



ORDINARY MEETING OF COUNCIL

**Held at 12 noon
On 23 September 2013**

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

Attendees:

Mr R Bell, Director of Engineering Services
Mrs J Michie, Director of Administrative Services
and Acting General Manager
Ms L Cumming, Manager of Planning

MINUTES

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Assignment of Action Items

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

The Meeting Commenced at: 12:02pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, K Dusting, M Dusting, D Field, I Strutt, K Ward, Director of Engineering Services (Mr R Bell), Director of Administrative Services and Acting General Manager (Mrs J Michie) and Manager of Planning (Ms L Cumming).

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGY

Apologies were tabled for Cr L Cooper, Cr F Geldof and the General Manager (Mr T O'Connor).

ADVICE OF LATE ARRIVALS

There were no Late Arrivals advised.

REQUESTS FOR LEAVE OF ABSENCE

Requests for Leave of Absence were submitted by:

Cr I Strutt for the period 30 September to 7 October 2013, and Cr K Dusting and Cr M Dusting for the period 9 October to 5 November 2013.

MOTION

Apologies and Requests for Leave of Absence

279/13 MOVED/ CARRIED (Crs M Dusting/B Crouch)

That the apologies for Crs L Cooper and F Geldof and the General Manager Mr T O'Connor be accepted, the requests for Leave of Absence, from Cr I Strutt between 30 September 2013 and 7 October 2013 and Crs K Dusting and M Dusting between 9 October 2013 and 5 November 2013, noted and the Leave of Absence approved.

ELECTION OF MAYOR and DEPUTY MAYOR

Election of Mayor

The Mayor vacated the Chair and the Acting General Manager assumed the Chair in the capacity of Returning Officer.

The Returning Officer advised details of nominations received in support of Cr M Pearce as Candidate for the Office of Mayor.

The Returning Officer called for further nominations from the floor.

There being no further nominations the Returning Officer declared the appointment of Cr M Pearce as Mayor for the following twelve months.

The Mayor thanked Councillors for their support.

Election of Deputy Mayor

The Returning Officer advised details of nominations received in support of Cr B Crouch as Candidate for the Office of Deputy Mayor.

The Returning Officer called for further nominations from the floor.

There being no further nominations the Returning Officer declared the appointment of Cr B Crouch as Deputy Mayor for the following twelve months.

The Deputy Mayor thanked Councillors for their support.

Appointment to the Chair

The Acting General Manager, having fulfilled the duties of Returning Officer, invited the Mayor, Cr M Pearce to assume the Chair for the remainder of the meeting.

Cr M Pearce, upon taking the Chair, thanked the Acting General Manager for her conduct of the elections.

STAFF REPORTS

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Committees of Council

U12/151

PROCEDURAL MOTION

280/13 **Move to Committee of the Whole**
MOVED/ CARRIED (Crs K Ward/I Strutt)

That Council move to a 'Committee of the Whole' to discuss the General Manager's Item 1 Report and Recommendations.

Councillors held a detailed discussion in relation to the appointment of Delegates to Committees of Council.

PROCEDURAL MOTION

281/13 **Resumption of Standing Orders**
MOVED/ CARRIED (Crs K Ward/M Dusting)

That Council resume Standing Orders.

MOTION

282/13 **Committees of Council**
MOVED/ CARRIED (Crs I Strutt/B Crouch)

That Council

1. retain the existing Committees, with the exception of:
 - Group B
 - Hunter New England Health Service – Local Health Advisory Committee (HNEH-LHAC).
 - Group C
 - Uralla Community Safety Committee.
 - Uralla Rocky River Landcare Group.
 - Group E
 - 'B' Division of the Shires Association.
 - New England Local Government.
 - Group F
 - Saumarez Ponds Recreational Reserve Management Committee.
2. appoint delegates to the Division, or like grouping, of the Local Government NSW to replace the 'B' Division of the Shires Association in Group E, being the Mayor and Deputy Mayor.

GM

MOTION

283/13 **Appointment of Delegates to Committees of Council**
MOVED/ CARRIED (Crs K Ward/M Dusting))

That nominations for delegates to Council Committee be accepted and appointments made to committees as determined by Council.

CONFIRMATION OF MINUTES

Ordinary Meeting of 27 August 2013

284/13 MOVED/ CARRIED (Crs M Dusting/I Strutt)

That the Minutes of the Ordinary Meeting held on 27 August 2013 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

EA

Closed Session of Ordinary Meeting of 27 August 2013

285/13 MOVED/ CARRIED (Crs B Crouch/I Strutt)

That the Minutes of the Closed Session of the Ordinary Meeting held on 27 August 2013 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

EA

MATTERS ARISING FROM THE MINUTES

Ordinary Meeting of 27 August 2013

There were no Matters arising

Closed Session of Ordinary Meeting of 27 August 2013

There were no Matters in Closed Session arising

DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of Interest.

