



ORDINARY MEETING OF COUNCIL

**Held at 12:30pm
28 August 2018**

ROLL CALL

Councillors:

Cr M Pearce (Mayor)
Cr R Bell (Deputy Mayor)
Cr R 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
Ms T Kirkland, Director Community and Governance
Mr T Seymour, Director Infrastructure and Regulation
Mr M Clarkson, Manager Planning and Regulation
Mr S Paul, Chief Financial Officer
Mr C Middleton, Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
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The Meeting Commenced at: 12:30pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr I Strutt (Deputy Mayor), and Councillors R Bell, R Crouch, M Dusing, N Ledger, L Sampson, T Toomey and K Ward, General Manager (Mr A Hopkins), Director Community and Governance (Ms P Kirkland), Director Infrastructure and Regulation (Mr T Seymour), Chief Finance Officer (Mr S Paul), Manager of Planning & Regulation (Mr M Clarkson), Minute Clerk (Mr C Middleton).

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

4. APOLOGIES

The Chair advised receipt of an apology from Cr K Ward.

MOTION (Crs I Strutt /R Bell)

That;

Council accept the apology from Cr K Ward for the Ordinary Meeting held 28 August 2018.

1.08/18 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 28 August 2018 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr R Crouch	Report 4	Non-Pecuniary	Near neighbour.
Cr I Strutt	Report 4	Non-Pecuniary	Applicant owns a property next door to my residential address.
Cr M Dusing	Report 10	Non-Pecuniary	I live in John Street, Project No. 7.

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7. CONFIRMATION OF MINUTES

Minutes to be confirmed or received and noted at the 28 August 2018 Meeting:

- Minutes of Ordinary Meeting held 24 July 2018 (to be confirmed)

AMENDMENTS

The Chair referred Councillors to the Minutes and called for any amendments.

There were no amendments requested by Councillors.

MOTION (Crs I Strutt /R Crouch)

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 24 July 2018.

2.08/18 CARRIED

8. ANNOUNCEMENTS

The Chair advised there were no announcements.

9. TABLING OF REPORTS & PETITIONS

The Chair referred Councillors to the tabled reports and petitions.

Tabled reports and petitions:

- Pioneer-Fibonacci Park Opportunity Petition, dated 27 August 2018 containing 81 signatures.

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

The Chair referred Councillors to the items of business recommended for consideration in the confidential section of the meeting.

PROCEDURAL MOTION (Crs R Crouch /M Dusting)

To refer Agenda Items for hearing in Closed Session

That;

The Reports in regard to Agenda Item 21 be heard in closed session of Council, under Section 21 of the Meeting Agenda.

3.08/18 CARRIED

11. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

The Chair referred Councillors to the late items of business recommended for addition to the published Meeting Agenda.

Late Reports to Council:

- Development Approvals and Refusals for July 2018

PROCEDURAL MOTION (Crs M Dusting /N Ledger)

To hear Late Items of Business as additions to the Meeting Agenda.

That;

The late items of business be heard following Report 14 in the Meeting Agenda as;

- Report 15 - Development Approvals and Refusals for July 2018

4.08/18 CARRIED

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12. PRESENTATIONS

PROCEDURAL MOTION (Crs M Dusting /I Strutt)

That;

Council approve the inclusion of the presentation by Ms Jenny Dyson.

5.08/18 CARRIED

Speaker 1:	Gemma Weguelin
Subject:	Youth Parliament

The Chair introduced the Speaker, Gemma Weguelin.

The Speaker made a presentation to Council in relation to her participation in the 2018 NSW Youth Parliament as Member for Northern Tablelands, which was sponsored by Council.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

Speaker 2:	Trisha McCrossin Stewart
Subject:	"What an opportunity" – Pioneer Park

The Chair introduced the Speaker, Trisha McCrossin Stewart.

The Speaker made a presentation to Council in relation to the Pioneer-Fibonacci Park proposal.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

Speaker 3:	John Kurko
Subject:	Proposed development of Pioneer Park

The Chair introduced the Speaker, John Kurko.

The Speaker made a presentation to Council in relation to the proposed development of Pioneer Park.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

Speaker 4:	Jenny Dyson
Subject:	Proposed development of Pioneer Park

The Chair introduced the Speaker, Jenny Dyson.

The Speaker made a presentation to Council in relation to the proposed development of Pioneer Park.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

Speaker 5:	Antonius Vanden Hoogen
Subject:	Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River

The Chair introduced the Speaker, Antonius Vanden Hoogen.

The Speaker made a presentation to Council in relation to Report 4 - Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River.

The Chair invited questions from Councillors.

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The Chair thanked the Speaker for his presentation to Council.

Speaker 6:	Callum Findlay
Subject:	Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River

The Chair introduced the Speaker, Callum Findlay.

The Speaker made a presentation to Council in relating to Report 4 - Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for his presentation to Council.

13. DEPUTATIONS

There were no deputations registered for the 28 August 2018 Meeting.

14. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	28 August 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
24/07/2018	Ordinary Meeting of Council	Uralla
07/08/2018	Northern Tablelands Regional Weeds Committee	Armidale
21/08/2018	Weeds County Council	Walcha
27/08/2018	New England Weeds Authority	Armidale

COUNCILLOR NAME:	Bob Crouch	
COUNCIL MEETING DATE:	27 August 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/07/2018	Volunteers' Morning Tea	Uralla
14/08/2018	Council Workshop	Uralla
20/08/2018	SRV discussion	Uralla
22/08/2018	LG NSW Summit	Narrabri
28/08/2018	Council Meeting	Uralla

COUNCILLOR NAME:	Levi Sampson	
COUNCIL MEETING DATE:	28 August 2018	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
14/08/2018	Council Workshop	Uralla
14/08/2018	Uralla Township and Environs Committee (UTEC) Meeting	Uralla
21/08/2018	VIC Project Reference Group Meeting	Uralla
27/08/2018	VIC Project Reference Group Meeting	Uralla
28/08/2018	Ordinary Meeting of Council	Uralla

