to the property. Where the property entrance abuts a sealed road, the driveway between the edge of the existing seal and the property boundary shall also be sealed with a minimum 2 coat bitumen or emulsion seal.
- All Engineering works to be designed by a competent person e.g. Professional Engineer and carried out in accordance with Councils Engineering Code unless otherwise indicated, to ensure that these works are of a sustainable and safe standard

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

31. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.
- ADVISING: Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).
32. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.
33. The Principal Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
34. Storage tank overflow, roof and surface stormwater from paved and impervious areas is to be directed away from the building and any on site waste disposal system to protect the site and adjoining property from the effects of flooding. Such work must be completed prior to the use and/or occupation of the premises commencing.
35. Provision of not less than 90,000 litres of domestic water storage. However, where the property has an additional water source or storage, e.g. dams, bores, streams or swimming pool, not less than 45,000 litres of domestic water storage will be required.
- Although not specifically required by Council, it is recommended that landowners consider providing a greater storage capacity where an additional water source or storage is not available.
- The minimum quantities of water storage required above, are to include at least 10,000 litres reserved for fire fighting purposes. A suitable connection for Rural Fire Service purposes must be made available. In general a 65mm Storz outlet with a Gate or Ball valve should be provided. Underground tanks with an access hole of 200mm will allow bushfire fighting tankers to refill direct from the tank. Any underground tanks shall be fitted with a childproof access hole of 200mm x 200mm will allow bushfire fighting tankers to refill direct from the tank. Tanks for fire fighting water must be constructed of Metal or Concrete unless screening is provided and must incorporate a 65mm storz fitting.
36. Signage must be provided to the Front Gate and the location of the Storz valve connection with a Static Water Supply (SWS) sign.
37. Stormwater tanks to also be provided with first flush disposal device to prevent the potential pollution of the potable water supply by contaminants contained in the roof gutter drainage system.

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38. The access to the dwelling is to be constructed including a concrete pipe culvert with headwalls, and a bitumen seal from Bundarra Road to the property boundary. This is to be designed by an appropriately qualified engineer and constructed to a standard approved by the Director of Infrastructure & Regulation and is at the expense of the developer.

CONDITIONS RELATING TO ONGOING OPERATIONS

39. The construction of the dwelling, vegetation maintenance, landscaping and Asset Protection Zones are to comply with the NSW Rural Fire Service publication *Planning for Bushfire Protection 2006*.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

40. The access to the Lots 3 and 4 are to be designed by an appropriately qualified engineer and constructed including a concrete pipe culvert with headwalls, and gravel from Rocklea Road to the property boundary. This is to be constructed to a standard approved by the Director of Infrastructure & Regulation and is at the expense of the developer.

41. The access to the gravel pit is to be relocated along Rocklea Road, designed by an appropriately qualified engineer and constructed including a concrete pipe culvert with headwalls. This is to be constructed to a standard approved by the Director of Infrastructure & Regulation and is at the expense of the developer.

42. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services for which Council is satisfied that the proposed development is likely to create a demand (as detailed in the attached schedule) is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.

The Section 94 Contribution is currently \$3,619.00 in the 2017/18 financial year for each applicable lot. This is applicable for Lots 3 and 4.

Stage Two Only

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

43. Prior to the issue of a Subdivision Certificate the applicants shall pay to Council contribution toward public amenities and services for which Council is satisfied that the proposed development is likely to create a demand (as detailed in the attached schedule) is to be made prior to the issue of the Construction/Subdivision Certificate. Such charges are listed below and are subject to CPI increases if not paid in the year of issue of this consent.

The Section 94 Contribution is currently \$3,619.00 in the 2017/18 financial year for each applicable lot. The applicable lot is Lot 1.

INTEGRATED GENERAL TERMS OF APPROVAL AS PART OF THIS CONSENT

These conditions are in accordance with Section 91 of the Environmental Planning & Assessment Act 1979 by the NSW Rural Fire Service.

44. The proposed development is to comply with the plan submitted in Council referral dated 17 May 2017, except where modified by conditions of this Bush Fire Safety Authority.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

45. At the commencement of building works and in perpetuity the property around the proposed dwelling on proposed Lot 1 shall be managed as follows:

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- Northwest for a distance of 20 metres as an Inner Protection Area.
- Northeast for a distance of 29 metres as an Inner Protection Area.
- Southeast for a distance of 14 metres as an Inner Protection Area.
- Southwest for a distance of 29 metres as an Inner Protection Area.

