



AGENDA & BUSINESS PAPERS

Notice is hereby given, in accordance with the provision of the *Local Government Act 1993* that a meeting of Uralla Shire Council will be held in the Council Chambers, 32 Salisbury Street, Uralla.

ORDINARY COUNCIL MEETING

27 February 2024

Commencing at 4:00pm



Statement of Ethical Obligations

The Mayor and Councillors are bound by the Oath/ Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Uralla Shire and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act* or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

Toni Averay

General Manager

AGENDA

1	OPENING & WELCOME.....	4
2	PRAYER	4
3	ACKNOWLEDGEMENT OF COUNTRY	4
4	WEBCAST INFORMATION.....	4
5	APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	4
6	DISCLOSURE & DECLARATION OF INTEREST/S.....	4
7	CONFIRMATION OF MINUTES	4
7.1	Confirmation of Minutes held 19 December 2023 Ordinary Meeting	4
8	URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS).....	20
9	WRITTEN REPORTS FROM DELEGATES	20
9.1	Mayors Delegate Report December 2023 & January 2024	20
10	PUBLIC FORUM.....	21
	Nil	
11	MAYORAL MINUTE	22
11.1	Mayoral Minute - Cost Shifting by NSW Government Policies.....	22
12	NOTICE OF MOTION/QUESTIONS WITH NOTICE.....	24
12.1	Notice of Motion -Constitutional Referendum - Updated Executive Advice	24
13	REPORT OF COMMITTEES	29
13.1	Audit, Risk and Improvement Committee Meeting 15 January 2024 - Summary Report	29
14	REPORTS TO COUNCIL.....	33
14.1	Membership - Bundarra School of Arts Hall and Community Consultative s355 Committee	33
14.2	Development Application - DA-57-2023 - 19 Lot Subdivision - Lot 4 DP 590685 - Mundays Lane SAUMAREZ PONDS	36
14.3	Rural Property Signs Proposal.....	132
14.4	Project Updates - Public Spaces Legacy Program	135
14.5	Tree Management Guidelines	138
14.6	Urgent Minor Works Requirements	175
14.7	Quarterly Budget Review December 2023-24 (QBRs).....	178
14.8	Monthly Finance Report for January 2024	189
14.9	Loans as at 31 January 2024	194
14.10	Investments at 31 January 2024.....	195
14.11	Requests for Sponsorship & Donation - Rotary Arts Show 2024 - Elders Olympics 2024	198
14.12	Proposed Licence of the RSL Memorial Hall to Uralla Neighbourhood Centre	203
14.13	Grace Munro Aged Care Centre - leasing matters.....	207
14.14	Register Resolutions Actions Status as at 22 February 2024.....	221

15	CONFIDENTIAL MATTERS	229
15.1	McMaugh Gardens Residential Aged Care Facility Business Review - Appointment of Consultant.....	229
16	COMMUNICATION OF COUNCIL DECISION	229
17	CONCLUSION OF MEETING.....	229

- 1 OPENING & WELCOME
- 2 PRAYER
- 3 ACKNOWLEDGEMENT OF COUNTRY
- 4 WEBCAST INFORMATION
- 5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS
- 6 DISCLOSURE & DECLARATION OF INTEREST/S
- 7 CONFIRMATION OF MINUTES


7.1 Confirmation of Minutes held 19 December 2023 Ordinary Meeting

Department: General Manager's Office

Prepared By: Executive Assistant

Authorised By: General Manager

Reference: UINT/24/1655

Attachments: 1. Minutes Ordinary Meeting held 19 December 2023 [!\[\]\(3211b5d1d968fc1665909b34f9f16010_img.jpg\)](#) 

RECOMMENDATION

That Council adopt the minutes of the Ordinary Meeting held 19 December 2023 as a true and correct record.



MINUTES of

ORDINARY COUNCIL MEETING

Held on 19 December 2023 at 4:00pm

Attendance at Meeting:

Councillors:

Mayor R Bell (Chair)
Deputy Mayor R Crouch
Cr T Bower
Cr S Burrows
Cr L Doran
Cr McMullen
Cr T O'Connor
Cr L Petrov
Cr T Toomey

Staff:

Ms T Averay, General Manager
Mr S Williams, Interim Executive Director Corporate & Community
Mr M Ahammed, Manager Finance & IT
Ms K Blackwood, Manager, Development & Planning
Dr Isaac Arah, Interim Manager Environment & Waste
Ms W Westbrook, Executive Assistant

Apologies:

Mr M Raby, Interim Director Infrastructure

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

CONTENTS

1	OPENING & WELCOME.....	4
2	PRAYER	4
3	ACKNOWLEDGEMENT OF COUNTRY	4
4	WEBCAST INFORMATION.....	4
5	APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS.....	4
6	DISCLOSURE & DECLARATIONS OF INTEREST/S.....	4
7	CONFIRMATION OF MINUTES	4
7.1	Confirmation of Minutes held 28 November 2023 Ordinary Meeting.....	4
8	URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS).....	5
14.10	Presentation of 2023 Financial Statements.....	5
14.3	Development Application - DA-57-2023 - 19 Lot Subdivision - Lot 4 DP 590685 - Mundays Lane SAUMAREZ PONDS	6
9	WRITTEN REPORTS FROM DELEGATES.....	7
9.1	Mayors Delegate Report October & November 2023	7
10	PUBLIC FORUM.....	7
	Moved to be heard before item 9 and after report Item 14.10.	
11	MAYORAL MINUTE	7
	Nil	
12	NOTICE OF MOTION/QUESTIONS WITH NOTICE.....	7
	Nil	
13	REPORT OF COMMITTEES	8
13.1	Minutes Bundarra School of Arts Hall and Community Consultative s355 Committee from 22 November 2023	8
14	REPORTS TO COUNCIL.....	8
14.1	UTEC Minutes Meeting Held 4 December 2023	8
14.2	Minutes Bundarra School of Arts Hall and Community Consultative s355 Committee 30 August 2023 Meeting.....	9
14.4	Project Updates - Public Spaces Legacy Program	9
14.5	Rationalisation of Waste Services Areas.....	10
14.6	Draft Policy for Liquid Trade Waste	11
14.7	Monthly Finance Report for November 2023.....	11
14.8	Loans as at 30 November 2023.....	12
14.9	Investments at 30 November 2023	12
14.11	Register Resolutions Actions Status as at 14 December 2023	12
15	CONFIDENTIAL MATTERS	13
15.1	Thunderbolt Wind Farm Proposed Planning Agreement	13

ORDINARY COUNCIL MEETING MINUTES**19 DECEMBER 2023**

15.2	Industrial Land - report at conclusion of marketing	13
16	COMMUNICATIONS OF COUNCIL DECISIONS	14
15.1	Thunderbolt Wind Farm Proposed Planning Agreement	14
15.2	Industrial Land - report at conclusion of marketing	14
17	CONCLUSION OF MEETING.....	15

UNCONFIRMED

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

1 OPENING & WELCOME

The Chair declared the meeting opened at 4:00pm.

2 PRAYER

The Chair recited the Uralla Shire Council prayer.

3 ACKNOWLEDGEMENT OF COUNTRY

The Chair read the acknowledgement of country.

4 WEBCAST INFORMATION

The Chair advised the meeting was recorded, with the recording to be made available on Council's website following the meeting and reminded the attendees from making defamatory statements.

5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

Nil

7 CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF MINUTES HELD 28 NOVEMBER 2023 ORDINARY MEETING****RESOLUTION 01.12/23**

Moved: Cr Lone Petrov

Seconded: Cr Sarah Burrows

That Council adopt the minutes of the Ordinary Meeting held 28 November 2023 as a true and correct record and note the minutes from the CNRL be added to the report.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)

Nil

PROCEDURAL MOTION**RESOLUTION 02.12/23****Moved:** Deputy Mayor Robert Crouch**Seconded:** Cr Sarah Burrows**That Council move items 14.10 Presentation of Financial Statement 2023, Item 10 Public Forum and Item 14.3 DA-57-2023 to be heard before Item 9.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0**

The Mayor introduced Mr Paul Cornall (service Provider to the Audit Office) and Mr Michael Kharzoo of the Audit Office and invited them to present to Council the Audited Financial Statements 2023.

Mr Cornall made a verbal presentation to the Council.

The Mayor thanked the Audit Office and Mr Cornall and Mr Jacob Sauer of Forsyth's, for their attention to the Audit Process and for Mr Cornall's verbal presentation to Council.

14.10 PRESENTATION OF 2023 FINANCIAL STATEMENTS**RESOLUTION 03.12/23****Moved:** Cr Tom O'Connor**Seconded:** Cr Bruce McMullen**That Council:**

- i. Notes the amendments made to the endorsed draft financial statements resulting in a \$2.22mil variance between the endorsed draft 2022/2023 Annual Financial Statements and the audited 2022/2023 Annual Financial Statements.
- ii. Receives the Annual Financial Statements and the Auditors report for the financial year ended 30 June 2023.
- iii. Pursuant to Section 420 (2) of the Local Government Act, receives submission from the public for a further period of 7 days.
- iv. Write to the Auditor General outlining Council concerns.

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

10 PUBLIC FORUM

The Chair Introduced the speaker:

Speaker: Susan McPhee

The speaker made a presentation to Council against the matter being resolved at the meeting wishing it to be deferred.

The Chair thanked the speaker for her presentation.

The Chair Introduced the speaker:

Speaker: Angus Witherby

The speaker made a presentation to Council against the matter being resolved at the meeting wishing it to be deferred.

The Chair thanked the speaker for his presentation.

The Chair Introduced the speaker:

Speaker: Matthew Varley - Developer

The speaker made a presentation to Council in favour of the matter presented to Council and being resolved at the meeting.