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COUNCILLOR NAME:		Natasha Ledger
COUNCIL MEETING DATE:		28 August 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION

COUNCILLOR NAME:		Tara Toomey
COUNCIL MEETING DATE:		28 August 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
06/08/2018	Arts North West Meeting	
14/08/2018	Workshop	Uralla
20/08/2018	Workshop	Uralla
20/08/2018	Project Reference Group Meeting	Uralla
20/08/2018	Project Reference Group Meeting	Uralla
28/08/2018	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:		Rob Bell
COUNCIL MEETING DATE:		28 August 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
14/08/2018	Strategic Workshop	Uralla
20/08/2018	Special Rate Variation Workshop	Uralla
21/08/2018	Local Government Planning Workshop	Tamworth
28/08/2018	Ordinary Meeting of Council	Uralla

COUNCILLOR NAME:		Isabel Strutt
COUNCIL MEETING DATE:		28 August 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/07/2018	Volunteers' Morning Tea at McCrossins Mill	Uralla
26/07/2018	Volunteers' Afternoon Tea at Bundarra	Bundarra
27/07/2018	Uralla Business Chamber Awards Night	Uralla
27/07/2018	Local Government Week activities in Porter Park and Library	Uralla
07/08/2018	Uralla Township and Environs Committee (UTEC) Meeting	Uralla
14/08/2018	Strategic Planning Meeting	Uralla
14/08/2018	Uralla Township and Environs Committee (UTEC) Meeting	Uralla
15/08/2018	UPC Meeting	Uralla
25/08/2018	Local Government NSW Summit	Narrabri
28/08/2018	Ordinary Meeting of Council	Uralla

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COUNCILLOR NAME:		Michael Pearce
COUNCIL MEETING DATE:		28 August 2018
DATE	COMMITTEE/MEETING/EVENT	LOCATION
25/07/2018	Mayor's Office- Admin. 2AD interview	Uralla
26/07/2018	Mayor's Office – Admin. Volunteers Morning tea, Uralla. Volunteers Afternoon tea, Bundarra.	Uralla Bundarra.
27/07/2018	Mayor's Office – Admin. Uralla Shire Business Chamber awards night.	Uralla
30/07/2018	Mayor's Office – Admin.	Uralla.
31/07/2018	Mayor's Office – Admin. Civic Reception for Armidale Regional Council – new CEO.	Uralla. Armidale.
01/08/2018	Mayor's Office- Admin	Uralla
02/08/2018	New England Police District Medal awards presentation.	Armidale
03/08/2018	Country Mayors Association meeting, Parliament house.	Sydney
06/08/2018	Mayor's Office - Admin	Uralla
07/08/2018	RFS Pre-Season Briefing	Armidale
08/08/2018	2AD interview – Office - Admin	Uralla
09/08/2018	Mayor's Office – Admin. Uralla United Hospital Auxiliary committee AGM	Uralla
13/08/2018	Mayor's Office - Admin	
14/08/2018	Councillor Strategic Planning workshop.	Uralla
15/08/2018	Mayor's Office- Admin.	Uralla
16/08/2018	Meeting of Chairs from Joint Organisations with State Govt.	Sydney
17/08/2018	New England/Northern Inland Volunteers Awards	Armidale
20/08/2018	Mayor's Office- Admin. Councillor workshop	Uralla
21/08/2018	Regional Tourism Strategy Launch, AGQUIP	Gunnedah
22/08/2018	Local Government NSW summit	Narrabri
23/08/2018	Mayor's Office - Admin	Uralla
27/08/2018	New England Joint Organisation Board meeting	Uralla
28/08/2018	Mayor's Office – Admin. August Council meeting	Uralla.

15. MAYORAL MINUTE

There was no Mayoral Minute to the 28 August 2018 Meeting.

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16. REPORTS TO COUNCIL (Scheduled Reports)

Department: **General Manager's Office – Finance**
Submitted by: 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 2018, consisting of cash and overnight funds of \$1,334,611, term deposits of \$13,550,000 totalling \$14,884,611 of readily convertible funds.

MOTION (Crs N Ledger /M Dusting)

That;

Council note the cash position as at 31 July 2018, consisting of cash and overnight funds of \$1,334,611, term deposits of \$13,550,000 totalling \$14,884,611 of readily convertible funds.

6.08/18 CARRIED

Department: **Infrastructure and Regulation**
Submitted by: Manager Planning and Regulation
Reference/Subject: Report 2 – Design options for the redevelopment of Pioneer Park under the Stronger Country Communities Fund – Round 1

OFFICER'S RECOMMENDATION:

That Council resolve to: *(Delete the non-preferred option)*

1. Endorse the attached Option 1 incorporating the "Rope Tower" for the redevelopment of Pioneer Park.
Or
2. Endorse the attached Option 2 incorporating the "Great Keep Tower" for the redevelopment of Pioneer Park.

PROCEDURAL MOTION (Crs R Crouch /M Dusting)

To move to Committee of the Whole

7.08/18 CARRIED

Councillors held a detailed discussion in committee regarding the design options for the redevelopment of Pioneer Park under Round 1 of the Stronger Country Communities Fund.

Cr N Ledger left the meeting at 2.44pm.

Cr N Ledger returned to the meeting at 2.46pm.