RESPONSES TO QUESTIONS ON-NOTICE

Questions On-Notice Received and From Previous Meetings

The Chair referred Councillors to the responses provided to "Questions On-Notice" raised at the Ordinary meeting of Council held Monday, 27 August 2013:

Action:

Cr B Crouch

QUESTION:

On-Site Waste Management Systems

In response to Community concerns about Council's interpretation of criteria for the requirements for On-Site Waste and Septic Systems could Councillors be provided with a list of source documents on which these requirements are based?

GM

RESPONSE:

The requirement for a property owner to have on-site sewerage approved by Council has existed since 1993, and prior, under Section 68 (1) of the Local Government Act which states that "A person may carry out an activity specified in the following Table only with the prior approval of the council, except in so far as this Act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval."

Part C (Management of Waste) of the Table attached to Section 68 states in Point 5 "Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility." and Point 6 "Operate a system of sewage management (within the meaning of section 68A)."

Section 68A of the Local Government Act provides the definition and explanation of the meaning of "operate a system of sewage management."

The Division of Local Government booklet "The Easy Septic Guide" begins in Part 1 (page 6) by stating "We are all starting to feel the impact of poorly managed septic systems in our growing society. In 1999 leaking septic tanks were identified as a possible contributing factor in several cases of hepatitis and a major food safety crisis in the oyster industry. Leaking septic systems can also have more insidious effects, seeping into and contaminating groundwater supplies, and mixing with water in our favourite swimming holes without us even being aware of it."

At that time (1999), Councils were encouraged, and in the oyster growing areas forced, to develop an On-site Sewerage Management Strategy and commence registrations and inspections. The Uralla Shire Council sent out five year licences, at no cost, to satisfy the basic requirement. However, Council did not develop a strategy, require registrations other than new development applications and did not have an inspection regime other than inspections at the sale of a property. Twelve years after the encouragement to have a strategy; Council adopted the Uralla Shire Council On-site Waste Management Strategy in 2011. This can be read or downloaded from Council's website:

http://www.uralla.nsw.gov.au/index.cfm?page_id=1381

The website also provides details on what is an on-site waste management system, plus information on Council's and Septic System Owner's responsibility, registrations, inspections, the recently completed round of Community Briefings and useful hints and links.

Continued /...

Questions Raised at 27 August 2013 Meeting of Council (continued):**On-Site Waste Management Systems****RESPONSE (continued):**

Action:

The Division of Local Government website has a Topics Section on its website including information on Onsite Management. This information can be accessed through:

<http://www.dlg.nsw.gov.au/dlg/dlghome/PublicTopicsIndex.asp?mi=0&ml=10&id=10>

The Division has developed two very informative documents. Although the following documents were compiled in 1998, they remain very good resource documents.

The 42 page, Easy Septic Guide:

<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/information/ssguide.pdf>

The Easy Septic Guide provides the following table that outlines recommended buffer distances for septic systems:-

<i>System</i>	<i>Recommended buffer distances</i>
All land application systems	<ul style="list-style-type: none"> • 100 metres to permanent surface waters (e.g. river, stream, lake) • 250 metres to domestic groundwater well or bore • 40 metres to other waters (e.g. farm dams, intermittent streams, drainage channels etc)
Surface spray irrigation	<ul style="list-style-type: none"> • 6 metres uphill, and 3 metres downhill of driveways and property boundaries • 15 metres to dwellings • 3 metres to paths and walkways • 6 metres to swimming pools
Surface drip and trickle irrigation; Sub-surface irrigation	<ul style="list-style-type: none"> • 6 metres uphill, and 3 metres downhill of swimming pools, property boundaries and buildings
Septic tank absorption trench area	<ul style="list-style-type: none"> • 12 metres uphill, and 6 metres downhill of property boundary • 6 metres uphill and 3 metres downhill of swimming pools, driveways and buildings. • 3 metres to paths and walkways

and the 192 page, Environment and Health Protection Guidelines for On-site Sewerage Management for Single Households:

<http://www.dlg.nsw.gov.au/DLG/Documents/information/onsite.pdf>

Section 1 is about the Legislation. Section 2 assists councils in preparing on-site sewerage management strategies. Section 3 discusses the operational strategies to be applied. Section 4 sets out procedures and technical information for desk-top and site evaluation. Section 5 discusses various on-site treatment system products and land application methods, while Section 6 provides guides for the selection of an on-site sewerage management system.

While the guidelines aim to assist local councils in the regulation of small on-site sewerage management systems, they also provide general guidance to other stakeholders, such as developers and householders.

Continued /...

Questions Raised at 27 August 2013 Meeting of Council (continued):**On-Site Waste Management Systems****RESPONSE (continued):**

Action:

The printout of the full page of the Division of Local Government Topic website below provides answers to “*Community concerns about Council’s interpretation of criteria for the requirements for On-Site Waste and Septic Systems*”

**Common Questions Regarding On-Site Sewage Management Systems
(OSMS)**

- Why is it important to effectively manage on-site sewage management systems?
- What are the responsibilities of landowners with on-site systems?
- What are the responsibilities of councils for the management of on-site systems?
- Why do I need to have my Aerated Wastewater Treatment System inspected by council when it is regularly checked by a service agent?
- How do councils set fees for on-site system inspections?
- Where can I find further information about my on-site system management responsibilities?