The Chair thanked the speaker for his presentation.

14.3 DEVELOPMENT APPLICATION - DA-57-2023 - 19 LOT SUBDIVISION - LOT 4 DP 590685 - MUNDAYS LANE SAUMAREZ PONDS

RESOLUTION 04.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Leanne Doran

Following a division decision the following has been resolved:

That Council defer the matter to the next ordinary Council meeting for determination pending receipt of a revised lot layout and road design with two (2) intersections on Mundays Lane.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

9 WRITTEN REPORTS FROM DELEGATES

9.1 MAYORS DELEGATE REPORT OCTOBER & NOVEMBER 2023

RESOLUTION 05.12/23

Moved: Mayor Robert Bell

Seconded: Cr Leanne Doran

That Council received the Mayor's Delegate Activity Report for October & November 2023 noting the Country Mayor's Association Dinner held on the night of 23 November 2023 sponsored by Statewide Mutual Insurance.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

CR DORAN – ARTS NORTH WEST DELEGATE REPORT

RESOLUTION 06.12/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That Cr Doran presents the Arts North West Delegate report to Council for the February Meeting.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

10 PUBLIC FORUM

Moved to be heard before item 9 and after report Item 14.10.

11 MAYORAL MINUTE

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

Nil

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

13 REPORT OF COMMITTEES**13.1 MINUTES BUNDARRA SCHOOL OF ARTS HALL AND COMMUNITY CONSULTATIVE S355 COMMITTEE FROM 22 NOVEMBER 2023****RESOLUTION 07.12/23****Moved:** Cr Leanne Doran**Seconded:** Cr Sarah Burrows**That Council**

1. Receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 22 November 2023 noting:
 - Amendment is required for item 4.1 - The Committee does not wish to purchase new chairs and trestle tables at this time; and
2. Receives a further report on proposed works and entrance signage; and
3. Writes to relevant telecommunication providers regarding future mobile phone coverage for the Bundarra area.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0**14 REPORTS TO COUNCIL****14.1 UTEC MINUTES MEETING HELD 4 DECEMBER 2023****RESOLUTION 08.12/23****Moved:** Cr Tara Toomey**Seconded:** Cr Leanne Doran**That Council**

1. Receives the minutes of the Uralla Township and Environs S355 (UTEC) Committee meeting held 4 December 2023; and
2. Refers the proposal for funding for maintenance of town centre gardens and blisters for consideration in the 2024/25 draft budget.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

14.2 MINUTES BUNDARRA SCHOOL OF ARTS HALL AND COMMUNITY CONSULTATIVE S355 COMMITTEE 30 AUGUST 2023 MEETING**RESOLUTION 09.12/23****Moved:** Cr Tim Bower**Seconded:** Cr Leanne Doran

That Council receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 30 August 2023.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0**14.4 PROJECT UPDATES - PUBLIC SPACES LEGACY PROGRAM****RESOLUTION 10.12/23****Moved:** Cr Tom O'Connor**Seconded:** Cr Lone Petrov**That Council**

- 1. Note the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project; and**
- 2. Ask the General Manager to circulate the 'Advertising Uralla' draft content to Councillors for their information prior to finalising for display at The Glen**

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

14.5 RATIONALISATION OF WASTE SERVICES AREAS

RESOLUTION 11.12/23

Moved: Cr Leanne Doran

Seconded: Cr Tara Toomey

That Council:

- 1) Endorses the proposed waste service areas for consultation with community effective from 1st July 2024 for Bundarra, Invergowrie, Uralla, and Kentucky as follows:
 - Bundarra – All existing routes (as per Attachment 1) plus an additional route comprising the Bundarra stretch of the Thunderbolts Way.
 - Invergowrie - All existing routes (as per Attachment 2) plus the additional routes comprising the Bundarra Road (the USC section of Bundarra Road and Thunderbolts Way); the remaining part of Thunderbolts Way; the entire Hawthorn Drive; and the entire Rocky River Road.
 - Uralla - All existing routes (as per Attachment 3) plus the additional routes comprising of Rifle Range Road; Flat Rock Road; Castle Drive; and the entirety of Kliendienst Road.
 - Kentucky - All existing routes as per Attachment 4 with no further changes.
- 2) Undertakes a comprehensive community engagement program in early 2024 to ensure residents are fully informed prior to the implementation date.
- 3) Supplies all future red lid waste bins to new customers directly to ensure and control the quality and uniformity of kerbside collection bins, and to existing customers as damaged or failed bins are identified by staff, with the cost to be incorporated into the waste service charge.
- 4) Receives a further report on completion of community engagement.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

PROCEDURAL MOTION - BREAK

RESOLUTION 12.12/23

Moved: Cr Leanne Doran

Seconded: Cr Lone Petrov

The Chair called for a break at 6:10pm

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

PROCEDURAL MOTION - RETURN

RESOLUTION 13.12/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

The Chair reconvened the meeting after a break at 6:43pm

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.6 DRAFT POLICY FOR LIQUID TRADE WASTE

RESOLUTION 14.12/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tom O'Connor

That the report on the Draft Liquid Trade Waste Policy be deferred to the February 2024 Ordinary meeting.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.7 MONTHLY FINANCE REPORT FOR NOVEMBER 2023

RESOLUTION 15.12/23

Moved: Cr Tom O'Connor

Seconded: Deputy Mayor Robert Crouch

That Council receives the attached Monthly Finance Report for November 2023.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

14.8 LOANS AS AT 30 NOVEMBER 2023

RESOLUTION 16.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Bruce McMullen

That Council notes the loan position as at 30 November 2023 totalling \$1,401,103.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.9 INVESTMENTS AT 30 NOVEMBER 2023

RESOLUTION 17.12/23

Moved: Cr Tim Bower

Seconded: Cr Tom O'Connor

That Council notes the cash position as at 30 November 2023 consisting of cash and overnight funds of \$6,077,019 and term deposits of \$19,968,862 totalling \$26,045,881 of convertible funds, including restricted funds.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.11 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 14 DECEMBER 2023

RESOLUTION 18.12/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That Council notes the Resolutions Action Status Report as at 14 December 2023.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

ORDINARY COUNCIL MEETING MINUTES

19 DECEMBER 2023

15 CONFIDENTIAL MATTERS**RESOLUTION 19.12/23****Moved:** Cr Sarah Burrows**Seconded:** Deputy Mayor Robert Crouch

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

15.1 Thunderbolt Wind Farm Proposed Planning Agreement

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.2 Industrial Land - report at conclusion of marketing

This matter is considered to be confidential under Section 10A(2) - d(ii) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0**RESOLUTION 20.12/23****Moved:** Cr Sarah Burrows**Seconded:** Cr Leanne Doran

That Council return to Open Session of Council.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

16 COMMUNICATIONS OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session.

15.1 THUNDERBOLT WIND FARM PROPOSED PLANNING AGREEMENT

RESOLUTION 21.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council

1. Notes the update provided on the Thunderbolt Windfarm proposed voluntary planning agreement.
2. Authorises the Mayor and GM to continue negotiations with the proponent and Tamworth Regional Council to finalise the proposed VPA.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

15.2 INDUSTRIAL LAND - REPORT AT CONCLUSION OF MARKETING

RESOLUTION 22.12/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Leanne Doran

That Council

1. Receives and notes this report detailing the outcome of the marketing campaign undertaken by Bluemarq Commercial for the sale of the Rowan Avenue industrial land in Uralla; and
2. Terminates the exclusive marketing contract at the end of the current contracted period.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

17 CONCLUSION OF MEETING

The meeting was closed at 7:37pm.

UNCONFIRMED

8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)

9 WRITTEN REPORTS FROM DELEGATES

9.1 Mayors Delegate Report December 2023 & January 2024

Department: General Manager's Office

Prepared By: Mayor

Authorised By: Mayor

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 4. We are an independent shire and well-governed community

Strategy: 4.1. Informed and collaborative leadership in our community

SUMMARY

Mayor's Delegate Report outlining activities conducted during the months of December 2023 & January 2024.

RECOMMENDATION

That Council received the Mayor's Delegate Activity Report for December 2023 & January 2024.

REPORT

Mayor: Robert Bell		
Date of Council Meeting: 27 February 2024		
DATE	COMMITTEE/MEETING/EVENT	LOCATION
1 Dec 2023	Kingstown School Presentation	Kingstown
1 Dec 2023	South Pan Launch	Big Ridge Road
2 Dec 2023	Fairy Festival	Uralla
3 Dec 2023	Diggings RFS Christmas Party	Uralla
4 Dec 2023	Meeting Winterbourne Proposed VPA	Online
4 Dec 2023	Mayor & GM Catch Meeting	Uralla
6 Dec 2023	2AD Interview	Uralla
6 Dec 2023	Carols in Alma Park	Alma Park
6 Dec 2023	New England Regional Energy Zone Meeting	Armidale
7 Dec 2023	Site Inspection -Bridge Street	Uralla
8 Dec 2023	Rocky River School End of Year Presentation	Rocky River
9 Dec 2023	Kentucky Rural Fire Service	Kentucky
11 Dec 2023	Mayor & GM Catch Meeting	Uralla
13 Dec 2023	Judging Christmas Deco at - HR - Library- VIC - Admin Building – McMaugh's - TCS	Uralla
13 Dec 2023	McMaugh Gardens Resident Christmas Party	Uralla