PROCEDURAL MOTION (Crs R Crouch /M Dusting)

To resume Standing Orders

8.08/18 CARRIED

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

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MOTION (Crs R Crouch /M Dusting)

That Council;

1. Place the Option 1 and Option 2 proposals, contained in this Business Paper, on public exhibition for submissions for a period of not less than 14 days.
2. Advise the New South Wales Government that, after receiving community feedback, it wishes to change the location of the approved project from Pioneer Park to Porter Park.
3. Subject to New South Wales Government approval change the location of the approved project from Pioneer Park to Porter Park:
 - a) Endorse the redevelopment works underway, funded through Round 1 of the Stronger Country Communities Fund for all other parks.
 - b) Engage with Council's Uralla Township and Environs Committee to further develop concepts for Pioneer Park.
 - c) Place any concept plans developed with Council's Uralla Township and Environs Committee for Pioneer Park on public exhibition for a period of not less than 14 days.
4. Should New South Wales Government approval to modify the Pioneer Park project not be received, consider the submissions received during the public exhibition period of the Options 1 and 2 proposals, as contained in this Business Paper, at the September Ordinary Meeting and determine the preferred option for implementation.

9.08/18 CARRIED

PROCEDURAL MOTION (Crs M Pearce /M Dusting)

Meeting Adjournment (3:25pm to 3:30pm).

10.08/18 CARRIED

The Meeting resumed at 3.30pm.

PROCEDURAL MOTION (Crs M Dusting /R Bell)

To reschedule the Report 4 Agenda Item

That;

Report 4, Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River be brought forward in the Agenda for consideration by Council ahead of Report 3.

11.08/18 CARRIED

16. REPORTS TO COUNCIL (continued)

Department: **Infrastructure and Regulation**
Submitted by: Manager Planning and Regulation
Reference/Subject: Report 4 DIVISION DECISION
Modification of Development Application 47/2017 – 5 Bay Shed – 24 McDonalds Lane, Rocky River

Cr R Crouch, having previously declared a conflict of interest, left the meeting at 3.31pm.

Cr I Strutt, having previously declared a conflict of interest, left the meeting at 3.31pm

OFFICER'S RECOMMENDATION:

That;

Council approve the modification to Development Application 47/2017 for a shed at 24 McDonalds Lane, Rocky River, being Lot 52 DP 755846, 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*.

Erection of signs

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

GENERAL CONDITIONS

4. The structure in its entirety must be finished in dark green.
Reason: to minimise any detrimental effects on the visual amenity of surrounding residents.
5. The development must take place in accordance with the approved documents submitted with the application and subject to the conditions below to ensure the development is consistent with Council's consent.
6. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.

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7. The Structure is to be inspected at the following stages of construction:
- before the pouring of footings**
 - before pouring any reinforced concrete structure **
 - before covering the framework for any wall, roof or other building element **
 - before covering any stormwater drainage connections
 - when the building work is completed and all conditions of consent have been addressed**

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

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

** 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*

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

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

Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.

9. 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 CONSTRUCTION COMMENCING

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

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

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11. 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.

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

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

13. 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.
14. 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.
15. 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.
16. 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.
17. Retaining walls associated with the erection of the building or other approved methods for preventing the movement of the soil must be provided where soil conditions are inadequate, ensuring adequate provision is made for drainage.

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

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

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

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

21. All glass installation shall comply with the requirements of AS 1288 Glass in buildings, and AS 2047 Windows in buildings, as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

22. 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.

NOTE: 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).

CONDITIONS RELATING TO ONGOING OPERATIONS

23. The building must not be used as a dwelling or domicile without prior written approval from Council.

24. The development shall be implemented in accordance with:

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

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

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25. Roof water is to be disposed in a manner the does not cause a nuisance for neighbouring properties, by one of the following methods:
 - (a) Onto a hardened surface and directed away from the building.
 - (b) 3.0 metres clear of any building to a rubble pit.
26. Any rainwater tank must be installed so that it is on the downhill side of the building at a minimum distance of 3 metres from any boundary of the property or any structure so as to prevent damage to any structure.
27. A 20,000L water supply with 65mm metal Storz outlet with a gate or ball valve is provided for fire fighting purposes on the site. The gate or ball valve, pipes and tank penetrations are to be designed to allow for a full 50mm inner diameter water flow through the Storz fitting and must be of a metal construction.

COUNCIL ADVICE ONLY

28. **Covenant/s:** The applicant/owner has the responsibility of being aware of any covenant which may affect the proposal.
29. **Dial Before You Dig:** Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
30. **Telecommunications Act 1997 (Commonwealth):** Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
31. **Compliance with the National Construction Code:**

All building work must be carried out in the following manner to ensure compliance with the National Construction Code (Volume 2: Housing Provisions):-
32. **Drainage of surface water surrounding the building:** Finished ground or paving level must be at least 150mm below the level of any floor. Such finished ground level is measured not more than one (1) metre from external walls with the ground surface graded to allow effective drainage of surface water away from the building (in accordance with AS 2870 – 1996).

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33. **Rainwater Tanks:** Council requires rainwater tanks to be installed in accordance with the State Environmental Planning Policy No 4. Direct connection between the rainwater tank and reticulated potable water supply will not be permitted; however, the reticulated potable supply may be used to top up the tank via a physical air gap. Maintenance of the tank or tanks should be in accordance with the guidelines from the New South Wales Department of Health for the use and maintenance of rainwater tanks.

MOTION (Crs R Bell /N Ledger)

That;

Council approve the modification to Development Application 47/2017 for a shed at 24 McDonalds Lane, Rocky River, being Lot 52 DP 755846, subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

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

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.

Erection of signs

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

GENERAL CONDITIONS

4. The structure in its entirety must be finished in dark green.
Reason: to minimise any detrimental effects on the visual amenity of surrounding residents.
5. The development must take place in accordance with the approved documents submitted with the application and subject to the conditions below to ensure the development is consistent with Council's consent.
6. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.

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7. The Structure is to be inspected at the following stages of construction:
- before the pouring of footings**
 - before pouring any reinforced concrete structure **
 - before covering the framework for any wall, roof or other building element **
 - before covering any stormwater drainage connections
 - when the building work is completed and all conditions of consent have been addressed**

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

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

** 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*

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

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

Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.