Requirements for an Inner Protection Area are outlined within section 4.1.3 and appendix 5 of 'Planning for Bush Fire Protection 2006' (PBP) and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Addition to Condition by Uralla Shire Council.

A restriction to the land use pursuant to section 88B of the Conveyancing Act 1919 shall be placed on the lot to ensure perpetuity.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

46. a) Fire fighting water supply may be provided by a tank, a swimming pool or a dam that shall be located not less than 5 metres and not more than 20 metres from the approved structure.
- b) A hardened ground surface for fire fighting truck access is to be constructed up to and within 4 metres of the fire fighting water supply.
- c) New above ground fire fighting water supply storages are to be manufactured using non-combustible material (concrete, metal, etc.). Where existing fire fighting water supply storages are constructed of combustible (polycarbonate, plastic, fibreglass, etc.) materials, they shall be shielded from the impact of radiant heat and direct flame contact.
- d) Non-combustible materials (concrete, metal, etc.) will only be used to elevate or raise fire fighting water supply tank(s) above the natural ground level.
- e) A 65mm metal Storz outlet with a gate or ball valve shall be fitted to any fire fighting water supply tank(s) and accessible for a fire fighting truck.
- f) The gate or ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material.
- g) All associated fittings to the fire fighting water supply tank(s) shall be non-combustible.
- h) Any below ground fire fighting water supply tank(s) constructed of combustible (polycarbonate, plastic, fiberglass, etc.) materials shall be shielded from the impact of radiant heat and direct flame contact.
- i) Any fire fighting water supply tank(s) located below ground shall be clearly delineated to prevent vehicles being driven over the tank.
- j) All water supplies for fire fighting purposes shall be clearly signposted as a fire fighting water supply.
- k) Below ground fire fighting water supply tank(s) shall have an access hole measuring a minimum 200mm x 200mm to allow fire fighting trucks to access water direct from the tank.
- l) A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
1. Markers must be fixed in a suitable location so as to be highly visible; and
 2. Markers should be positioned adjacent to the most appropriate access for the water supply.

Note: The definition of below ground dedicated fire fighting water supply tank(s) is when the outlet valve is located below natural ground level.

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Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

47. Property access roads shall comply with the following requirements of section 4.1.3(2) of 'Planning for Bush Fire Protection 2006'.
- a) At least one alternative property access road is provided for individual dwellings (or groups of dwellings) that are located more than 200 metres from a public through road.
 - b) Bridges clearly indicate load rating and pavements and bridges are capable of carrying a load of 15 tonnes.
 - c) Roads do not traverse a wetland or other land potentially subject to periodic inundation (other than a flood or storm surge).
 - d) A minimum carriageway width of 4 metres.
 - e) Any carriageway constriction along the property access road shall be no less than 3.5 metres in width and for a distance of no greater than 30m.
 - f) Property access roads shall have passing bays every 200 metres and where the view is restricted, for example on corners and crests, which are 20 metres long by 2 metres wide, making a minimum trafficable width of 6 metres at the passing bay.
 - g) A minimum vertical clearance of 4 metres to any overhanging obstruction, including tree branches.
 - h) Internal roads provide a loop road around any dwelling or incorporate a turning circle with a minimum 12 metre outer radius.
 - i) Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress.
 - j) The minimum distance between the inner and outer curves is 6 metres.
 - k) The crossfall is not to exceed 10 degrees.
 - l) Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

The intent of measures for fire trails is to provide suitable access for fire management purposes and maintenance of APZs. To achieve this, the following conditions shall apply:

48. Fire trails shall comply with section 4.1.3(3) of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

49. New construction of the proposed dwelling on proposed Lot 1 shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
- d) Amend Uralla Local Environmental Plan 2012 to:
- Alter the zone boundary on Lot 13 DP 875212 between the E4 and R5 zone to be 50 metres from the edge of the working face of the quarry, and
 - Amend Clause 4.1A by modifying the wording to reflect the current model clause and one that would better suit the subdivision of split zoned land circumstance and be clearer in its intent.

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

FOR: Cr M Pearce, Cr R Bell, Cr K Ward, Cr I Strutt, Cr B Crouch, Cr L Sampson

AGAINST: nil

ABSENT: Cr T Toomey, Cr M Dusting, Cr N Ledger

20.08/17 CARRIED

Cr M Dusting returned to the meeting at this time (2:43pm).