14 Dec 2023	Tour Armidale Recycling Centre	Armidale
14 Dec 2023	Council Staff Christmas Party	Uralla Golf Club
18 Dec 2023	Mayor & GM catchup	Uralla
19 Dec 2023	Thunderbolt Energy Hub Planning Discussions with Mayors and GMs	Tamworth
19 Dec 2023	Long Service Awards for Staff	Uralla
19 Dec 2023	Final Council Ordinary Meeting of the Year	Uralla
21 Dec 2023	Uralla waste Facility visit	Uralla
25 Dec 2023	Holidays till 5 January 2024	
8 Jan 2024	Site Visit to Parks and Open Space Projects: <ol style="list-style-type: none"> 1. Rotary Park 2. The Glen 3. Uralla Courthouse 4. The Fibonacci themed enhancements at Pioneer Park 	Uralla
10 Jan 2024	2AD Interview	Uralla
11 Jan 2024	Review Draft Energy Policy DPE	Uralla
15 Jan 2024	Mayor & GM Catch Meeting	Uralla
19 Jan 2024	Temporary Worker Accommodation Think Tank	Tamworth
22 Jan 2024	Mayor & GM Catch Meeting	Uralla
23 Jan 2024	Long Service Awards for Staff	Uralla
23 Jan 2024	Councillor Workshop: <ul style="list-style-type: none"> • Proposed new supermarket • New England Solar Farm update • Water security and drought proofing presentation 	Uralla
29 Jan 2024	Thunderbolt NEOEN Meeting on VPA	Tamworth
29 Jan 2024	Mayor & GM Catch Meeting	Uralla
2023 Expenses Claims to date for Councillors		\$0

10 PUBLIC FORUM

Nil

11 MAYORAL MINUTE

11.1 Mayoral Minute - Cost Shifting by NSW Government Policies

Reference: UINT/24/769

SUMMARY

LGNSW is seeking the support of local councils in calling on the NSW Government to address cost shifting onto our sector.

Costing shifting occurs when state and federal governments force councils to assume responsibility for infrastructure, services and regulatory functions without providing sufficient supporting funding.

This Mayoral minute recommends Council writes to the Premier, the Treasurer, the Minister for Local Government and the Honourable Adam Marshall regarding this continued devolution and cost shifting.

RECOMMENDATION

That Council:

- 1. Receives and notes the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and**
- 2. Places a copy of the cost shifting report on Council's website so that our communities can access it; and**
- 3. Writes to the Premier, the NSW Treasurer, the NSW Minister for Local Government and our local State member, the Hon Adam Marshall MP, seeking that the State government urgently addresses these issues through a combination of regulatory reform, budgetary provision and appropriate funding.**

REPORT

The pressure on councils to continue to provide services of appropriate standards to our communities is now extraordinary.

The unrelenting increase in cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government, and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarming, the latest research commissioned by LGNSW shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year, it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Communities deserve better. Prior to the most recent state election the then Opposition wrote to the LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

12.1 Notice of Motion -Constitutional Referendum - Updated Executive Advice

Reference: UINT/24/2538

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 4. We are an independent shire and well-governed community

Strategy: 4.1. Informed and collaborative leadership in our community

SUMMARY

At the ordinary meeting of 26 September 2023 Council resolved to defer consideration of the Item 12.1 Foreshadowed Motion pending further advice from the Parliamentary Secretary on the proposal.

The foreshadowed motion was:

OM 04.09/23

That Council

1. ***Resolves to hold a Constitutional Referendum in conjunction with the next ordinary Council election, due in September 2024, to seek community opinion [Local Government Act (1993) Chapter 4, Part 3] with respect to:***
 - a. ***abolishing Wards in the Uralla Shire Council Area [Local Government Act (1993) Division 2, s 16 (a)] and;***
 - b. ***changing the basis on which the mayor attains office from election by electors - to election by Councillors [Local Government Act (1993) Division 2, s 16 (b)].***

Proposes the Constitutional Referendum question be: Do you support abolishing Wards, and that the Mayor be decided by the Councillors who are elected as your representatives

NOTICE OF MOTION

The following Notice of Motion was considered by Council at the meeting of 26 September 2023:

1. The council currently elects the mayor by electors 'the popularly elected mayor'. This situation arose in late 2011 when Councillors sought advice on the merits of reducing from 9 Councillors to 6. From this came a motion to abolish wards so that the numbers of elected members could be reduced. The motion to abolish wards was lost, however the Councillors at the time resolved to hold a constitutional referendum to reduce the number of wards and alter the basis on which the mayor attains office.
2. The constitutional referendum the Councillors put forward to the parliamentary counsel for approval, was complex with multiple parts and was confusing. See attached minutes of 25 June 2012 pg 10-11.
3. The constitutional referendum question needs to be a yes or no answer.
4. Councillors may choose to revert to 3 Wards with 3 members elected from each however we could run into the same issue as previously with the question becoming confusing.
5. Note - previous research suggests reducing the elected members from 9 to a lesser number would not lead to significant saving in Councillors' remuneration or expenses. Less numbers of Councillors would mean a greater workload burden for each of the Councillors.

6. Following feedback from members of the community (especially at Bundarra) I recommend reverting to 3 Wards with 3 members elected from each. The referendum question needs to be clearly stated.

COUNCILLOR'S MOTION

That Council:

1. Resolves to hold a Constitutional Referendum in conjunction with the next ordinary Council election, due in September 2024, to seek community opinion [Local Government Act (1993) Chapter 4, Part 3] with respect to:
 - a. reverting back to 3 Wards in the Uralla Shire Council Area [Local Government Act (1993) Division 2, s 16 (a)] and;
 - b. change the basis on which the mayor attains office from: election by electors - to election by Councillors [Local Government Act (1993) Division 2, s 16 (b)].
2. Proposes the Constitutional Referendum question be: Do you support reverting back to 3 Wards; A, B and C, and that the Mayor be decided by the Councillors who are elected as your representatives?

Submitted by Councillor Leanne Doran

GENERAL MANAGER'S COMMENT

The preparation of a Constitutional Referendum question through the Electoral Commission, and any subsequent work required to facilitate a boundary change to the current ward arrangements (including the preparation of boundary plans, public exhibition and invitation for submissions and subsequent reporting), will take staff resourcing which has not been factored into current budgets. This will also impact on other operational priorities.

Further, given the current financial and resource constraints impacting on Council's day to day service delivery and forward planning, it is recommended Council consider the costs and benefits of a constitutional referendum for the broader community against other priorities.

UPDATED EXECUTIVE ADVICE PRESENTED AT WORKSHOP ON 13 FEBRUARY 2024:

Staff sought further advice from the Office of Local Government (OLG) and the Electoral Commission on the constitutional referendum question, including the number of questions that could be asked and the risk associated with asking a single compound question or multiple individual questions.

Noting that the principal driver to the NoM was to seek to change the way the Mayor is elected, staff advised that if a Constitutional Referendum results in a change to the way the Mayor is elected, Council will need to amend the ward structure to, either:

- Increase the number of wards to 3 wards (revert to previous structure), or
- Abolish wards

(Staff advised that there is also the option of changing the number of Councillors to meet ward balance requirements but that it was understood that this was not an issue Councillors sought to pursue)

The foreshadowed motion contemplates two outcomes:

- To change the basis of the election of the Mayor, and
- To abolish wards.

OLG advises that where Council seeks a specific ward format AND Mayoral election outcome, the referendum question should be phrased as a single question.

A “No” result would mean there is no change to the current arrangements, i.e the Mayor would continue to be popularly elected and the Shire would be divided into two wards.

The Electoral Commission advised that any number of question can be asked, however warns that the more questions asked, the greater the risk of a mutually exclusive outcome.

If Council is not wedded to a ward outcome, the referendum question can be posed in one question.

Option 1:

Referendum Question: Are you in favour of amending the way the Mayor is elected from a popularly elected process to a Mayor who is elected by the Councillors?

Outcome:

- YES: Council would need to amend the ward structure to 3 wards.
- NO: The current ward structure will remain.

If council is not wedded to a specific ward structure or is open to abolishing wards the referendum can be posed in **two** questions.

Option 2:

Referendum Questions:

1. Are you in favour of the Mayor being elected by the Councillors?
2. Are you in favour of abolishing wards?

Outcomes:

YES to Q1: Would need to change to 3 ward structure or abolish wards.

NO to Q1: There would be no change to the current ward status.

However the outcome would need to also consider the responses to question 2, therefore if:

YES to Q2 and YES to Q1: Wards will be abolished, and the Mayor will be elected by Councillors.

YES to Q2 and NO to Q1: Wards would be abolished, and the Mayor would be popularly elected.

NO to Q2 and YES to Q1: Wards would need to be increased to 3, and the Mayor would be elected by Councillors.

NO to Q2 and NO to Q1: Status quo.

Irrespective of the proposed approach, significant community engagement will be required to ensure that the community understand the questions and the outcomes of the Referendum. Given ongoing resource constraints, it is anticipated that the education and consultation campaign would be outsourced.

Where a boundary alteration is required due to a change the number of wards, Council must undertake a prescribed public notice and exhibition period.

EXECUTIVE ADVICE 18/10/2023

The advice sought from the Parliamentary Secretary was on the required structure of a referenda question and the process for approval.

Staff have been advised by the Office of Local Government that the Parliamentary Secretary does not have any involvement in the formation and structure or approval of Local Government Referendum questions.