On-Site Sewage Management Systems (OSMS) (Answers)**Why is it important to effectively Manage On-Site Sewage Management Systems?**

Failing on-site systems release dangerous levels of sewage pollution into the environment. Sewage pollution causes contamination of water, which can spread disease and lead to environmental degradation.

What are the Responsibilities of Landowners with OSMSs?

Under the Local Government (General) Regulation 2005 all landowners with on-site systems are required to obtain an approval to operate the system from their council. Landowners must also maintain and manage their on-site systems in accordance with health and environmental performance standards.

Some of the performance standards which must be met include:

- prevention of the spread of disease
- prevention of the spread of foul odours
- prevention of the contamination of water
- ensuring that people do not come into contact with untreated sewage.

What are the Responsibilities of Councils for the Management of On-Site Systems?

Councils are required to manage the cumulative impact of sewage pollution in their local government area, which includes approving the installation and operation of on-site systems.

The on-site sewage management regulations are flexible so that councils may determine the most appropriate sewage management strategy for local circumstances. Councils have wide discretion to determine the level of supervision of on-site systems to accommodate variation between high, medium and low risk areas, to minimise costs and to maximise community benefits.

Continued /...

Questions Raised at 27 August 2013 Meeting of Council (continued):**On-Site Waste Management Systems****RESPONSE (continued):**

Action:

Councils have been encouraged to develop on-site sewage management strategies, and should consult with their community when doing so. Most strategies include a regime of inspecting on-site systems.

Why do I need to have my Aerated Wastewater Treatment System Inspected by Council when it is regularly Checked by a Service Agent?

Aerated systems use sensitive biological agents, mechanical systems and chemical processes to produce a higher quality effluent than a standard septic tank. Aerated systems must be carefully managed and serviced to keep them working well and safely.

Service agents check the internal components, but do not always check the public health and environmental impacts of effluent disposal. Unlike standard septic systems, aerated systems often discharge effluent above ground where it can come into contact with humans or run off into adjoining land and waterways. If the treatment process fails, aerated systems can become a serious risk to public health and the environment.

Councils are responsible for managing the risk of sewage pollution in their areas and may therefore require a council inspection of aerated systems.

How do Councils set Fees for On-Site System Inspections?

Where on-site system inspections occur, councils are able to charge a fee to cover the cost. The revenue raised from such fees enables the council to manage its sewage management responsibilities for the benefit of its community.

Revenue policy for inspection fees is a matter for the council to determine. However, inspection fees should be set in consultation with the community and council should set out any changes to fees in its Management Plan.

The matters to be considered in setting such fees include relevant provisions of the legislation, as well as the purpose of the service, its contribution to meeting the council's duty of care to ensure safe management of on-site systems in the local area, affordability and equity.

Where can I find further Information about my On-Site System Management Responsibilities?

In the first instance you should raise any queries about the operation of your on-site system directly with your local council. As the regulatory bodies responsible for enforcing the relevant legislation, councils are best placed to answer questions about on-site systems.

Relevant Legislation:

- [Local Government Act 1993](#)
- [Local Government \(General\) Regulation 2005](#)

Last Updated Friday, 9 April 2010

PROCEDURAL MOTION**Move to Committee of the Whole****286/13 MOVED/ CARRIED (Crs K Ward/M Dusting)**

That Council move to a 'Committee of the Whole' to discuss the response to Cr B Crouch's question relating to On-Site Waste Management Systems.

Councillors held a detailed discussion in relation to recommended buffer distances from permanent surface waters.

PROCEDURAL MOTION**Resumption of Standing Orders****287/13 MOVED/ CARRIED (Crs K Ward/B Crouch)**

That Council resume Standing Orders.

Questions Raised at 27 August 2013 Meeting of Council (continued):

Action:

Cr B Crouch (continued)

QUESTION:**Cycle ways and Walking Tracks in Uralla**

Could Councillors be provided with a map of cycle ways and walking tracks within Uralla and environs?

DES**RESPONSE:**

Yes, a map will be tabled for each Councillor at the meeting.

The Chair referred Councillors to the responses provided to "Questions On-Notice" Received prior to closure of the Business Paper to the Meeting of 23 September 2013:

Cr K Dusting

QUESTION:**On-Site Sewerage Management System Registration Fees**

Would Council consider only charging one Registration fee for Rural Properties? Some properties have more than one system (up to 5 or more).

GM**RESPONSE:**

While it is within Councillors' authority to consider a reduction in the registration and inspection fees for properties with multiple on-site sewerage treatment systems by resolution in Council; this would not be the recommendation of staff. Each system has to be registered and assessed individually. The registration fees already contain a Community Service Obligation reduction of 42.9% and inspection fees have been developed, in respect to building inspection fees over a number of years to even out the cost. The building inspection fee is a uniform fee regardless of where the inspection is undertaken, Uralla, Bundarra or points in between.