16. REPORTS TO COUNCIL (continued)

Department: Community and Governance

Submitted by: Trish Kirkland

Reference/Subject: Report 9 - 2016/17 Operational Plan Annual Performance Report 30 June 2017

OFFICER'S RECOMMENDATION:

That;

Council receive and note the 2016/17 Operational Plan Annual Progress Report.

Cr I Strutt noted a number of administrative corrections and tabled such.

Cr N Ledger returned to the meeting at this time (2:45pm)

MOTION (Crs I Strutt / K Ward)

That Council;

1. Receive and note the 2016/17 Operational Plan Annual Progress Report.
2. Acknowledge the hard work and commitment of staff in achieving the performance levels to date.

21.08/17 CARRIED

Department: **Community & Governance Directorate.**

Submitted by: Kim-Trieste Hastings

Reference/Subject: Report 11 - Visitor Information Centre & Library Monthly Report for July 2017

OFFICER'S RECOMMENDATION:

That;

The report be received and noted.

PROCEDURAL MOTION (Crs K Ward / B Crouch)

To move to Committee of the Whole

22.08/17 CARRIED

Councillors held a brief discussion in committee regarding the need for discussion in Committee.

PROCEDURAL MOTION (Crs B Crouch / M Dusting)

To resume Standing Orders

23.08/17 CARRIED

MOTION (Crs R Bell / N Ledger)

That;

Council receive and note the Visitor Information Centre and Library Monthly Report for July 2017.

24.08/17 CARRIED

**Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 22 August 2017**

Resolution
Number

Department: **Community and Governance**
Submitted by: Trish Kirkland
Reference/Subject: Report 12 - Improving the Visitor Information Centre

OFFICER'S RECOMMENDATION:

That Council;

1. Cease, within three (3) months of the date of this resolution, sales of third party products and/or services at the Visitor Information Centre (VIC).
2. Focus VIC resources toward:
 - a. volunteer development,
 - b. promotion of local artisans and producers, and
 - c. promotion of the Shire and Region's tourism assets.
3. Form a project reference group comprising of 5 local tourism related operators (via an Expression of Interest) and 2 councillors for the single purpose of preparing a range of options and recommendations, for Council's consideration, to better align the VIC offerings (consistent with 2. a. and b. above) with the Shire's tourism assets.
4. Nominations for all 7 members of the project reference group are to be put before Council in open session for Council to resolve membership of the group.
5. The project reference group is to report back to Council with its recommendations by no later than the November 2017 Ordinary Council Meeting.

PROCEDURAL MOTION (Crs B Crouch / M Dusting)

To move to Committee of the Whole

25.08/17 CARRIED

Councillors held a detailed discussion in committee regarding the VIC report and recommendations.

PROCEDURAL MOTION (Crs B Crouch / L Sampson)

To resume Standing Orders

26.08/17 CARRIED

The Chair outlined details of the proposed motion determined during discussion in committee.

MOTION (Crs B Crouch / N Ledger)

That;

1. Council focus Visitor Information Centre (VIC) resources toward:
 - a. volunteer development,
 - b. promotion of local artisans and producers, and
 - c. promotion of the Shire and Region's tourism assets.
2. Council form a project reference group comprising of 5 local tourism related operators (via an Expression of Interest) and 2 Councillors for the single purpose of preparing a range of options and recommendations, for Council's consideration, to better align the VIC offerings (consistent with 2. a. and b. above) with Shire tourism assets.
3. Nominations for the 5 non-Councillor members of the project reference group are to be put before Council in open session for Council to resolve membership of the group.
4. Council appoint Crs T Toomey and L Sampson as delegates to the project reference group.
5. The project reference group is to report back to Council with its recommendations by no later than the November 2017 Ordinary Meeting of Council.

27.08/17 CARRIED

Minutes of the Uralla Shire Council at an Ordinary Meeting
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16. LATE REPORTS TO COUNCIL

Department: **Infrastructure & Regulation**
Submitted by: Director Infrastructure & Regulation
Reference/Subject: Report 14 (Late Report)
Bundarra Water Treatment Plant - Lot 1 DP 815912 - Land Acquisition

OFFICER'S RECOMMENDATION:

That;

Council approve the purchase of Lot 1 DP 815912, being location of the Bundarra water treatment plant, for \$30,000 from the Anglican Diocese of Armidale, with Council and the Anglican Diocese of Armidale each meeting their own legal costs associated with conduct of the sale and the transfer of the title.