9. 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 CONSTRUCTION COMMENCING

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

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

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11. 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.

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

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

13. 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.
14. 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.
15. 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.
16. 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.
17. Retaining walls associated with the erection of the building or other approved methods for preventing the movement of the soil must be provided where soil conditions are inadequate, ensuring adequate provision is made for drainage.

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

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

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

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

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

Monday to Saturday 7.00 AM to 5.00 PM

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

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

21. All glass installation shall comply with the requirements of AS 1288 Glass in buildings, and AS 2047 Windows in buildings, as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

22. 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.

NOTE: 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).

CONDITIONS RELATING TO ONGOING OPERATIONS

23. The building must not be used as a dwelling or domicile without prior written approval from Council.

24. The development shall be implemented in accordance with:

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

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

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25. Roof water is to be disposed in a manner the does not cause a nuisance for neighbouring properties, by one of the following methods:
 - (a) Onto a hardened surface and directed away from the building.
 - (b) 3.0 metres clear of any building to a rubble pit.
26. Any rainwater tank must be installed so that it is on the downhill side of the building at a minimum distance of 3 metres from any boundary of the property or any structure so as to prevent damage to any structure.
27. A 20,000L water supply with 65mm metal Storz outlet with a gate or ball valve is provided for fire fighting purposes on the site. The gate or ball valve, pipes and tank penetrations are to be designed to allow for a full 50mm inner diameter water flow through the Storz fitting and must be of a metal construction.

COUNCIL ADVICE ONLY

28. **Covenant/s:** The applicant/owner has the responsibility of being aware of any covenant which may affect the proposal.
29. **Dial Before You Dig:** Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
30. **Telecommunications Act 1997 (Commonwealth):** Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
31. **Compliance with the National Construction Code:**

All building work must be carried out in the following manner to ensure compliance with the National Construction Code (Volume 2: Housing Provisions):-
32. **Drainage of surface water surrounding the building:** Finished ground or paving level must be at least 150mm below the level of any floor. Such finished ground level is measured not more than one (1) metre from external walls with the ground surface graded to allow effective drainage of surface water away from the building (in accordance with AS 2870 – 1996).

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33. **Rainwater Tanks:** Council requires rainwater tanks to be installed in accordance with the State Environmental Planning Policy No 4. Direct connection between the rainwater tank and reticulated potable water supply will not be permitted; however, the reticulated potable supply may be used to top up the tank via a physical air gap. Maintenance of the tank or tanks should be in accordance with the guidelines from the New South Wales Department of Health for the use and maintenance of rainwater tanks.

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

FOR: Cr M Pearce, Cr R Bell, Cr T Toomey, Cr M Dusing, Cr L Sampson, Cr N Ledger

AGAINST: nil

ABSENT: Cr R Crouch, Cr I Strutt, Cr K Ward

12.08/18 CARRIED

Cr R Crouch returned to the meeting at 3.35pm.

Cr I Strutt returned to the meeting at 3.35pm.

Department: **Community and Governance**
Submitted by: Coordinator Governance and Risk
Reference/Subject: Report 3 – Recommendations of the Audit, Risk and Improvement Committee held on 10 July 2018 laid on the table

OFFICER'S RECOMMENDATION:

That;

The following recommendations of the Audit, Risk and Improvement Committee, previously submitted to the Ordinary Meeting of Council held on 24 July 2018 and resolved to be laid on the table, be lifted from the table:

- a. Report No. 5 Plan: Corporate Governance Improvement Action 2018
Committee Recommendation 5.1:

That Council:

- a. *Place the draft Plan: Corporate Governance Improvement Action 2018 [Attachment A], as modified by the Committee, on public exhibition for a period of 28 days.*
- b. *Adopt the draft Plan: Corporate Governance Improvement Action 2018, subject to no public submissions being received.*

- b. Report No. 6 Guide: Agency Information 2018-19
Committee Recommendation 6.1:

That Council:

- a. *Adopt the draft Agency Information Guide 2018-19 [Attachment B].*
- b. *Repeal the Access to Council Documents Policy 2015 and authorise its removal from Council's Policy Register.*

- c. Report No. 7 Plan: Privacy Management 2018
Committee Recommendation 7.1:

That Council:

- a. *Place the draft Plan: Privacy Management 2018 [Attachment C], on public exhibition for a period of 28 days.*
- b. *Adopt the Plan: Privacy Management 2018, subject to no public submissions being received.*
- c. *Repeal the Privacy and Confidentiality Policy 2013 and authorise its removal from Council's Policy Register.*

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- d. Report No. 8 Policy: Complaint Handling 2018:
Committee Recommendation 8.1
That Council:
- a. *Place the draft Policy: Complaint Handling 2018 [Attachment D], on public exhibition for a period of 28 days.*
 - b. *Adopt the Policy: Complaint Handling 2018, subject to no public submissions being received.*
 - c. *Repeal the Complaints Policy 2015 and authorise its removal from Council's Policy Register.*
- e. Report No. 9 Repeal of Operational Policies
Committee Recommendation 9.1:
That Council receive a report on the status of Council policies, an assessment of their priority for review, and the repeal of Management policies previously adopted by Council.

PROCEDURAL MOTION (Crs R Crouch /T Toomey)
To move to Committee of the Whole

13.08/18 CARRIED

Councillors held a detailed discussion in committee regarding the recommendations of the Audit, Risk and Improvement Committee Meeting held on 10 July 2018 laid on the table.