Properties with 5 systems, as hypothesised in the question, will not necessarily have the five systems in the same location or with the same risk. This will negate the desirability of providing a fundamental application of a single charge per assessment. The application of individual registration and inspection fees does not prevent consideration of individual cases on their merits.

Cr K Dusting (continued)

QUESTION:**On-Site Sewerage Management System Fees**

Could Council please explain the cost if all charges are applied as stated in the letter sent to Land Owners?

i.e. \$30.00 for Registration and \$98.50 Inspection Fee.

GM**RESPONSE:**

The number of Assessments in the Uralla Shire	2,914
Number of assessments within the Uralla Local Sewer District	<u>1,102</u>
Assessments remaining	<u>1,812</u>

Estimated assessments to be registered allowing for vacant land	1,600
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Continued /...

Questions Received for 23 September 2013 Meeting of Council (continued):**On-Site Sewerage Management System Fees****RESPONSE (continued):**

Action:

The cost estimate of the registration fee, which includes the assessment is as follows:

Administration and mailing of original letters (average)	1.03
Receipting and TRIM recording (10 minutes)	6.80
Recording and administration (10 minutes)	6.57
Desk top assessment and mapping (30 minutes)	24.40
Review, checking and signing approval (10 minutes)	<u>13.70</u>
Total estimated cost per registration	<u>\$52.50</u>
Registration Fee per Schedule of Fees and Charges	\$30.00
Community Service Obligation – 42.9%%	\$22.50

The On-site Inspection Fee of \$98.50 was set at the same charge as a Building Inspection, including Compliance and Occupational Certificates, of \$98.50 refer page 23 of Council's Revenue Policy, Fees and Charges (Part 4 – Operational Plan 2013/2014).

The General Manager's Report to Council, Health and Building, Item 1 in this Business Paper reports that at the 6 September 2013 some 600 of the estimated 1,600 letters have been sent out. Of the 61 registrations received so far with either a fee paid or recording vacant land; 5 properties were for vacant land which is 8%, approximately equal to the 11.7% in the estimate above. The 16 assessments completed have been; 31.12% high risk, 50% medium risk and 18.75% low risk. So it may be assumed that generally the high risk will be about 30% of the properties, medium 50% and low risk 20%.

The inspection program is for high risk inspections to be in the next 12 months with medium within the next 3 years and low risk within the next five years.

If all 1,600 were to be registered and inspected within the next 5 years the total amount to be received in 2013 dollars would be receipts of \$205,600 and expenditure of \$241,600. In approximately the following years:

	Receipts	Expenditure
First Year		
1,600 registrations	48,000	84,000
480 inspections (30%)	<u>47,280</u>	<u>47,280</u>
	<u>\$95,280</u>	<u>\$131,280</u>
Second and Third Years		
400 inspections (25% each year)	<u>\$39,400</u>	<u>\$39,400</u>
Fourth and Fifth Years		
160 inspections (10% each year)	<u>\$15,760</u>	<u>\$15,760</u>

The \$128.50 per on-site sewerage management system is part of the five year cost of operating such a system, along with plumber and other costs, which for aerated wastewater treatment systems include annual service agreements with 3-monthly service visits and electricity costs.

These costs need to be compared with the annual sewer charge for residents of Uralla who currently are charged \$495.00 for 2013/2014.

ADJOURNMENT

Luncheon Recess

MOTION

Lunch Adjournment (1:00pm to 1:30pm)

288/13 MOVED/ CARRIED (Crs K Dusting /B Crouch)

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

The Meeting resumed at 1:30pm.

PRESENTATIONS TO COUNCIL

Have Your Say

Speakers in Order of Presentation:

The Chair introduced the Speaker in delivery of a Presentation as follows:-

1. Ms Trish Stewart

Ratepayer

The Speaker delivered a presentation on the subject of Street Names and the suggestion that the reason for street names be placed under the street sign.

The Chair thanked Ms Stewart for her Presentation to Council.

MINUTES OF COMMITTEE MEETINGS

Minutes of Meeting for Council and Community Committees

Item 1

Minutes of Council Committees

Various

289/13 MOVED/ CARRIED (Crs D Field /M Dusting)

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

- Minutes of the 8 August 2013 Meeting of the McMaugh Gardens Aged Care Centre Advisory Committee.

Item 2

Minutes of Community Committees

There were no Minutes of Meeting for Community Committees received prior to closure of the Business Paper for the 23 September 2013 Ordinary Meeting.

MAILOUT TO COUNCILLORS

Weekly Mailout Forwarded for the Information of Councillors

Item 1

Mailouts forwarded to Councillors for the Period Friday, 23 August 2013 to Friday, 13 September 2013.

U07/23

290/13 MOVED/ CARRIED (Crs K Dusting/I Strutt)

That the Mailouts forwarded to Councillors for the Period Friday, 23 August 2013 to Friday, 13 September 2013 which includes MANEX Meeting Minutes for Thursday 29 August 2013 and Thursday 12 September 2013 be noted.