THE PROCESS

Should Council elect to undertake a referendum at the 2024 Local Government elections, the following requirements must be met (from section 4 of Schedule 10 of the Local Government (General) Regulations 2021):

- (a) if a council resolves to take a constitutional referendum or council poll, the general manager is to notify the Electoral Commissioner of the resolution within 21 days after the council makes the resolution (if the Electoral Commissioner is to administer the referendum or poll),
- (a1) if a constitutional referendum or council poll is to be held in conjunction with an election of councillors, the general manager must (if he or she has not already done so) notify the Electoral Commissioner of the question to be asked at the referendum or poll no later than 12 noon on the closing date for the election (if the Electoral Commissioner is to administer the referendum or poll and the election) (although Councillors attention is drawn to the staff advice detailed below),
- (b) the election manager is to publish a notice setting out the date of the referendum or poll, the question to be asked at the referendum or poll and the locations and times of polling for the referendum or poll—
 - (i) on the website of the council, and
 - (ii) in any other manner that the election manager considers necessary to bring it to the attention of members of the public in the area in which a referendum is to be taken, or the area or part of the area in which a poll is to be taken,
- (b1) the election manager is to publish the notice in the case of a referendum or poll to be held in conjunction with an election of councillors—at the same time as the election manager publishes a notice under section 300 of this Regulation in relation to the election,

For the purposes of the regulations the Election Manager is the Electoral Commission

THE QUESTION

The framing of the referendum question is matter for Council. In this instance the foreshadowed motion contemplates two outcomes from the referendum being, to change the basis on which the mayor attains office from election by electors - to election by Councillors [Local Government Act (1993) Division 2, s 16 (b)]

and to also abolishing Wards in the Uralla Shire Council Area [Local Government Act (1993) Division 2, s 16 (a)].

Councillors have already debated the difficulties of framing a question which seeks two outcomes noting that the referendum question requires a complete acceptance or rejection of the question posed.

Having regard to the foreshadowed motion, Councillors may consider the following question:

The Uralla Shire currently has a popularly elected Mayor and a two ward structure (one urban and one rural). Do you favour reverting to the Mayor being appointed by the elected Councillors and the abolishment of wards so that Uralla Shire is an undivided council with no wards? If there is majority support for the proposal, the changes will take effect from the 2028 election

Included for Councillors' reference is an attachment listing a range of historical referendum question posed by other Councils.

COMMUNITY CONSULTATION

Notification of the Referendum and Referendum question will be made by the Electoral Commission.

It will be a matter for Council to provide the community with information on the pros and cons of the YES or NO vote to ensure that the community is appropriately informed of the choice to be made.

This could take many forms but at a minimum would include a formal notice to every ratepayer as well as information on Councils social media platforms, webpage and newsletter.

COUNCIL IMPLICATIONS

Community Engagement/Communication (per engagement strategy)

Less councillors may put an extra workload on the councillors to maintain representation to the community. Councillors may have to travel more throughout the shire instead of representing their wards.

Policy and Regulation

Local Government Act 1993 and Local Government (General) Regulations 2021

Financial (LTFP)

Increasing or decreasing the number of Councillors will impact on the cost of Councillors

Asset Management (AMS)

N/A

Workforce (WMS)

N/A

Legal and Risk Management

Performance Measures

N/A

Project Management

N/A

13 REPORT OF COMMITTEES

13.1 Audit, Risk and Improvement Committee Meeting 15 January 2024 - Summary Report

Department:	Corporate & Community
Prepared By:	Interim Executive Director Corporate & Community
Authorised By:	General Manager

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.	We are an independent shire and well-governed community
Strategy:	4.2.	A strategic, accountable and representative Council

SUMMARY

This report provides a summary of the Audit Risk & Improvement Committee (ARIC) meeting held on 15 January 2024.

RECOMMENDATION

That Council receives and notes the summary report of the Audit, Risk and Improvement Committee meeting held 15 January 2024.

REPORT

The Audit, Risk & Improvement Committee (ARIC) meeting was held on 15 January 2024. All Committee members were present.

The meeting was conducted in closed session given the nature of business included in the business paper. A copy of the business paper and draft minutes have been circulated to Councillor through the Councillor portal.

1. General Manager update

The General Manager provided the committee with a verbal update on initiatives and activities since the last ARIC meeting including an overview of new and emerging risks and issues. The narrative included:

- This is a Council election year which brings additional activity to oversee candidate information sessions as well as new councillor induction and training sessions.
- Recruitment efforts continue with a focus on recruiting the new Directors , managers and project officers to re-establish some stability around service and project delivery
- Renewable Energy – discussions continue with renewable energy companies to ensure that projects affecting the Uralla Shire community attract a fair and equitable contribution and a strategic response to upcoming projects
- Worker Accommodation/ Housing strategy - the Council and Administration remains focussed on progressing a Housing Strategy and tackling issues such as worker accommodation pressure anticipated as a consequence of REZ projects

- Waste and Water security strategic plans – Council continues work on progressing the strategic planning for future waste management and water security
- Governance – additional support has been provided to progress key Governance initiatives around procurement, delegation and policy/procedure review.
- Aged Care – an overview was provided of the operational challenges that Council needs to meet to address the new Aged and Quality Care Standards
- Caravan Park – work continues on developing a master plan for the future development and operation of the Queen Street Caravan Park. The GM noted that the park management contract was currently out to tender.

The verbal update from the General Manager was received and noted.

2. Councillor Delegate report

Cr Toomey provided a verbal delegate report noting in particular that Councillors have a strong focus on the budget and budget process and are keen to see a greater alignment of the Asset Management Plans and budget.

The report with a narrative around:

- Focus on budget
- AMPs driving budget but don't currently align with budget. The AMPs should be up to date, current, correct.
- Housing Australia - Rent to buy schemes
- Focus on Tourism
- Rating models
- Updating the Local Environmental Plan (LEP)

The delegate's report was received and noted.

3. Outstanding Audit Action register

The Audit Action Register status was presented to the ARIC providing a status on actions arising from ARIC recommendations, External Audit recommendations and Internal Audit recommendations

The ARIC resolved to note the status of the Outstanding Actions Register

The ARIC requested that staff include actions for previous internal audit reports together with an update on action taken to address the audit recommendations.

4. Risk Management

The Committee received the quarterly risk report deferred from the September meeting.

The quarterly risk update was noted.

Recommendation/Action:

- That staff consider undertaking strategic risk workshops (or the like) to capture the current council's assessment of risk.

5. Major Projects and Capital Works

The committee received the Major Projects & Capital Works report deferred from the September ARIC meeting. The Interim Director Infrastructure and Development provided a verbal update on project status. A copy of the updated status report forms an attachment to this report.

6. Finance update

The ARIC received the Audited General Purpose Financial Statements and Draft Special Purpose Financial Statements for the financial year ending 30 June 2023

The Manager Finance provided a summary of the changes made to the financial statements throughout the course of the Audit. The committee noted:

The committee noted:

- Amendments made to the endorsed draft financial statements resulting in a \$2.22 mil variance between the endorsed draft 2022/2023 Annual Financial Statements and the audited 2022/2023 Annual Financial Statements.
- The Annual Financial Statements and the auditor's report for the financial year ended 30 June 2023.
- That there were no submissions received following the Public Exhibition periods.

The Committee also received and noted the Monthly Finance Report for November 2023.

7. Governance & Compliance

The committee received the Governance Quarterly reports for July – Sept (deferred from the last ARIC meeting and Oct – Dec 2023).

The Committee noted the July – September quarterly report.

The Oct – December quarterly report provided a summary of:

- The introduction of the new Public Interest Disclosure Act (PID) and the action Council has taken to comply with the new PID regime, including staff briefings, policy updates and proposed training.
- The amendment to the Local *Government (General) Regulation 2021* giving force to the Audit Risk and Improvement guidelines. The committee noted and endorsed the minor administrative updates to the Audit Risk and Improvement Terms of Reference.
- A review of current Policies a risk assessed schedule for Policy reviews. Policies due for review include
 - Implementation of new Public Interest Disclosures regime;
 - Review of Delegations and associated software platform;
 - Procurement Policy and associated procedures;
 - Corporate Credit Card Policy;
 - Records Management Policy;
 - Child Safety Policy;
 - Asbestos Policy;

- Equal Opportunity Policy;
 - Social Media Policy;
 - Gifts and Benefits Policy; and
 - Related Disclosures Policy.
- The proposed review of the Council's Privacy Management Plan and Agency Information Guide scheduled for 2024.
- Fraud & Corruption reports and investigation - The Committee were advised that Council had no reported instances of Fraud and Corruption during the reporting period
- WHS incidents and issues- the committee were advised that the shared vacant position of Work Health and Safety (WHS) Advisor is currently being recruited, with Walcha Council being the lead recruiter. The position closes on 29 January 2024.

Injury, Illness, Incident and Near Miss continue to be reported utilising Be Safe/Vault. Reporting rates are consistent, with employees adopting and reporting the ease of the system (especially in comparison to manual hard copy reporting).

57 reports were entered between 1 July 2023 to 31 December 2023; 11 injuries, 1 illness, 39 incidents and 6 near misses. Some of these reports relate to third parties, such as volunteers and clients.

Of these 57 reports, 56 have been attended to and have a complete status. The remaining outstanding item is from 4 December 2023 and corrective actions are underway – This is a near miss relating to sign relocation.

During the period there was one notifiable incident. A non-work related medical condition exacerbated and contributed to the situation being notifiable. The situation was managed promptly and Council did not receive any actions from SafeWork.

- The Model Code of Conduct annual report noting that there were no Code of Conduct complaint for the reporting period.
- Legal Matter s- noting that there were no legal proceedings involving council commenced or afoot in the period Oct – Dec 2023
- Procurement of Internal Audit Services – the committee was advised that 5 submissions were received in response to its request for quote for the provision of Internal Auditor Services for 2024 (with an option to exit the agreement by a further 2 years). Lambourne Partners were identified through competitive assessment process as the preferred supplier and arrangements are being made to contract the service with a view to commencing audit's immediately. The committee noted that it was not aware of any issues which would/should preclude the engagement of Lambourne Partners.
- Insurance portfolio – the committee was provided with a summary of the current insurance portfolio and claims history over the reporting period.