MOTION (Crs R Bell / B Crouch)

That;

Council approve the purchase of Lot 1 DP 815912, being the location of the Bundarra water treatment plant, for \$30,000 from the Anglican Diocese of Armidale, with Council and the Anglican Diocese of Armidale each meeting their own legal costs associated with conduct of the sale and transfer of the title.

28.08/17 CARRIED

17. MOTIONS ON NOTICE

There were no 'Notices of Motion' addressed to the 22 August Meeting.

18. SCHEDULE OF COUNCIL RESOLUTIONS

Schedule of Action Items as at: 16 August 2017

Councillors undertook a review of the Schedule of Action Items.

Cr K Ward made reference to item 12.11/16, regarding the Thunderbolt Festival Sponsorship Agreement and expressed concern at the requirement for Festival Coordinators to identify and include details of economic benefit, visitor demographic and attendance numbers in their written annual report?

The General Manager acknowledged the concerns raised by the Councillor and took the matter on notice.

Cr K Ward made reference to his conflict of interest declaration in regard to Item 10.06/17 and left the meeting at his time(3:25pm)

The Chair advised Councillors that a briefing in relation to this item would be provided within the Closed Session of the Meeting.

Cr K Ward returned to the meeting at 3:27pm

**Minutes of the Uralla Shire Council at an Ordinary Meeting
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19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING

Questions from 25 July 2017 Ordinary Meeting of Council

Cr T Toomey

1. How do the activities and operations of the various New England Tourism Organisations integrate?

At the 25 July meeting of Council, the Director Community & Governance took the Councillor's question on notice.

The Director Community & Governance response to Cr Toomey's question is contained on page 95 of the Late Reports to the 22 August meeting of Council.

Cr R Crouch

1. Given that the Biosecurity Act 2015 commenced operation on 1 July 2017, and that as this Act places considerable responsibilities on individuals and organisations to minimise biosecurity risk, in order to minimise risk to Council:
 1. Have Council Staff, particularly those visiting or travelling between properties (eg road maintenance crews, health and building inspectors, etc), been made fully aware of their responsibilities under this Act?
 2. Are Staff aware, despite their right of entry, that if they enter properties without making (and being able to demonstrate that they have made) all reasonable means to contact property owners/occupiers, or they fail to follow reasonable instruction from owner/occupiers, they may be committing an offence under this Act and could be held accountable?

At the 25 July meeting of Council, the General Manager thanked the Councillor and advised the matters will be further investigated.

At the 22 August meeting of Council, the Director Infrastructure & Regulation advised the Councillor that Biosecurity Risk Management training was currently being rolled-out, at a local government level, across New South Wales.

Cr R Bell

1. Can Councillors be provided with revised scheduling details for the re-scheduled Joint Regional Planning Training Sessions?

At the 25 July meeting of Council, the Director of Infrastructure & Regulation advised he would liaise directly with relevant Councillors.

2. Can the Uralla Local Traffic Committee give consideration to the provision of a Pedestrian Crossing on King Street Uralla, outside the McMaugh Gardens Aged Care Facility?

At the 25 July meeting of Council, the Director of Infrastructure & Regulation advised he would include this matter for discussion at the next meeting of the Traffic Committee.

3. Can the decision to decline provision of a designated disabled parking space outside the Hill Street Medical Centre be reviewed/revisited?

At the 25 July meeting of Council, the Director Infrastructure & Regulation took this matter on notice.

Cr L Sampson

1. Can additional directional signage be installed to more clearly identify the availability of the off street parking area behind Shops in Bridge Street?

At the 25 July meeting of Council, the Director of Infrastructure & Regulation took this matter on notice.

Cr M Dusting

1. Can consideration be given to the provision of outdoor Table & Bench Seating in the Ross McMillan and Trevor Attwood Memorial Park?

At the 25 July meeting of Council, the Director of Infrastructure & Regulation took this matter on notice to be considered in future facilities planning.

Minutes of the Uralla Shire Council at an Ordinary Meeting
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20. QUESTIONS FOR NEXT MEETING

Questions for 26 September 2017 Ordinary Meeting of Council

Cr R Bell

Cr Bell raised the following question at the 22 August meeting of Council:-

1. What is the current status of federal funding for Munsie's Bridge?

The Director Infrastructure & Regulation advised the Councillor that federal funding was subject to a Roads & Maritime Services (RMS) cost benefit analysis, which was currently underway.

Cr K Ward

Cr Ward raised the following question at the 22 August meeting of Council:-

1. Can the extension of the bitumen car park area at the Community Centre be investigated?

The General Manager thanked the Councillor and took the question on Notice.