COUNCILLOR'S REPORT

Cr F Geldof

Item 1

Mid-North Weight of Loads Group

Report to Council from Committee Delegate, Cr Fred Geldof

U07/223-02

291/13 CARRIED (Crs M Dusting/B Crouch)

That Council note the Report from Committee Delegate, Councillor Fred Geldof, in relation to the 9 September 2013 Meeting of the Mid-North Weight of Loads Group.

COUNCILLOR'S REPORT (Late Reports to Council)

Cr M Dusting

MOTION

Late Councillor's Report

292/13 MOVED/ CARRIED (Crs I Strutt/B Crouch)

That Council receive a late report from Cr M Dusting relating to the 2013 NSW Weeds Conference.

Item 2 (Late Report)

2013 NSW Weeds Conference

Report to Council from Committee Delegate, Cr M Dusting.

U07/223-02

293/13 CARRIED (Crs I Strutt/D Field)

That Council note the Late Report from NEWA Delegate Cr M Dusting in relation to the 2013 NSW Weeds Conference.

STAFF REPORTS (continued)

GENERAL MANAGER'S REPORT

Governance and Administration

Item 2

Roles and Responsibilities of Council's Delegates to outside Committees and Organisations.

U12/151

294/13 MOVED/ CARRIED (Crs I Strutt /B Crouch)

That Council review its Delegation of Authority Register and expand the delegations to include a Part H – Delegation to Delegates to outside organisations in the Councillors Workshops.

GM

Item 3

Council Ordinary Meeting Dates for 2014

U07/167

295/13 MOVED/ CARRIED (Crs D Field /M Dusting)

That Council approve the following dates for ordinary meetings for 2014:

- Tuesday, 28 January 2014.
- Mondays, 24 February 2014, 24 March 2014, 28 April 2014, 26 May 2014, 23 June 2014, 28 July 2014, 25 August 2014, 22 September 2014, 27 October 2014, 24 November 2014 and 15 December 2014

GM

GENERAL MANAGER'S REPORT

Governance and Administration (continued)

Item 4

Disclosures by Councillors and Designated Persons

U07/164

296/13 MOVED/ CARRIED (Crs R Crouch / D Field)

That the Disclosures by Councillors and Designated Persons from:

- Councillor Robert John Crouch
- Councillor Leanne Cooper
- Councillor Karen Rae Dusting
- Councillor Daphne Field
- Councillor Mark Dusting
- Councillor William Frederick (Fred) Geldof
- Councillor Michael Pearce
- Councillor Isabel Strutt
- Councillor Kevin Ward
- Robert Bell
- Peta Cooper
- Elizabeth Cumming
- Patrick Michael Dogan
- Robyn Tribe
- Jane Michie
- Thomas Patrick O'Connor
- Scott Andrew Strijland
- Rosemary Ann Strobel
- Maria Gregory

as tabled, be noted.

Item 5

Union Picnic Day and Christmas Break up

U07/111

297/13 MOVED/ CARRIED (Crs M Dusting/B Crouch)

That Council approve the Union Picnic Day for Friday 22 November 2013 and the Christmas Breakup Party to commence at 12 noon on Thursday 12 December 2013.

GM

Item 6

Uralla Swimming Pool Season 2013/2014

U09/6582

298/13 MOVED/ CARRIED (Crs K Dusting/I Strutt)

That Council set the opening day for the Uralla Swimming Pool season as Saturday 19 October 2013 for a planned 22 week season to close on Friday 21 March 2014, at the discretion of the General Manager depending upon 3.00 pm temperatures during February and March 2014.

GM

STAFF REPORTS (Continued)

GENERAL MANAGER'S REPORT

Health and Building Services

Item 1

Onsite Sewerage Management Systems Licensing

U12/6915

299/13 MOVED/ CARRIED (Crs K Ward/D Field)

That Council note the progress of the implementation of the licensing for onsite sewerage management systems within the local government area.

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance

Item 1

Cash at Bank and Investments

U12/1

300/13 MOVED/ CARRIED (Crs K Dusting/I Strutt)

That Council note the cash position at 31 August 2013 consisting of; cash and overnight funds of \$1,611,837.90 term deposits of \$7,300,000.00 totalling \$8,911,837.90 of readily convertible funds.

Item 2

Uralla Shire Council Finance Committee

U07/01

PROCEDURAL MOTION

Move to Committee of the Whole

301/13 MOVED/ CARRIED (Crs M Dusting/B Crouch)

That Council move to a 'Committee of the Whole' to discuss the Director of Administrative Services' Item 2 Report and Recommendations.

Councillors held a detailed discussion in relation to Council payment of Desali Pty Ltd legal fees.

PROCEDURAL MOTION

Resumption of Standing Orders

302/13 MOVED/ CARRIED (Crs K Ward/M Dusting)

That Council resume Standing Orders.