The committee noted the report and requested that staff create a table of policies to report the status of all policies and next scheduled review date.


CONCLUSION

It is recommended that Council receives the report of the Audit, Risk & Improvement Committee (ARIC) meeting held 15 January 2024

14 REPORTS TO COUNCIL

14.1 Membership - Bundarra School of Arts Hall and Community Consultative s355 Committee

Department:	Infrastructure & Development
Prepared By:	Executive Support Officer Infrastructure & Development
Authorised By:	Executive Director Infrastructure & Development
Reference:	UINT/24/975

Attachments:	1. Membership Application Form - Bundarra School of Arts Hall and Community Consultative s355 Committee - Jenny Dezius - redacted 
---------------------	---

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4. We are an independent shire and well-governed community
Strategy:	4.1. Informed and collaborative leadership in our community
	4.2. A strategic, accountable and representative Council
	4.3. An efficient and effective independent local government

SUMMARY

Council has received an application for membership to the Bundarra School of Arts Hall and Community Consultative s355 Committee (Attachment 1) from Ms Jennifer Dezius.

RECOMMENDATION

That Council:

Accepts the membership application received from Ms Jennifer Dezius and appoints her as a member of the Bundarra School of Arts Hall and Community Consultative s355 Committee.

REPORT

Ms Dezius is a resident of Bundarra, and has completed the membership application form for the Bundarra School of Arts Hall and Community Consultative S355 Committee. There is a current vacancy, and accordingly it is recommended that Council appoints Ms Dezius as a member of the Committee.

CONCLUSION

That Council accept the membership application of Ms Jennifer Dezius to the Bundarra School of Arts Hall and Community Consultative s355 Committee.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Ms Dezius will be informed of Council's decision.

Policy and Regulation

Bundarra School of Arts Hall and Community Consultative s355 Committee Terms of Reference 2022

Local Government Act 1993; section 355

Financial/Long Term Financial Plan

N/A

Asset Management/Asset Management Strategy

N/A

Workforce/Workforce Management Strategy

Staff provide support to the Bundarra School of Arts Hall and Community Consultative s355 Committee.

Legal and Risk Management

N/A

Performance Measures

N/A

Project Management

Executive Director Infrastructure & Development



**Bundarra School of Arts Hall and Community
Consultative s355 Committee
Expression of Interest**

Membership

PO BOX 1006

URALLA NSW 2358

02 6778 6300

council@uralla.nsw.gov.au

www.uralla.nsw.gov.au

Name:	Jennifer Dezius
Address:	
Phone:	
1. Are you a resident of Uralla Shire?	Yes
2. Which sectors of the community are you able to represent?	
	Bundarra Community Purposes Reserve Land Manager (Courthouse and Bottle museum)
	Bundarra Central School
	Residents
3. Why Would you like to become a member of the Committee?	
	To be a representative of the residents of Bundarra to the Uralla Shire Council and
	to become involved in the planning for the future of the town.
4. What skills can you bring to the Committee?	
	Computer literacy - able to use Microsoft Office Suite confidently
	Communication skills both written and verbal
5. Could you share your previous experience in community projects which would be useful for the Committee?	
	Currently secretary/treasurer of the Bundarra Community Purposes Reserve Land Manager committee
	previously director, kitchen manager, volunteer at the Bundarra Sport and Recreation Club
	previously member of the 355 Committee
	previously on Bundarra Show Society as secretary
6. If I am selected, I agree to abide by Council's Code of Conduct and the Code of Meeting Practice	
	Yes, I agree to abide by the Council's Code of Conduct and the Code of Meeting Practice.

Please find links below to documents you will need to be familiar with and agree to the requirements held within:

[Committee Terms of Reference](#)









[Code of Meeting Practice](#)

[Code of Conduct](#)

Please return your expression of interest via email to council@uralla.nsw.gov.au

14.2 Development Application - DA-57-2023 - 19 Lot Subdivision - Lot 4 DP 590685 - Mundays Lane SAUMAREZ PONDS

Department:	Infrastructure & Development
Prepared By:	Acting Manager Planning Development
Authorised By:	General Manager
Reference:	UINT/24/1214

Attachments:	1.	DA-57-2023 - Mundays Lane - Plan of Subdivision 19 Lots - Rev C  
	2.	DA-57-2023 - Nineteen 19 lot subdivision - Mundays Lane Saumarez Ponds - NoD - 5 February 2024  
	3.	DA-57-2023 - Lot 4 Mundays Lane Saumarez Ponds - 4.15 Assessment Report  
	4.	DA-57-2023 - Lot 4 Mundays Lane Saumarez Ponds - Submissions received  

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.	We are good custodians of our environment
Strategy:	3.2.	Maintain a healthy balance between development and the environment

SUMMARY

Council considered the subject Development Application (DA-57-2023) for nineteen (19) lot subdivision of Lot 4 DP 590685 at the ordinary Council meeting held 19 December 2023. It was resolved to defer the matter to the next ordinary Council meeting for determination pending receipt of a revised lot layout and road design with two (2) intersections on Mundays Lane.

Council has since received a revised plan of subdivision (Revision C) showing a variable width right of access for emergency and pedestrian purposes that burdens proposed lots 13 and 14. The proposed right of access is generally six (6) metres in width and is considered an acceptable solution for providing emergency and pedestrian linkages to Mundays Lane from the proposed new road/cul-de-sac.

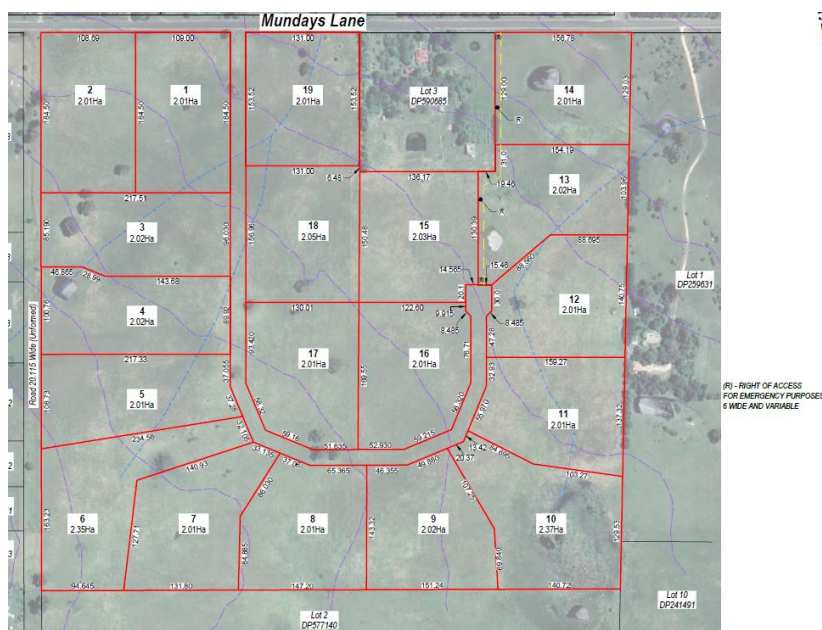


Figure 1. Proposed lot layout (Rev. C)

RECOMMENDATION

THAT Council approves the Development Application (DA-57-2023) for a nineteen (19) lot subdivision of Lot 4 DP 590685, land on Munday's Lane SAUMAREZ PONDS, subject to the conditions of consent in the attached Notice of Determination.

REPORT

The attached report (*s4.15 EPA Act 1979*) provides an assessment of the development application (DA-57-2023) submitted for a nineteen (19) lot residential subdivision of Lot 4 DP 590685, land on Munday's Lane Saumarez Ponds. The application was referred to the Council for determination at the ordinary meeting on 19 December 2023 as submissions had been received.

Council undertook a site inspection on 12 December 2023 when Councillors raised the creation of a new through-road connecting to Munday's Lane at both entrances, as opposed to a one-way cul-de-sac. It was identified that this would address issues such as emergency access in case of fire, subdivision traffic flow, as well as the creation of a more practical pedestrian link from the subdivision to Munday's Lane and Barry Munday's Reserve (Ferris Lagoon).

Council has received a revised plan of subdivision (Revision C) showing a variable width right of access for emergency and pedestrian purposes that burdens proposed lots 13 and 14. The proposed right of access is generally six (6) metres in width and is considered an acceptable solution for providing emergency and pedestrian linkages to Munday's Lane from the proposed new road/cul-de-sac.

CONCLUSION

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Uralla LEP 2012 (as amended) and DCP 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a Notice of Determination outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COUNCIL IMPLICATIONS**Community Engagement/Communication**

The application was notified in accordance with the Uralla Community Engagement Plan.