*Cr L Sampson left the meeting at 3.50pm.
Cr L Sampson returned to the meeting at 3.50pm.*

PROCEDURAL MOTION (Crs R Crouch /M Dusting)
To resume Standing Orders

14.08/18 CARRIED

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

MOTION (Crs I Strutt /N Ledger)

That;

The following recommendations of the Audit, Risk and Improvement Committee, previously submitted to the Ordinary Meeting of Council held on 24 July 2018 and resolved to be laid on the table, be lifted from the table:

- a. Report No. 5 Plan: Corporate Governance Improvement Action 2018
That Council:
1. *Review the draft Plan: Corporate Governance Improvement Act 2018 [Attachment A] to clarify section 6.11 in relation to (u) Purchasing and Tendering Policy and (v) Disposal of Assets Policy.*
 2. *Place the draft Plan: Corporate Governance Improvement Action 2018, as modified by the Committee, on public exhibition for a period of 28 days.*
 3. *Adopt the draft Plan: Corporate Governance Improvement Action 2018, subject to no public submissions being received.*
- b. Report No. 6 Guide: Agency Information 2018-19
That Council:
1. *Amend the draft Guide: Agency Information 2018-19 [Attachment B] at section 4 to reference the relevant section of the Local Government Act 1993 and ensure the dot points reflect the relevant section of the Act regarding the role of the Governing Body.*
 2. *Amend the map contained on page 101 of the draft Guide: Agency Information 2018-19 to reflect the correct name of Armidale Regional Council.*

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3. *Refer the draft Guide: Agency Information 2018-19, as amended by (1) and (2) above, to Council's Audit, Risk and Improvement Committee for its consideration.*
- c. Report No. 7 Plan: Privacy Management 2018
Committee Recommendation 7.1:
That Council:
 1. *Place the draft Plan: Privacy Management 2018 [Attachment C], on public exhibition for a period of 28 days.*
 2. *Adopt the Plan: Privacy Management 2018, subject to no public submissions being received.*
 3. *Repeal the Privacy and Confidentiality Policy 2013 and authorise its removal from Council's Policy Register.*
- d. Report No. 8 Policy: Complaint Handling 2018:
Committee Recommendation 8.1
That Council:
 1. *Make the following amendments to the draft Policy: Complaint Handling 2018 [Attachment D]:*
 - a. *Modify the first paragraph under Section 4.4 to read: Council has adopted a four-tiered approach to handling standard complaints.*
 - b. *Insert as a third tier, 'Review by the Governing Body': If the Complainant remains unsatisfied with the outcome, the complaint, will be submitted to the Governing Body of Council.*
 - c. *Insert as a second paragraph under Section 4.6: Council appreciates complainants are often under a degree of stress when lodging a complaint and Council will take reasonable steps to understand the issues. The decision on whether or not a complainant is behaving unreasonable and/or the complaint is vexatious is the responsibility of the General Manager. All complainants (including those whose complaints are deemed unreasonable or vexatious) will be advised of their right to appeal to the Council Governing Body.*
 - d. *Insert on page 161 at Section 4.5.2 at the end of the second paragraph: The person appointed to be the independent Code of Conduct reviewer or their associate cannot become the investigator if it is determined that an investigation is required.*
 2. *Refer the draft Policy: Complaint Handling 2018, as amended by (1) above, to Council's Audit, Risk and Improvement Committee for its consideration.*
- e. Report No. 9 Repeal of Operational Policies
Committee Recommendation 9.1:
That Council receive a report on the status of Council policies, an assessment of their priority for review, and the repeal of Management policies previously adopted by Council.

Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Report 5 – Heritage Advisory Services Summary for August 2018

OFFICER'S RECOMMENDATION:

That;
The Heritage Advisory Services Summary for August 2018 be received and noted by Council.

MOTION (Crs I Strutt /N Ledger)

That;
The Heritage Advisory Services Summary for August 2018 be received and noted by Council.

15.08/18 CARRIED

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Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Report 6 – Minutes of Uralla Township and Environs Committee

OFFICER'S RECOMMENDATION:

That Council:

- a) Receive the minutes of the Uralla Township and Environs s355 Committee meetings dated 10 July 2018.
- b) Consider the recommendations contained within the minutes of the 10 July meeting at the September Councillor Strategic Planning Workshop.
- c) Endorse the comments in this report in relation to the recommendations from the May and June 2018 meetings.
- d) Provide a copy of this report and the resolution to the Uralla Town and Environs s355 Committee

MOTION (Crs I Strutt /N Ledger)

That Council:

- a) Receive the minutes of the Uralla Township and Environs s355 Committee meetings dated 10 July 2018.
- b) Consider the recommendations contained within the minutes of the 10 July meeting at the September Councillor Strategic Planning Workshop.
- c) Endorse the comments in this report in relation to the recommendations from the May and June 2018 meetings.
- d) Provide a copy of this report and the resolution to the Uralla Town and Environs s355 Committee

16.08/18 CARRIED

Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Report 7 – Works Progress Report as at 31 July 2018

OFFICER'S RECOMMENDATION:

That;

The report be received and noted for the works completed or progressed during July 2018, and works programmed for August 2018.

MOTION (Crs R Crouch/ T Toomey)

That;

The report be received and noted for the works completed or progressed during July 2018, and works programmed for August 2018.

17.08/18 CARRIED

Department: **Community and Governance**
Submitted by: Coordinator Governance and Risk
Reference/Subject: Report 8 – Schedule of Ordinary Meetings 2018-19

OFFICER'S RECOMMENDATION:

That Council;

- a. Adopt the Schedule of Meetings for 2018-19, contained at Attachment A.

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- b. Place a Public Notice in *The Armidale Express* detailing the date, commencement time and venue of each Ordinary Meeting scheduled for the 2018-19 period, in accordance with clause 232 of the Local Government (General) Regulation 2005.

MOTION (Crs M Dusting/ N Ledger)

That Council;

- a. Adopt the Schedule of Meetings for 2018-19, contained at Attachment A.
b. Place a Public Notice in *The Armidale Express* detailing the date, commencement time and venue of each Ordinary Meeting scheduled for the 2018-19 period, in accordance with clause 232 of the Local Government (General) Regulation 2005.