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance (continued)

MOTION

**303/13 Minutes of 11 September 2013 meeting of the Finance Committee
MOVED/ CARRIED (Crs M Dusting/K Ward)**

That Council note the minutes of the meeting of the Uralla Shire Council Finance Committee, held on Wednesday, 11 September 2013 and adopt the following recommendations:

1. That the Financial Reports consisting of the Budget Review by Resource Code and Budget Review by Function, Collection of Rates and Outstanding Debtor Report for the year to 30 June 2013 and for the year to 31 August 2013, be noted.
3. That the Notes 1 for the General Purpose Financial Statements and Special Purpose Financial Statements be adopted.
4. That the Director of Engineering amend the McMullen's' water account in line with previous bills.

DAS

MOTION

**Director Administrative Services' Item 2 Recommendation
MOVED/ SECONDED (Crs K Ward/D Field)**

That contrary to the Director of Administrative Services' Report Item 2, Committee Recommendation No.2; Council reimburse the independent legal fees of \$330 to Desali Pty Ltd in relation to the legal advice on the lease of the Visitor Information Centre Café, in recognition of the long standing commercial relationship.

Following debate the MOTION was PUT and LOST

Cr D Field made formal request that her Vote for the Motion be recorded.

ADJOURNMENT

MOTION

Comfort Adjournment (3:15pm – 3:25pm)

304/13 MOVED/ CARRIED (Crs M Dusting /I Strutt)

That Council break for a 10 minute Comfort Adjournment (3:15pm – 3:25pm).

The Meeting resumed at 3:27pm.

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Community Services

Item 1

Visitor Information Centre Monthly Report

U12/273

305/13 MOVED/ CARRIED (Crs K Dusting/ K Ward)

That Council note the Community Development Officer's Report on activities at the Uralla Visitor Information Centre for August 2013.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Environment and Waste Management

Item 1

Recommendations from the Environmental Committee meeting held Tuesday 3 September 2013 and adoption for public exhibition of the Uralla Shire Council Draft State of the Environment (SOE) Report 2011-2013.

U12/150

306/13 MOVED/ CARRIED (Crs I Strutt/K Ward)

That Council:

- Note the minutes of the Environmental Committee meeting, held Tuesday 3 September 2013.
- Adopt the Uralla Shire Council Draft SOE Report 2011-2013 for public exhibition commencing Tuesday 1 October 2013 and concluding Wednesday 30 October 2013.

DES

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services

Item 1 and Item 2

Works Planning and Works Progress for Period Ended 8 September 2013

U07/3041

307/13 MOVED/ CARRIED (Crs D Field/K Ward)

That the planned works and the Works Progress for the period ended 8 September 2013 be noted.

Item 3

Alcohol Free Zone in Uralla

U07/2652

308/13 MOVED/ CARRIED (Crs M Dusting/D Field)

That Council, as per Section 644 Local Government Act, declare Apex Park, Attwood/McMillan Park, Fuller Park, Porter Park, Library and Visitor Information Centre Precinct, Hampden Park and Central Business District Alcohol Free Zones for a further four (4) year period and advertise in next Council Newsletter.

DES

Item 4

Works Progress Advisory Unit

U07/172

PROCEDURAL MOTION

Move to Committee of the Whole

309/13 MOVED/ CARRIED (Crs K Ward/M Dusting)

That Council move to a 'Committee of the Whole' to discuss the Director of Engineering Services' Item 4 Report and Recommendations.

Councillors held a detailed discussion in relation to the request for B Double access on the Gwydir River Road as stated in the Works Progress Advisory Unit Minutes.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services (continued)

PROCEDURAL MOTION

Resumption of Standing Orders

- 310/13 **MOVED/ CARRIED (Crs M Dusting/K Ward)**
That Council resume Standing Orders.

MOTION

- 311/13 **Minutes of 11 September 2013 Meeting of Works Progress Advisory Unit**
MOVED/ CARRIED (Crs M Dusting/B Crouch)

That Council:

1. note the minutes of the Works Progress Advisory Unit meeting held on 11 September 2013.
2. write to retiring Overseer, Mr Ken McMillan to thank him for his years of service.

DES

GENERAL MANAGER'S REPORT

Planning Services

Item 1

Planning Application Approvals and Refusals for the Month of August 2013 U12/168

- 312/13 **MOVED/ CARRIED (Crs D Field/I Strutt)**
That Council note the information contained within the Planning Application Approvals and Refusals Report for the Month of August 2013.

Item 2

Heritage Advisors Report

U07/6413

- 313/13 **MOVED/ CARRIED (Crs K Dusting/D Field)**
That Council note the contents of the Heritage Advisor's report for the visit held on 3 September 2013.

GENERAL MANAGER'S REPORT

Planning Matters for Determination

Item 1 DIVISION DECISION

Application of Council Seal to Section 88b Instrument - DA 48/2013

DA 48/2013

- 314/13 **MOVED/ CARRIED (Crs D Field /K Ward)**
That Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 48/2013 on land known as 11 Phillip Avenue, Uralla, being Lot 12 Sec 24 DP 759022, for provision of easements over sewer infrastructure and the creation of a right of carriageway and its maintenance.

MP

A Division was called and the result was as follows:

FOR: B Crouch, K Dusting, M Dusting, D Field, M Pearce, I Strutt,
K Ward.