Policy and Regulation

Nil

Financial/Long Term Financial Plan

Nil

Asset Management/Asset Management Strategy

Nil

Workforce/Workforce Management Strategy

Nil

Legal and Risk Management

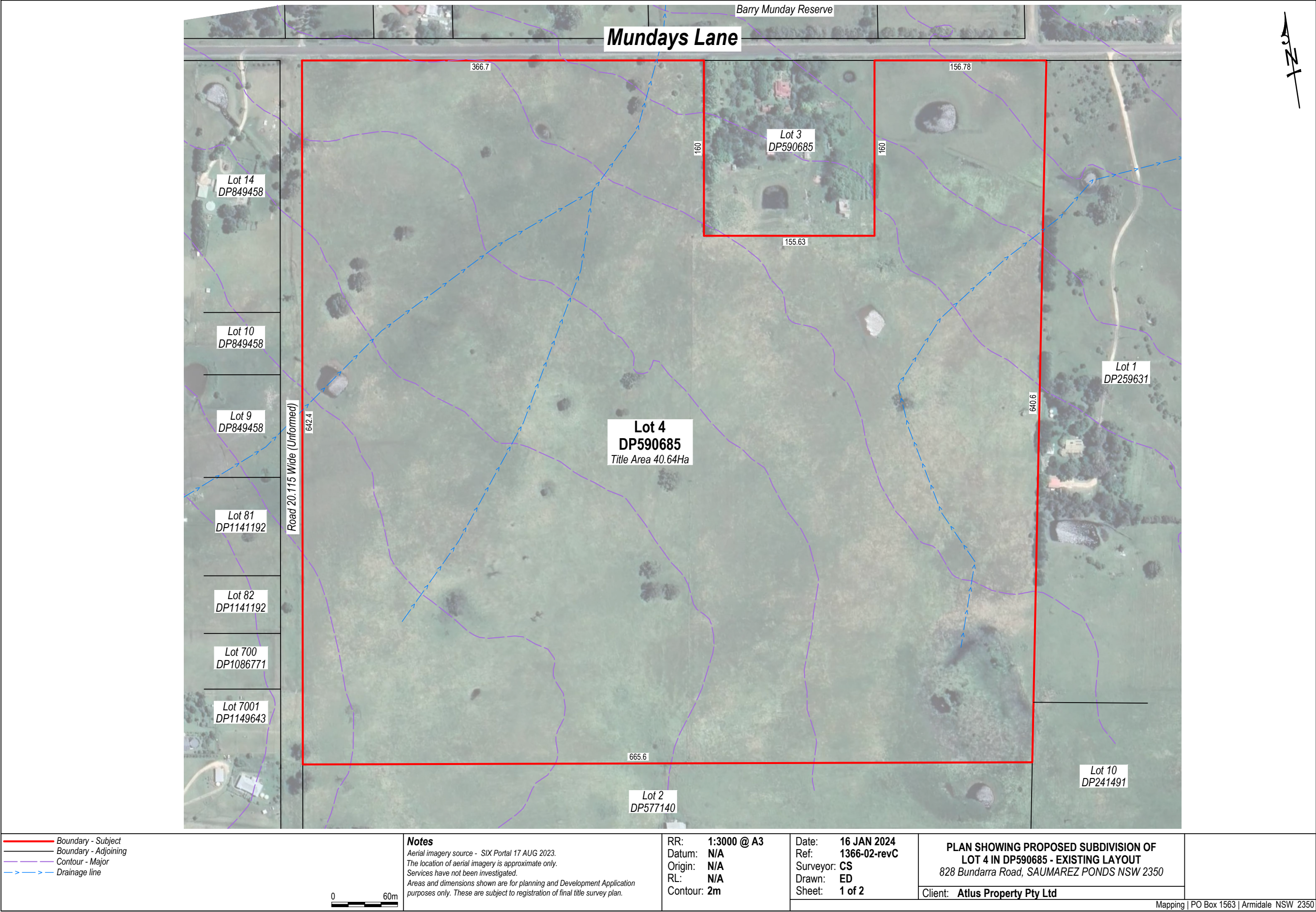
Nil

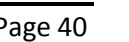
Performance Measures

Nil

Project Management

Nil







NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-57-2023 PAN-366976
Applicant	Matt Clarkson 3 Gregory Close, Tamworth NSW
Description of development	Nineteen (19) lot subdivision
Property	MUNDAYS LANE, SAUMAREZ PONDS 4/-/DP590685
Determination	Approved Consent Authority – Uralla Shire Council
Date of determination	TBD
Date from which the consent operates	TBD
Approval bodies that have given general terms of approval	TBD

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

(Insert Name)

Manager Development and Planning

Person on behalf of the consent authority

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	<p>Erection of signs</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ol style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— <ol style="list-style-type: none"> a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. <p>Condition Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
---	--

2

Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan number	Rev.	Plan title	Drawn by	Date of plan
Ref: 1366-02-rev B	C	Proposed Subdivision	Croft Surveying and Engineering	16 Jan 2024

Approved documents			
Document title	Version number	Prepared by	Date of document
Statement of Environmental Effects	A	NSW Development Project Management Pty Ltd	Undated
Koala Impact Assessment	N/A	Stephen Cotter	Undated
Biodiversity Assessment	N/A	Stephen Cotter	23 rd August 2023

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3

Application for Subdivision Certificate

An Application for a Subdivision Certificate is to be submitted via the NSW Planning Portal, with all relevant documentation and plans, including a statement of how each of the conditions has been satisfied.

Details of any staging, compliance with relevant consent conditions, and all required easements, positive covenants and restrictions as to user are to be included on the documentation submitted for a Subdivision Certificate for the subject lots.

Condition Reason: To ensure that the relevant consent requirements are addressed.

4	<p>Staging (If required)</p> <p>Any staging of the subdivision and staging of related works/infrastructure required under this consent, is to ensure that each stage addresses all relevant conditions of this consent and is self-sufficient in terms of servicing, facilities and functionality. Details of any staging, compliance with relevant consent conditions, and all required easements, positive covenants and restrictions as to user are to be included on the documentation submitted for a Subdivision Certificate, to ensure that the relevant consent requirements are addressed.</p> <p>Details of any staging plans and any proposal (i.e. surveyor plans) to amend the proposed lot numbering for the subdivision, may be required to be the subject of an application for the modification of this consent, if necessary, to ensure that the consent properly reflects the manner in which the subdivision is to be implemented.</p> <p>Condition Reason: To ensure the development proceeds in an acceptable manner.</p>
---	---

Before issue of a Subdivision Works Certificate

5	<p>Application for Subdivision Works Certificate</p> <p>In accordance with the provisions of Section 6.12 and 6.13 of the <i>Environmental Planning and Assessment Act 1979</i>, works approved by this consent must not commence until:-</p> <ul style="list-style-type: none"> a) a Subdivision Works Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the "Principal Certifying Authority"; b) a Principal Certifying Authority has been appointed and Council has been notified; and c) at least two (2) days' notice has been given to Council of the intention to commence work. <p>The documentation required under this condition must show that the proposal complies with all development consent conditions and is not inconsistent with the approved plans.</p> <p><i>ADVISING: Either Council or an Accredited Certifier can act as the Principal Certifier.</i></p> <p>Condition Reason: To ensure the development proceeds in an appropriate manner.</p>
---	---

6	Road Naming
	<p>Suggestions (and reasons) for the names of new road(s) shall be submitted with an application for a Subdivision Works Certificate for the development.</p> <p>Proposed new road name(s) should not be included on Title Plans submitted to Council with an application for a Subdivision Certificate, until such time as the name of any new road(s) has been approved by Council and other relevant authorities.</p> <p>Street name signs and posts are to be erected in accordance with Council's Engineering Code, at the cost of the developer.</p> <p><i>ADVISING: The Geographical Names Board of NSW favors names with historical, zoological, botanical or geographic association with the locality. Council can provide advice on appropriate names on request.</i></p>
	Condition Reason: To ensure the proposed new road is appropriately named.
7	Work on Council Land (s138)
	<p>For all construction work on Council land, the developer is required to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority, which will incorporate seeking any necessary approvals for work in road reserves under the Roads Act 1993. The relevant work requires under this consent includes:-</p> <ul style="list-style-type: none"> • Provision of new driveway crossover to each of the proposed new lots to the satisfaction of Council. <p>Details shall be in accordance with Condition 10 of this consent with regards to development standards.</p> <p>Details shall be approved prior to the issue of a Subdivision Works Certificate.</p>
	Condition Reason: To facilitate lawful access to the approved lots.
8	Road Design

	<p>Road design to be in accordance with Armidale Regional Council's Engineering Code D1 Geometric Road Design, and additionally, driveway crossovers shall meet Standard Drawing 030-073 (Sheet 1 of 2) and the following requirements:</p> <ul style="list-style-type: none"> • Driveway crossovers are to be concrete or bitumen seal from the road to the property boundary; • Driveway crossovers for Lots 1, 2, 14 & 19 are to be located to achieve optimal site distances along Mundays Lane; • Concrete piped culverts with standard concrete headwalls are to be constructed where required at suitable locations relative to the shoulder drain and clear of the edge of the road carriageway. <p>Plans demonstrating compliance with the above matters to be provided to the relevant Certifying Authority for approval before the issue of a Subdivision Works Certificate for the development.</p> <p>Condition Reason: To ensure that new lots have lawfully constructed access.</p>
9	<p>Stormwater</p> <p>Before the issue of a Subdivision Works Certificate, details for all proposed stormwater drainage works required for the development are to be submitted for approval by Councils Development Engineer. Designs are to comply with Councils relevant Engineering Standards.</p> <p>In the instance that the existing infrastructure does not have capacity to accommodate the discharge from the site without causing adverse impacts to Mundays Lane and Ferris Lagoon, the applicant will be advised and have the opportunity to provide a contribution to the upgrade of such infrastructure or provide stormwater detention basins for the development. Details of stormwater drainage works will have to indicate how the development will drain to these basins.</p> <p>Title Plan submissions are to confirm easement details including the function, form, size and levels of essential earth or other surface works including flood ways, to help ensure the permanency and designed operation of any stormwater drainage infrastructure.</p> <p>Condition Reason: To ensure that stormwater and overland flow is adequately managed and does not impact Mundays Lane or Ferris Lagoon.</p>