Minutes of the Uralla Shire Council at an Ordinary Meeting
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21. CONFIDENTIAL BUSINESS

PROCEDURAL MOTION (Crs M Dusting / I Strutt)

To move into Closed Session of Council

That;

Council move into Closed Session and close the meeting to members of the public and press.

29.08/17 CARRIED

REPORTS TO CLOSED SESSION

Department: **General Manager**

Submitted by: Andrew Hopkins

Reference/Subject: Uralla Historical Society Inc. 'Raise the Roof' Project.

MOTION (Crs K Ward / L Sampson)

That;

1. Council rescind Part 2 of resolution 272/14.
2. Council replace Part 2 of resolution 272/14 with "Provide \$25,000 to the Uralla Historical Society Inc. as a contribution towards the replacement of the roofs to the McCrossin's Mill and the adjoining Chaff Shed. In the event that the project to replace the roofs to the McCrossin's Mill or the Chaff Shed does not physically commence within the 2017/2018 financial year Council may require the full \$25,000 to be returned".
3. The commercial in confidence content in the Report be redacted and the redacted version of the Report be included in the Minutes of the Meeting.

30.08/17 CARRIED

Department: **General Manager**

Submitted by: General Manager

Reference/Subject: General Manager Performance - Annual Review 22/11/16 to 30/06/17

MOTION (Crs K Ward / M Dusting)

That;

Council acknowledge the General Manager received an average result of 'Exceeds Expectations' in his 22 November 2016 to 30 June 2017 annual performance review conducted on 27 June 2017.

31.08/17 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION (Crs L Sampson / M Dusting)

To return to Open Session of Council

That;

Council move back to Open Session

32.08/17 CARRIED

CLOSURE OF MEETING

The meeting was closed at: 4:15pm

ENCLOSED REPORT: Uralla Historical Society Inc. 'Raise the Roof' Project Report (redacted version)



REPORT TO CLOSED SESSION OF COUNCIL

Department:	General Manager
Submitted by:	<i>Andrew Hopkins</i>
Reference/Subject:	Late Report – Uralla Historical Society Inc. 'Raise the Roof' Project.

This report is presented to the **CLOSED** section of the **August 2017 Ordinary meeting** under section **10A (2d(i))** of the **Local Government Act (NSW) 1993**. 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.**

SUMMARY:

Council has received a request from the Uralla Historical Society Inc. (the 'society') for Council to release funds of \$25,000 which Council has committed via resolution dated 25th August 2014. The funds were committed for the purpose of replacing the roofs to McCrossin's Mill and the Chaff Shed building. The society have named the project the 'Raise the Roof Project'.

Council resolution 272/14 placed a condition on the funds which required they funds would be contingent upon the society receiving a grant from the Heritage Office of equal or greater value to Council's contribution.

The society was unsuccessful in obtaining funds from the Heritage Office. However, they were successful in obtaining grant funding from other sources and together with funds the society has amassed through its own fund raising activities, and the Council's \$25,000 grant, the society advises they have sufficient funds to proceed with the project.

OFFICER'S RECOMMENDATION:

That:

- 1. Council rescind Part 2 of resolution 272/14.**
- 2. Council replace Part 2 of resolution 272/14 with "Provide \$25,000 to the Uralla Historical Society Inc. as a contribution towards the replacement of the roofs to the McCrossin's Mill and the adjoining Chaff Shed. In the event that the project to replace the roofs to the McCrossin's Mill or the Chaff Shed does not physically commence within the 2017/2018 financial year Council may require the full \$25,000 to be returned".**

REPORT:

On 2nd July 2014, Council received a request from the Uralla Historical Society for a \$37,500 contribution towards the reroofing of the McCrossin's Mill and the adjoining Chaff Shed building – the 'Raise the Roof' project. The society advised the estimated cost of the roof would be \$ [REDACTED] and anticipated funding would come from:

\$ [REDACTED]	NSW Heritage Office
\$ [REDACTED]	Uralla Shire Council
\$ [REDACTED]	Uralla Historical Society (and any other sources).
\$ [REDACTED]	Total build cost.