AGAINST: Nil.

ABSENT: Crs L Cooper and F Geldof.

GENERAL MANAGER'S REPORT

Planning Matters for Determination (continued)

Item 2 DIVISION DECISION

Application of Council Seal to Section 88b Instrument - DA 41/2013

DA 41/2013

315/13 MOVED/ CARRIED (Crs D Field/I Strutt)

That Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 41/2013 on land known as 16 Plane Avenue, Uralla, being Lot 4 DP 583211, for provision of easements over sewer infrastructure.

MP

A Division was called and the result was as follows:

FOR: B Crouch, K Dusting, M Dusting, D Field, , M Pearce, I Strutt, K Ward.

AGAINST: Nil.

ABSENT: Crs L Cooper and F Geldof.

Item 3 DIVISION DECISION

Land Reclassification Planning Proposal and associated Public Hearing

U12/6195

316/13 MOVED/ CARRIED (Crs M Dusting/K Ward)

That Council note that a Public Hearing will be held for the reclassification of Council owned land known as:

1. Gravel Pit, Bingara Rd Bundarra, Lot 1 DP 1062924
2. Bundarra West Reservoir, Muirhead St Bundarra, Lot 1 DP 1165352
3. Caravan Park, Queen St Uralla, Lot 30 DP 793510
4. Water Race, Kliendienst Rd Uralla, Lot 613 DP 755846

from 'community' to 'operational', on Wednesday 16 October 2013 commencing at 10.00am in the Uralla Shire Council Chambers.

A Division was called and the result was as follows:

FOR: B Crouch, K Dusting, M Dusting, D Field, M Pearce, I Strutt, K Ward.

AGAINST: Nil.

ABSENT: Crs L Cooper and F Geldof.

Item 4 DIVISION DECISION

Gateway Determination and Delegation for Planning Proposal

U12/6195

317/13 MOVED/ CARRIED (Crs K Ward/M Dusting)

That Council note that the Gateway Determination has been received from the Department of Planning and Infrastructure, for the Planning Proposal to amend the Uralla Local Environmental Plan 2012 to rezone Lots 2 and 20, Section 33, DP 759022, Elizabeth Avenue, Uralla from RE1 Public Recreation to R1 General Residential and to apply a 560M² minimum lot size to the subject land.

A Division was called and the result was as follows:

FOR: B Crouch, K Dusting, M Dusting, D Field, M Pearce, I Strutt, K Ward.

AGAINST: Nil.

ABSENT: Crs L Cooper and F Geldof.

DELEGATE REPORTS

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

Councillor	Activity Date:	Activity Detail:
Cr F Geldof	27 August	Ordinary Council Meeting
	2 September	Mayor and Councillor Briefing (MCB)
	4 September	Councillor Workshop - Events Management
	5 September	Lands Council Morning Tea
	9 September	Weights & Loads, Macksville
	11 September	Finance Committee Meeting
	11 September	Works Planning Advisory Unit (WPAU) Meeting
	18 September to 6 October	Leave of Absence
Cr K Ward	3 September	Environmental Committee
	4 September	Civic Reception – Thai Delegation
	5 September	Local Aboriginal Lands Council Morning Tea
	11 September	WPAU Meeting
	12 September	McMaugh Gardens
	18 September	Council Policies – Workshop with GM
	5 September	Kelly's Plains School – Waste to Art
Cr M Dusting	27 August	Ordinary Council Meeting
	28 August	New England Weeds Authority (NEWA) Meeting, Armidale
	28 August	Septic Tank Registration Public Meeting
	2 September	MCB
	3 September	Environmental Committee
	3 September	Attend funeral for John "Salty" Williams
	4 September	Presentation Kingstown – Septic Tanks, Kingstown
	5 September	Thai Delegation – Dinner at Bowling Club
	8 September	Weeds Conference, Corowa
	16 September	MCB
	18 September	Kingstown School Presentation (Waste to Art), Kingstown
	18 September	Councillor Workshop – Governance
	19 September	New England Mutual Business Breakfast
Cr D Field	27 August	Ordinary Council Meeting
	2 September	MCB
	4 September	Councillor Workshop - Events Management
	4 September	Civic Reception – Thai Delegation
	5 September	Local Aboriginal Lands Council Morning Tea
	9 September	Friends of McMaughs
	12 September	McMaugh Gardens Advisory Committee
	16 September	MCB
	23 September	Ordinary Council Meeting
	18 September	Councillor Workshop – Governance
	Cr B Crouch	2 September
28 August		Septic Tank Registration Public Meeting
4 September		Civic Reception – Thai Delegation
5 September		Thai Delegation – Dinner at Bowling Club
6 September		Thai Delegation
11 September		Finance Committee Meeting
16 September		WPAU Meeting
18 September		MCB
18 September		Councillor Workshop – Governance

DELEGATE REPORTS (continued)**Councillor
Activity Date:****Activity Detail:****Cr K Dusting**