18.08/18 CARRIED

Department: **General Manager's Office**
Submitted by: General Manager
Reference/Subject: Report 9 – Minutes of New England Joint Organisation

OFFICER'S RECOMMENDATION:

That Council:

- a) Receive and note the minutes of the inaugural board meeting of the New England Joint Organisation of Councils held on 25th June 2018 at Moree Plains Shire Council;
b) Note Councillor Michael Pearce, Mayor of Uralla Shire Council, was elected Chairperson of the Board for a two year period;
c) Receive and note the summary of the inaugural meeting of the chairpersons of joint organisations in NSW held on 16th August 2018 at Parliament House.

MOTION (Crs R Crouch /M Dusting)

That Council:

- a) Receive and note the minutes of the inaugural board meeting of the New England Joint Organisation of Councils held on 25th June 2018 at Moree Plains Shire Council;
b) Congratulate Councillor Michael Pearce, Mayor of Uralla Shire Council, for his election as Chairperson of the Board for a two year period;
c) Receive and note the summary of the inaugural meeting of the chairpersons of joint organisations in NSW held on 16th August 2018 at Parliament House.

19.08/18 CARRIED

Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Report 10 – Roads to Recovery Program to 2018/2019

Cr M Dusting, having previously declared a conflict of interest, left the meeting at 4.22pm.

OFFICER'S RECOMMENDATION:

That Council:

Adopt the following priority list for the expenditure of Roads to Recovery funding to 2018/2019:

Project	R2R Budget
1 Mihi Bridge – based on 50% State funding (i.e., \$ 520,000 total cost) 26.2 metres x 8 metres wide	\$260,000

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2	(a) Bingara Road – upgrade and seal 2.3km (between the 6.6km and 8.9km marks)	\$506,000
2	(b) Bingara Road – upgrade and seal 1.7km (between the 13.7km and 15.4km marks)	\$374,000
3	Eastern Avenue from causeway to Glenroy Road 2.1kms – rehabilitation – single lane, very weak material, may need extra pavement	\$320,000
4.	Burtons Lane 1.39kms – rehabilitation – single lane	\$250,000
5.	Gilmore Place – rehabilitation – AC overlay	\$40,000
6.	Park Street from Queen Street towards Uralla Street – rehabilitation 100 metres x 10.2 metres (subject to available funds)	\$50,000
7.	John Street from Bridge Street to Queen Street – rehabilitation 205 metres x 13.7 metres (subject to available funds)	\$100,000
8.	Leece Road – west of Wilkins Street – realign and rehabilitate – 350 metres (subject to available funds)	\$120,000
Total		\$2,020,000

PROCEDURAL MOTION (Crs N Ledger /R Crouch)

To move to Committee of the Whole

20.08/18 CARRIED

Councillors held a detailed discussion in committee regarding the Roads to Recovery Program to 2018/2019.

PROCEDURAL MOTION (Crs R Bell /L Sampson)

To resume Standing Orders

21.08/18 CARRIED

The Chair outlined details of the discussion in committee.

MOTION (Crs R Bell /L Sampson)

That Council:

Adopt the following priority list for the expenditure of Roads to Recovery funding to 2018/2019:

Project	R2R Budget	
1	Mihi Bridge – based on 50% State funding (i.e., \$ 520,000 total cost) 26.2 metres x 8 metres wide	\$260,000
2	(a) Bingara Road – upgrade and seal 2.3km (between the 6.6km and 8.9km marks)	\$506,000

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2	(b) Bingara Road – upgrade and seal 1.7km (between the 13.7km and 15.4km marks)	\$374,000
3	Eastern Avenue from causeway to Glenroy Road 2.1kms – rehabilitation – single lane, very weak material, may need extra pavement	\$320,000
4.	Burtons Lane 1.39kms – rehabilitation – single lane	\$250,000
5.	Gilmore Place – rehabilitation – AC overlay	\$40,000
6.	Park Street from Queen Street towards Uralla Street – rehabilitation 100 metres x 10.2 metres (subject to available funds)	\$50,000
7.	John Street from Bridge Street to Queen Street – rehabilitation 205 metres x 13.7 metres (subject to available funds)	\$100,000
8.	Leece Road – west of Wilkins Street – realign and rehabilitate – 350 metres (subject to available funds)	\$120,000
Total		\$2,020,000

22.08/18 CARRIED

*Cr M Dusting was absent at time of voting.
Cr M Dusting returned to the meeting at 4.32pm.*

Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Report 11 – Uralla Shire Council Caravan Park – New fee proposed for uninhabited, unpowered tent site

OFFICER'S RECOMMENDATION:

That Council:

1. Include in its 2018-2019 Fees and Charges a \$5.00 per night charge for an uninhabited, unpowered tent site.
2. Place the proposed additional charge on public exhibition for 28 days.

MOTION (Crs R Bell /R Crouch)

That Council:

1. Include in its 2018-2019 Fees and Charges a \$5.00 per night charge for an uninhabited, unpowered tent site.
2. Place the proposed additional charge on public exhibition for 28 days.

23.08/18 CARRIED

Department: **Community and Governance**
Submitted by: Acting Coordinator Community Development and Tourism
Reference/Subject: Report 12 – Monthly Report – Visitor Information Centre and Library

OFFICER'S RECOMMENDATION:

That;
The report be received and noted.

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MOTION (Crs N Ledger /I Strutt)

That;

The report be received and noted.