10	Erosion and Sediment Control Plan
	<p>Before the issue of a Subdivision Works Certificate, an Erosion and Sediment Control Plan (ESCP) and accompanying specifications for the construction phase of the works shall be submitted to and approved by the relevant Certifying Authority or Council (where a certifier is not required).</p> <p>The approved ESCP controls shall be implemented, inspected and approved prior to the commencement of any site works and maintained for the life of the construction period and until revegetation measures have taken hold. The ESCP shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) Provision for the diversion of runoff around disturbed areas; b) Location and type of proposed erosion and sediment control measures; c) Location of and proposed means of stabilisation of site access; d) Approximate location of site sheds and stockpiles; e) Proposed staging of construction and ESCP measures; f) Clearance of sediment traps on a regular basis and after major storms; g) Proposed site rehabilitation measures, including seeding of all bare un-grassed areas and turfing where erosion or scouring is likely to occur; h) Standard construction drawings for proposed erosion and sediment control measures. <p>Furthermore, the proposal may directly remove/ modify areas of habitat for flora and fauna species. There is also potential to impact on habitats outside the Project Site indirectly through sedimentation during construction. As such, the following prescribed mitigation measures are to be included in the ESCP for the development and implemented during all construction works for each stage to minimise such impacts.</p> <p>Mitigation measures to reduce soil erosion and pollutant run-off during construction activities are to include:</p> <ul style="list-style-type: none"> a) Installation of erosion and sediment control measures prior to any work; b) Regular inspection of erosion and sediment control measures, particularly following rainfall events, to ensure their ongoing functionality; and c) Stockpiling of materials is not permitted adjacent to native vegetation, but instead use areas that are already cleared/ disturbed. d) Undertake maintenance of silt fences and other mitigation measures to isolate runoff. <p>Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways during the construction phase.</p>

11	Construction Site Management Plan
	<p>Before the issue of a Subdivision Works Certificate, a construction site management plan must be prepared, and provided to the Principal Certifier or Council (where a certifier is not required). The plan must include the following matters:</p> <ul style="list-style-type: none"> a. The location and materials for protective fencing and hoardings; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones; d. Details of construction traffic management including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds (if required); g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p>
	<p>Condition Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>

Before subdivision work commences

12	Erosion and sediment controls in place
	<p>Before any site work commences, Council must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p>
	<p>Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>

During subdivision work

13	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> a. for a relic – the Heritage Council; or b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. <p>Condition Reason: To ensure the protection of objects of potential significance during works.</p>
14	<p>Engineering Work</p> <p>All Engineering works to be designed by a competent person and carried out in accordance with Council's Engineering Code suite, unless otherwise indicated in this consent.</p> <p>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.</p> <p>Condition Reason: To ensure that these works are of a sustainable and safe standard.</p>
15	<p>Hours of Work</p>

	<p>The hours of construction work are to be restricted to between 7.00am and 6.00pm on Monday to Friday and 8.00am to 1.00pm on Saturdays, to maintain the amenity of the locality.</p> <p>Any proposed construction work to be undertaken outside these hours or on Public Holidays must be the subject of prior written agreement from Council - consideration may be given to special circumstances and non-audible work if applicable.</p> <p><i>ADVISING: Breaches of this condition may result in the issuing of a Penalty Infringement Notice or prosecution.</i></p>
	Condition Reason: To protect neighborhood amenity.
16	Control of Dust
	<p>Effective dust control measures to be maintained during construction to maintain public safety/amenity and construction activities are to be restricted solely to the subject site.</p> <p>Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.</p>
	Condition Reason: To protect the neighborhood amenity from the effects of dust.
17	Civil Works
	<p>No storage of building materials, soil or equipment is to occur on Council's property or roads without the written consent of Council or nominee. No unfenced, potentially dangerous activity or material to be located in close proximity to the boundary or road reserve adjoining the site. No unsupervised transit of plant, equipment or vehicles across public areas or other obstruction of those areas is permitted.</p>
	Condition Reason: To protect public safety.

Before issue of a Subdivision Certificate

18	Fencing
	<p>Before the issue of a Subdivision Certificate, the developer shall provide a dog/stock proof fence to the lot boundaries (not including front boundaries).</p> <p>All boundary fencing is to be of an open, rural style fence comprising wire, post & rail, or similar and but not metal panel fencing (colorbond).</p>

	Condition Reason: To ensure an adequate standard of fencing to is provided to the proposed new lots and for boundary delineation.
19	Splay Corners
	Before the issue of a Subdivision Certificate, details are to be provided to Council for the public dedication of splay corners 5m x 5m at the intersection of the new internal road and Mundays Lane.
	Condition Reason: To improve traffic safety and visual appeal of the development.
20	Repair of infrastructure
	Before the issue of a Subdivision Certificate:
	<ul style="list-style-type: none"> a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or b) if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.
	Condition Reason: To ensure any damage to public infrastructure is rectified.
21	Telecommunications/Electricity Supply
	Before the issue of a Subdivision Certificate, written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of telecommunications and electricity services to the development, are to be submitted to the Principal Certifier or Council.
	The location of any new pole or ground mounted substation for the development is to be confirmed with and approved by Council.
	<i>ADVISING: Such infrastructure shall be located within the property where feasible and positioned such that it does not impede the movement of pedestrians with vision impairment.</i>
	Condition Reason: To ensure the development does not unreasonably interfere with the aesthetics or functionality of the development or adjoining public road/s.
22	Completion of Works

	<p>For the avoidance of doubt, conditions of this consent requiring any of the following to be carried out:</p> <ul style="list-style-type: none"> • Earthworks • Stormwater drainage • Erosion and sedimentation control • Road Construction • Road Naming (including new road signage) • Driveway Crossovers • Fencing <p>Are to be completed and inspected by the relevant Certifying Authority prior to the issue of a Subdivision Certificate.</p> <p>Condition Reason: To ensure adequate provision of services and utilities to the development.</p>
23	Title restrictions/covenants
	<p>Appropriate title restrictions/covenants shall be created in relation to the following matters and submitted with an application for a Subdivision Certificate for the development:-</p> <ul style="list-style-type: none"> a) Restriction on the ownership or accommodation of dogs by the residents of any lot, given the rural residential nature of the locality which includes farming enterprises with livestock i.e. dogs kept on the proposed lots are to be housed within a suitable enclosure to prevent the dogs from escaping from the property, consistent with the NSW Companion Animals Act 1998; b) Restriction to ensure all boundary fencing is open, rural style fencing comprising wire or post & rail (or similar). Furthermore, that colorbond fencing is prohibited; c) Right of carriageway (variable width) for pedestrian and emergency vehicle access over 13 and 14 between Mundays Lane and internal road as indicated in approved plan (Rev C); and d) Any utility easements, as required.
	Condition Reason: To ensure appropriate title restrictions are applied to the new lots.
24	Section 7.12 Contributions
	<p>Prior to issue of a Subdivision Certificate, a contribution is to be paid to Council towards the provision or improvement of public facilities (as per USC's section 7.12 Contributions Plan 2021).</p>

Proposed Cost of Development *	Levy Percentage	Total Contribution	Note
\$907,500.00	1%	\$9,0750.00	<i>Contribution Rate remains current until first date of next quarter</i>
<p>*Proposed cost of carrying out the development.</p> <p>Contributions are indexed quarterly at the beginning of each new quarter.</p> <p>Condition Reason: To assist with provision of appropriate public facilities and to maintain and enhance amenity and service delivery within the Uralla Shire.</p>			

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent

authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means URALLA SHIRE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision work certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Northern Regional Planning Panel.

Development Assessment Report

EP&A Act 1979 – 4.15 Evaluation

DA Number: DA-57-2023 **Council:** Uralla Shire Council

Location: Munday Lane, SAUMAREZ PONDS

Development Description: Nineteen (19) Lot Subdivision

Title Details: Lot: 4 DP: 590685

Property Details/History

	Checked	Comments
File History	Yes	A search of Councils electronic records did not find any other Development Applications that apply to Lot 4 DP 590685.
Title Plan	Yes	There are no easements or title restrictions that apply to Lot 4 DP 590685.
Check Ownership	Yes	Owners consent has been signed for the proposed subdivision.

The Site

Lot 4 DP 590685 has a total area of 44.97 hectares and is zoned R5 Large Lot Residential under the Uralla Local Environmental Plan (LEP) 2012. The land is mostly cleared of remnant vegetation and comprises improved pastures for grazing. Access to the site is via Munday Lane which connects to Dumaresq Road and Bundarra Road.

The land is not mapped as containing any planning constraints and is not identified as bushfire prone land by the NSW Rural Fire Service.

Adjoining land to the east, south and west is also zoned R5 Large Lot Residential and land to the north, being Ferris Lagoon, is zoned RU2 Rural Landscape.



Figure 1. The Site (Lot 4 DP 590685)

The Proposal

Council approval is sought for nineteen (19) lot residential subdivision of Lot 4 DP 590685. The proposed new lots will vary in area from 2.01 hectares to 2.37 hectares in accordance with the minimum lot size provisions under the Uralla LEP 2012.

Access to the proposed new lots will be via Munday's Lane or a new cul-de-sac road which also connects to Munday's Lane.

Each of the proposed new allotments will be serviced by OSSMS (subject to separate s68 approval) and rural water supply. Each lot will be connected to mains electricity and NBN wireless technology is readily available to the area.