At the Ordinary Meeting held on 25th August 2014, Council resolved as follows (resolution 272/14):

That Council:

- 1. Write to the Uralla Historical Society conveying support for the project to replace the roofs of the McCrossin's Mill and Chaff Shed buildings;*
- 2. Commit to making a budget allocation of \$25,000 in the 2015/16 Operational Plan to assist in the funding of the roof replacement project, contingent upon the success of Uralla Historical Society receiving a grant from the Heritage Office of equal to or greater value than proposed;*
- 3. Provide support to the Uralla Historical Society in applying for additional grant funding by outlining to other potential funding providers the importance of the facility to this area from a cultural, historic and economic point of view; and*
- 4. Convey to the Uralla Historical Society that if they receive funding for the project from Council, they will not be eligible for further grant funding from Council prior to 2010/21 due to competing community priorities.*

Since the resolution of 25th August 2014 the society has actively pursued funding from various sources as well as progressing with the obtainment of construction estimates and of relevant approvals for the works.

By letter dated 15th August 2017 the society advised they have identified a preferred contractor (**Name**) who has provided a price of \$ [REDACTED] (inclusive of [REDACTED] % contingency) and that works are expected to commence in September 2017 and be completed by December 2017. In that letter the society requested Council's allocated funding be transferred to the society's bank account and provided banking details accordingly.

By letter dated 16th August 2017, a letter was issued to the society advising of the conditions surround the granting of Council funds – specifically that it was contingent upon the success of the society receiving a grant from the Heritage Office of equal or greater value and requested evidence of the grant from the Heritage Office.

By letter dated 17th August 2017 the society responded and advised that despite an indication from Mr Adam Marshall MP that the NSW Government would provide funding for the project, the society's formal application to them was unsuccessful. They note this came as a most unpleasant surprise to them.

Accordingly, the Heritage Office's contribution to the project is nil.

In the 17th August 2017 letter the society identify the following funds as been secured for the project:

\$ [REDACTED]	The Copland Foundation. The Copland Foundation initially pledged \$ [REDACTED] but upon "hearing our plight", as advised by the society, they pledged an additional \$ [REDACTED].
\$ [REDACTED]	From Merilba Station, Kingstown (payable when construction commences).

\$ [REDACTED] From the society's own fund raising efforts.

\$ [REDACTED] Total

This leaves a balance shortfall of \$ [REDACTED].

Discussion

Resolution 272/14, at part 2, specifically required that Council's funding of \$25,000 be contingent on the society obtaining equal or greater funding from the Heritage Office. It also specifically envisaged the society would be seeking funding from other potential funding providers (assumed to mean other than the Heritage Office and Council) as noted in item 3 of the resolution.

However, despite the requirements of part 2 of resolution 272/14, the society has been able to raise almost % ([REDACTED]) of the funds required for the project, including \$ [REDACTED] from their own fund raising activities.

Council should determine whether it considers its funding for this project being contingent upon equal or greater funding from the Heritage Office (as per part 2 of resolution 272/14) remains relevant or necessary given the society has, currently, managed to secure \$ [REDACTED] funding from other sources. Noting that the current funding opportunities might not all manifest, despite good intent.

Should Council consider the constraint imposed by part 2 or resolution 272/14, as noted above, are no longer relevant, it could:

- Resolve to rescind reference to the requirement that contingent funding of equal or greater value be obtained by the society from the Heritage Office. However, should the current funding pledges not materialise Council could find itself in a similar position to that which it was in in 2014.
- Resolve to acknowledge resolution 272/14 but not rescind it and resolve to determine that despite the society being unsuccessful in obtaining grant funding from the Heritage Office, it has been successful in obtaining funds from other sources and is now proposing to contribute up to \$ [REDACTED] of its own reserves.
- Determine whether it remains willing to contribute \$25,000 to the society's project or to restrict its funding allocation to the project's current balance shortfall of \$ [REDACTED]. Restricting to the balance shortfall might have the effect of depleting the society's capacity to absorb unforeseen expenses in the construction process. This is common for works to these types of buildings.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Project Reference Group to ensure tourism related operator input is proposed.
- 2. Policy and Regulation**
Not applicable
- 3. Financial (LTFP)**
No Change. \$25,000 for this purpose is in the 2017/18 budget.
- 4. Asset Management (AMS)**
No Change
- 5. Workforce (WMS)**
No change
- 6. Legal and Risk Management**

The recommendations will provide appropriate risk mitigation for the governance considerations contained in the report.

7. Performance Measures

Not applicable

8. Project Management

Not applicable

Prepared by staff member:	Andrew Hopkins
TRIM Reference Number:	
Approved/Reviewed by Manager:	Andrew Hopkins
Department:	GM
Attachments:	Attachments will be provided at the meeting.

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