24.08/18 CARRIED

Department: **Infrastructure and Regulation**
Submitted by: Manager Waste, Water and Sewer Services
Reference/Subject: Report 13 – E-waste collection and recycling services and associated charges

OFFICER'S RECOMMENDATION:

That;

1. That Council change the Waste Management Facility 2018-2019 Fees and Charges for e-waste as follows:
 - a. Remove the description "Items, for example – TVs" and the associated charge, "\$6.00".
 - b. Remove the description "Computer Waste and Accessories including Monitors" and the associated charge, "No charge".
 - c. Remove the description "Small electrical items e.g. desk lamp" and the associated charge "\$3.00".
 - d. Add a new description, "NTCRS eligible e-waste", add a new charge, "Free of charge". Unit measurement to remain "Per item".
 - e. Add a new description, "Non NTCRS eligible e-waste", add a new charge, "\$1.50". Unit measurement to remain "Per item".
 - f. Create a new charge category "Appliances".
 - g. List "Fridges, freezers & air conditioning units containing CFCs" as a charge under "Appliances". Charge to remain, "\$15.00". Unit measurement, "Per item".
 - h. Add a new description, "All other white goods", add a new charge, "Free of charge". Unit measurement, "Per item".
2. Place the proposed additional charge on public exhibition for 28 days.

PROCEDURAL MOTION (Crs T Toomey /R Crouch)

To move to Committee of the Whole

25.08/18 CARRIED

Councillors held a detailed discussion in committee regarding E-waste collection and recycling services and associated charges.

Cr R Bell left the meeting at 4.40pm

PROCEDURAL MOTION (Crs T Toomey /R Crouch)

To resume Standing Orders

26.08/18 CARRIED

The Chair outlined details of the discussion in committee.

MOTION (Crs I Strutt /L Sampson)

That;

1. That Council change the Waste Management Facility 2018-2019 Fees and Charges for e-waste as follows :
 - a. Remove the description "Items, for example – TVs" and the associated charge, "\$6.00".
 - b. Remove the description "Computer Waste and Accessories including Monitors" and the associated charge, "No charge".
 - c. Remove the description "Small electrical items e.g. desk lamp" and the associated charge "\$3.00".

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- d. Add a new description, "NCRS eligible e-waste", add a new charge, "Free of charge". Unit measurement to remain "Per item".
- e. Add a new description, "Non NCRS eligible e-waste", add a new charge, "\$1.50". Unit measurement to remain "Per item".
- f. Create a new charge category "Appliances".
- g. List "Fridges, freezers & air conditioning units containing CFCs" as a charge under "Appliances". Charge to remain, "\$15.00". Unit measurement, "Per item".
- h. Add a new description, "All other white goods", add a new charge, "Free of charge". Unit measurement, "Per item".

2. Place the proposed additional charge on public exhibition for 28 days.

27.08/18 CARRIED

Cr R Bell was absent at time of voting.

Cr R Bell returned to the meeting at 4.42pm.

Department: **General Manager's Office**
Submitted by: General Manager
Reference/Subject: Report 14 – LGNSW Annual Conference Call for Motions

OFFICER'S RECOMMENDATION:

That;

Council submits/does not submit (*remove which ever does not apply*) Motions to the LGNSW Annual Conference 2018 by the closing date of 23rd September 2018 as follows (*remove if no motions to be submitted*):

PROCEDURAL MOTION (Crs I Strutt /R Crouch)

To move to Committee of the Whole

28.08/18 CARRIED

Councillors held a detailed discussion in committee regarding LGNSW Annual Conference Call for Motions

PROCEDURAL MOTION (Crs R Crouch /L Sampson)

To resume Standing Orders

29.08/18 CARRIED

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

MOTION (Crs R Crouch /N Ledger)

That;

Council submits Motions to the LGNSW Annual Conference 2018 by the closing date of 23rd September 2018 as follows:

- a. That LGNSW lobby the NSW Government to enable councils to transfer fire-fighting and emergency services assets currently managed by the NSW Rural Fire Service and the State Emergency Services to the NSW RFS and the SES respectively, thereby removing the requirement for councils to account for RFS and SES assets.
- b. That LGNSW lobby the NSW Government to provide financial assistance to rural/regional NSW councils to fund the implementation of webcast infrastructure and technology for Council meetings if this remains a mandatory provision in the new Model Code of Meeting Practice.

30.08/18 CARRIED

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16. LATE REPORTS TO COUNCIL

Department: Infrastructure and Regulation
Submitted by: Director – Infrastructure and Regulation
Reference/Subject: Report 1 LATE REPORT
Development Approvals and Refusals for July 2018

Cr N Ledger, having previously declared a conflict of interest, left the meeting at 4.53pm.

OFFICER'S RECOMMENDATION:

That;

Council receive and note the development approvals and refusals for July 2018.

MOTION (Crs R Bell /I Strutt)

That;

Council receive and note the development approvals and refusals for July 2018.

31.08/18 CARRIED

Cr N Ledger was absent at time of voting.

Cr N Ledger returned to the meeting at 4.54pm.

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17. MOTIONS ON NOTICE

Submitted by: Cr T Toomey
Reference/Subject: Notice of Motion 1 – Community Consultation

NOTICE of MOTION

That;

Councillors be informed of Council-initiated community consultation sessions at the same time as the community, and be given the option to attend. Councillors will give due consideration to the advice of the General Manager in relation to their decision to attend but the final decision rests with Councillors.

MOTION (Crs T Toomey /R Crouch)

That;

Councillors be informed of Council-initiated community consultation sessions at the same time as the community, and be given the option to attend. Councillors will give due consideration to the advice of the General Manager in relation to their decision to attend but the final decision rests with Councillors.

32.08/18 CARRIED

Submitted by: Cr T Toomey
Reference/Subject: Notice of Motion 2 – Community Consultation

NOTICE of MOTION

That;

1. Council staff note and apply the broad interpretations available to the term 'Play Equipment' as it appears in Council Resolution 17.08/17.
2. Council staff apply the expectations of the Community Strategic Plan 2017-2027 1.1 and 3.1, particularly the word "unique" in the development of concept plans for the Stronger Community Funding proposals.
3. Council staff be required to place all concept plans for the Stronger Community Funding proposals on display for 28 days and gather community feedback via Council website, social media and Council newsletter. This feedback must be provided to Councillors unfiltered, before final decisions are made.