26 August Community Cabinet Visit, Armidale
 27 August Council Meeting
 28 August Septic Tank Registration Public Meeting
 4 September Councillor Workshop - Events Management
 4 September Civic Reception – Thai Delegation
 5 September Thai Delegation – Dinner at Bowling Club
 18 September Kingstown School Presentation Waste to Art, Kingstown
 18 September Councillor Workshop – Governance
 19 September New England Mutual Business Breakfast

Cr I Strutt

31 August Councillor Training, Armidale
 2 September MCB
 3 September Environmental Committee
 4 September Councillor Workshop - Events Management
 5 September Kentucky School Presentation – Waste to Art, Kentucky
 5 September Local Aboriginal Lands Council Morning Tea
 11 September Finance Committee Meeting
 16 September MCB
 18 September Councillor Workshop – Governance
 19 September New England Mutual Business Breakfast

Cr M Pearce

28 August Infrastructure / Planning Workshop, Tamworth
 28 August Septic Tank Registration Public Meeting
 30 August Cheque Presentation by Adam Marshall
 – Inspection Update Emu Crossing Bridge, Bundarra.
 30 August Civic Reception – John Watkins – Chancellor UNE, Armidale
 2 September St Josephs School Presentation – Waste to Art
 2 September MCB
 2 September Meeting with General Manager
 2 September Mayors Office – Administration / Correspondence
 3 September Attend funeral for John “Salty” Williams
 3 September Mayors Office – Administration / Correspondence
 4 September Local Emergency Management Committee Meeting (LEMC), Armidale
 4 September Councillor Workshop - Events Management
 4 September Civic Reception – Thai Delegation
 5 September Uralla Central School with Thai visitors – School Presentations
 5 September Local Aboriginal Lands Council Morning Tea
 5 September Thai Delegation – Dinner at Bowling Club
 9 September Mayors Office – Administration / Correspondence
 9 September Speak to Manager of Planning and GM re Current Issues
 10 September Rocky River School Presentation – Waste to Art, Rocky River
 10 September DDAU (CANCELLED)
 10 September Mayors Office – Administration / Correspondence
 11 September Finance Committee Meeting
 11 September WPAU Meeting
 12 September Northern Inland Regional Waste (NIRW) General Meeting, LPSC Quirindi
 16 September MCB
 16 September Mayors Office – Administration / Correspondence
 17 September New England Bushfire Management Committee Meeting
 18 September Councillor Workshop – Governance
 19 September New England Mutual Business Breakfast
 19 September Mayors Office – Administration / Correspondence
 19 September Speak to GM re Current Issues
 20 September Commemoration of Bravery Ceremony –Braunds Fire, 1932, Armidale
 23 September Mayors Office – Administration / Correspondence
 Ordinary Council Meeting

QUESTIONS ON-NOTICE RAISED

Questions On-Notice for Next Meeting of Council

There were no Questions raised On-Notice for the 28 October Ordinary Meeting.

CLOSED SESSION OF COUNCIL

MEETING PROCEDURE

Move to Closed Session

318/13 MOVED/ CARRIED (Crs I Strutt / K Ward)

That Council move into Closed Session.

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

MOTION

Closure of Meeting to Members of Public and Press

319/13 MOVED/ CARRIED (Crs I Strutt / K Ward)

1.
 - i. That the General Manager has correctly classified those matters which Council wishes to deal with in part of this meeting which is closed to the public.
 - ii. That the General Manager's reasons for forming an opinion that the matters should be dealt with in Closed Session are correct in accordance with Section 10A(2) of the Act.
 - iii. That as the matter concerns personnel matters concerning particular individuals other than Councillors, Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
2. That as a result of item 1. sub-items (i), (ii) and (iii) above, the public is excluded from this section of the meeting.

CLOSED SESSION RESOLUTIONS

MOTION

Resolutions of Council in Closed Session

320/13 MOVED/ CARRIED

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

APOLOGY (Closed Session)

Cr L Cooper, Cr F Geldof and the General Manager, Mr T O'Connor, were noted as Apologies to the Closed Session.

MOTION

Closed Session Apology

321/13 MOVED/ CARRIED

That the apologies for Cr L Cooper, Cr F Geldof and the General Manager, Mr T O'Connor, be accepted.

STAFF REPORTS TO CLOSED SESSION

GENERAL MANAGER'S REPORT

Governance and Administration (Report to Closed Session)

Item 1

Appointment of SES Volunteer Controller

U08/6427

322/13 MOVED/ CARRIED

That Council support the re-appointment of Ms Therese Press as Volunteer Controller of the Uralla SES Unit for the two years ended 31 August 2015.

GM

RETURN TO OPEN SESSION OF COUNCIL

MEETING PROCEDURE

Move to Open Session

323/13 MOVED/ CARRIED

That Council move back into Open Session.

There being no further business, the Chair declared the meeting closed at 4:30pm.

CLOSURE OF MEETING

The Meeting closed at: 4:30pm.

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 23 September 2013, consisting of Page 28 and the previous pages, were confirmed by Resolution No. [nnn/13] on [Day Month Year].

.....Mayor