PROCEDURAL MOTION (Crs T Toomey /L Sampson)

To move to Committee of the Whole

33.08/18 CARRIED

Councillors held a detailed discussion in committee regarding the Notice of Motion submitted by Cr T Toomey.

Cr T Toomey withdrew the Notice of Motion.

PROCEDURAL MOTION (Crs R Crouch /I Strutt)

To resume Standing Orders

34.08/18 CARRIED

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18. SCHEDULE OF COUNCIL RESOLUTIONS

Schedule of Action Items as at: 23 August 2018

Councillors undertook a review of the Schedule of Action Items.

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19. RESPONSES TO QUESTIONS FROM PREVIOUS MEETING

PROCEDURAL MOTION (Crs R Bell /I Strutt)

To note the responses

35.08/18 CARRIED

Department: **Infrastructure and Regulation**
Submitted by: Manager Water, Waste and Sewer Services
Reference/Subject: Responses to Questions from 24 July 2018 Ordinary Meeting –
Infrastructure and Regulation

OFFICER'S RECOMMENDATION

That;

Council note the responses to Crs Bell, Ledger and Toomey's questions from the 24 July 2018 Ordinary Meeting.

MOTION (Crs R Bell /I Strutt)

That;

Council note the responses to Crs Bell, Ledger and Toomey's questions from the 24 July 2018 Ordinary Meeting.

36.08/18 CARRIED

Department: **Community and Governance**
Submitted by: Manager Community Care
Reference/Subject: Responses to Questions from 24 July 2018 Ordinary Meeting – Community
and Governance

OFFICER'S RECOMMENDATION

That;

Council note the responses to the Councillor's question/s from the 28 July 2018 Ordinary Meeting.

MOTION (Crs T Toomey /I Sampson)

That;

Council note the responses to the Councillor's question/s from the 28 July 2018 Ordinary Meeting.

37.08/18 CARRIED

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20. QUESTIONS FOR NEXT MEETING

Questions for 25 September 2018 Ordinary Meeting of Council

Cr R Bell

Cr R Bell raised the following questions at the 28 August meeting of Council:-

1. Could Council receive a full program of plant procurement for the 2018/19 financial year?
2. Mr Peter Forrest - Please provide Council with details of his request for his assistance regarding proposed drainage works associated with DA-2010-3.
3. Mr Myles Doran – Please provide Council with details of his request for refunding of his Development Application DA-54-2016.
4. Please advise progress on the sale of disposal of the timber girders from Munsie Bridge.

Cr R Crouch

Cr R Crouch raised the following questions at the 28 August meeting of Council:-

1. In the last 12 months, how many Development Application approvals by Uralla Shire Council have included the condition that the required Asset Protection Zone be placed as a covenant on the title and what triggers the inclusion of this condition?
2. Has Uralla Shire Council received advice that the NSW Audit Office will be conducting audits of Council's Audit, Risk and Improvement Committee focusing on improvements initiatives by the committees?

Cr N Ledger

Cr N Ledger raised the following question at the 28 August meeting of Council:-

1. Please provide a priority list of gravel roads in Invergowrie and the order in which they will be sealed.
2. The Courthouse is a State-owned asset. How do people go about hiring the facility?

In relation to DP 3378, is it possible to place an extension on Uralla water service area encompassing 25-30 lots?
3. Could we please check the Fees and Charges levied against locals for the use of sporting and community facilities?

Cr T Toomey

Cr T Toomey raised the following questions at the 28 August meeting of Council:-

1. Do Uralla Shire Council's waste facilities check the waste they are accepting is from Uralla Shire residents only, or do they accept waste from non-residents?
2. Is it possible for businesses and/or residences on the Kingstown waste collection route to be included in the regular waste collection run?
3. Has Council applied for any of the Federal Government grants for councils in drought-affected areas?
4. What is Council's position on mobile food and coffee vans operating in streets and road reserves?

Cr T Toomey left the meeting at 6.10pm.

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21. CONFIDENTIAL BUSINESS

PROCEDURAL MOTION (Crs M Dusting /R Bell)

To move into Closed Session of Council

That;

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

The matters referred to the Closed Session of the 28 August 2018 meeting are received by Council under Section 10A (2)(c) 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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,**

38.08/18 CARRIED

Cr T Toomey was absent at time of voting.

Cr T Toomey returned to the meeting at 6.12pm.

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REPORTS TO CLOSED SESSION

Department: **Infrastructure and Regulation**
Submitted by: Director Infrastructure and Regulation
Reference/Subject: Confidential Report 1 – Industrial Land Subdivision

OFFICER'S RECOMMENDATION:

That Council resolve to:

- a) Upon receipt of report from valuation consultant, confirm the minimum acceptable price for each Lot;
- b) Seek advice from a probity adviser on the appropriate way forward to conduct the sale of lands within the subdivision;
- c) Engage with the offeror in accordance with the probity adviser's recommendations.

Cr Ledger left meeting at 6.18pm

Cr Ledger returned to the meeting at 6.19pm.

MOTION (Crs R Bell /L Sampson)

That;

- a) Upon receipt of report from valuation consultant, confirm the minimum acceptable price for each Lot;
- b) Seek advice from a probity adviser on the appropriate way forward in relation to any direct negotiations to conduct the sale or lease of lands within the subdivision;
- c) Engage with the offeror in accordance with the probity adviser's recommendations.

39.08/18 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION (Crs M Dusting /L Sampson)

To return to Open Session of Council

That;

Council move back to Open Session.

40.08/18 CARRIED

PROCEDURAL MOTION (Crs M Dusting /L Sampson)

To adopt the resolution of Council in Closed Session in Open Session

That;

The resolution of Council in Closed Session become a resolution in Open Session.

41.08/18 CARRIED

CLOSURE OF MEETING

The meeting was closed at: 6.32pm

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