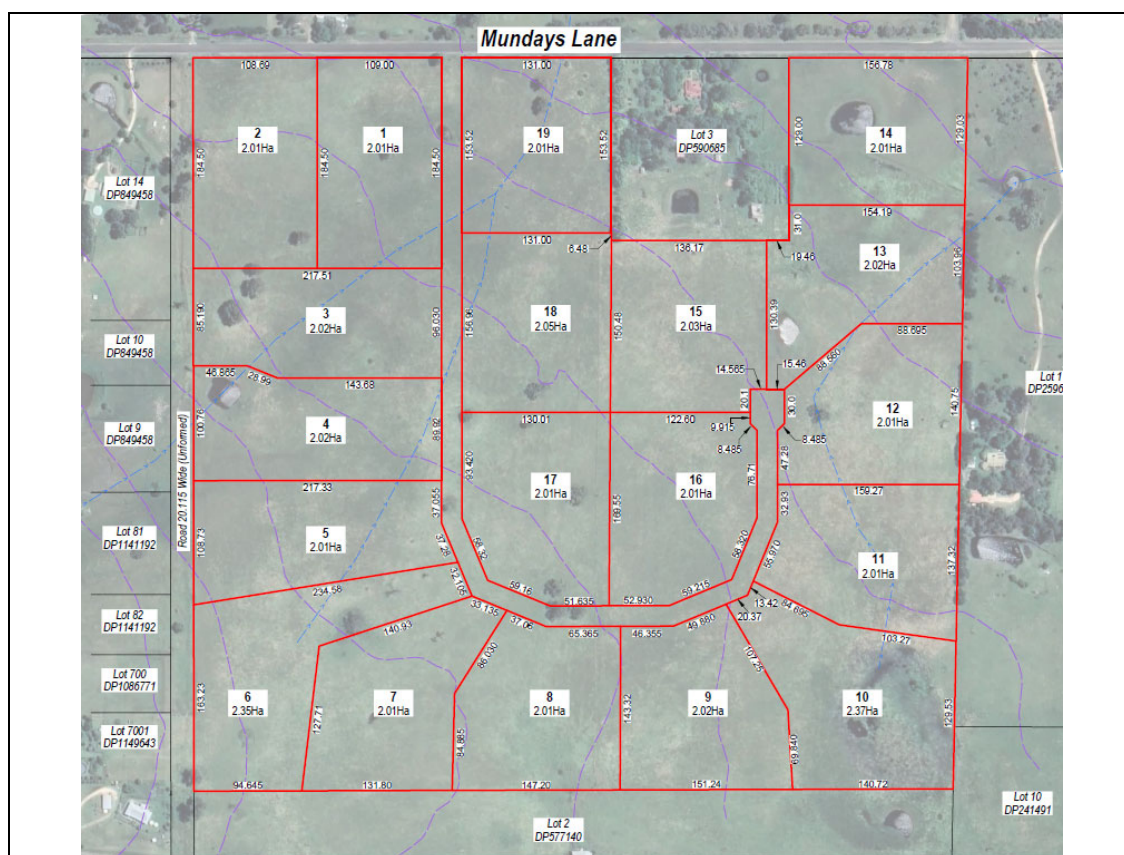


Figure 2. Proposed Lot Layout

Notification

The proposal was neighbour notified with the closing date for submissions being 28 September 2023. Twelve (12) unique submissions were received regarding the proposed development. The matters raised are addressed in the report following.

Biodiversity Conservation Act 2016 & Fisheries Management Act 1994

Section 1.7 - Application of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994

Section 1.7 Section 1.7 of the EP&A Act identifies that Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

Consideration was given to these provisions where it was considered that the proposed development:

- Is not mapped on the NSW Biodiversity Values Map;
- Does not occur in an Area of Outstanding Biodiversity Value;
- Is unlikely to significantly affect any threatened species; and
- A Biodiversity Development Assessment Report (BDAR) is not required.

Furthermore it is considered, as it is not an aquatic environment, that further assessment under the Fisheries Management Act 1994 is not warranted in this instance.

Uralla Local Environmental Plan 2012

Section 4.15(1)(a)(i) – Environmental Planning & Assessment Act 1979

This land is zoned: R5 Large Lot Residential

Subdivision of land for residential purposes is permissible with consent and the proposal complies with the aims and objectives of the R5 Large Lot Residential zone which seek:-

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality,
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future,
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities, &
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

<u>List the relevant clause/clauses applicable under the LEP</u>		
Clause	Compliance	Comment
4.1 Minimum Subdivision Lot Size	Yes	Proposed lots 1 to 19 meet the minimum lot size requirements for subdivision under the ULEP 2012.

6.4 Essential services	Yes	<p>Council is satisfied that the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required-</p> <ul style="list-style-type: none"> • The supply of water (rural water supply) • The supply of electricity • The disposal and management of sewerage (OSSMS) • Stormwater drainage or on-site conservation, & • Suitable road access.
------------------------	-----	--

There are no other requirements under the Uralla LEP 2012 that are relevant or require discussion.

Development Control Plan

Section 4.15(1)(a)(iii) – Environmental Planning & Assessment Act 1979

Does Uralla DCP 2011 apply to this land/proposal?

Yes

Chapter 2.7 Subdivision in Large Lot Residential Areas (R5)

The Uralla DCP 2011 identifies land that has been zoned for rural residential purposes (ie R5 Large Lot Residential) has been assessed as being generally suitable for such purposes. However, there are still a number of factors which must be considered before subdivision and further development of the land can proceed. This section addresses these factors.

Clause	Compliance?	Issue
2.7	Yes	<p>New roads created by the subdivision shall be constructed and sealed according to Council's technical specifications.</p> <p><i>It is proposed to construct approximately 1km of new road to service the new allotments. The proposed road is a cul-de-sac design which connects to Mundays Lane. As a condition of consent, the proposed new road is required to be constructed in accordance with the road specifications under the Armidale Engineering Code. Council is satisfied that the proposed new road can be designed and constructed in accordance with the minimum requirements.</i></p>
2.7	Yes	<p>Council may require that a traffic study to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision.</p> <p><i>Due to the total lot yield being just 19 allotments and relatively minor increase in traffic, no traffic impact assessment was required for the assessment of the proposal. Further, the existing road infrastructure on Mundays Lane, Dumaresq Road and Bundarra Road is deemed to be a suitable design and standard to accommodate the anticipated increase in traffic resulting from the development.</i></p>
2.7	Yes	<p>Council may require that existing roads be upgraded to a suitable standard to cater for any expected increase in traffic.</p>

		<i>As noted above, the existing road infrastructure surrounding the development is deemed to be adequate for the development and accordingly no road upgrades, aside from new access road, are required.</i>
2.7	Yes	<p>Property accesses must not be constructed at points which present traffic difficulties in terms of sight distance, or construction difficulties in terms of stable earthwork slopes in cut or fill batters. They must be in accordance with Council's technical specifications and may require concurrence of the RMS in some circumstances.</p> <p><i>Due to the topography and nature of this section of Munday's Lane, adequate site distance can be achieved in both directions for traffic entering and exiting the proposed new cul-de-sac. Munday's Lane is a local road and the application was not required to be referred to RMS.</i></p> <p><i>As a condition of consent, the developer will be required to construct new accesses to each proposed new allotment, subject to separate s138 approval by Council. The design and nature of the proposed new accesses will be assessed at the time of lodging a s138 application and are not anticipated to have any compliance issues in terms of sight distance or earthworks.</i></p>
2.7	Yes	<p>All prominent hilltops and ridges are to be preserved.</p> <p><i>The proposed development is not situated on a hilltop or ridgeline.</i></p> <p>Subdivisions should be designed so as to:-</p> <ul style="list-style-type: none"> • Exclude roads, powerlines and other services and amenities from hilltops, • Exclude dams and other earthworks from hilltops, • Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment, & • Any clearing of vegetation for fence lines, building site, access tracks and asset protection zones shall be undertaken to comply with the provisions of the Local Land Services Act 2013 and the Biodiversity Conservation Act 2016 <p><i>As noted above, the proposed development is not situated on a hilltop or ridgeline.</i></p> <p><i>While there are no tanks proposed as part of the subdivision, it is acknowledged rainwater tanks for rural water supply will be conveniently situated near future buildings to capture roof water.</i></p> <p><i>Impacts to from clearing for building envelopes, fencelines, roads etc are contained in the Biodiversity Impact Assessment for the project and are discussed further below.</i></p>
State Environmental Planning Policy		

Is this proposal affected by a SEPP?

Yes

Comment:

List all relevant SEPPs		
SEPP	Compliance	Comment
SEPP (Biodiversity and Conservation) 2021 (Koala Habitat Protection) 2021 2020	Yes	<p>The proposed development shall avoid any direct loss of vegetation and will not fragment any existing patches of mature vegetation.</p> <p>The boundary fencing for the individual lots shall avoid the use of barbed wire strands and allow the free movement of koalas through the property and towards areas of established vegetation to the west and southwest of the property.</p> <p>The proposed development will have no or little direct impact on any movement of koalas within the Uralla - Invergowrie area and further assessment is not required in this instance.</p>
SEPP Resilience and Hazards	Yes	<p>Lot 4 DP 590685 is not listed on the contaminated land register and there is no noticeable evidence of soil contamination or potential sources of contamination at the site.</p> <p>No further investigation is deemed necessary under SEPP R&H.</p>

Environmental Impacts

Section 79c(1)(b) – Environmental Planning & Assessment Act 1979

Does this proposal have any potential environmental impacts?		Yes/No
	Impact	Comment
Siting & Configuration	No	While no dwelling envelopes have been identified however there is adequate area for a future dwelling to be located upon each of the proposed new allotments which meets setback requirements and provides a suitable level of privacy between dwellings. The proposed development is considered acceptable in terms of siting & configuration.
Amenity	No	Due to generous setbacks to existing neighbouring dwellings there is no likely impact from the development in terms of amenity.
Water	No	<p>A standard condition will apply for erosion and sedimentation control measures to be in place during construction (Blue Book), otherwise there will be no adverse impacts to water quality.</p> <p>Wastewater will be disposed on-site and will be subject to separate s68 approval for OSSMS. It is considered any wastewater impacts would be confined wholly within the relevant lot boundary.</p>

Air	No	A standard condition will apply for dust suppression during construction; otherwise there will be no adverse impacts to air quality.
Noise	No	Noise impacts from the development would be during the construction period only and would be subject to restricted hours in-line with industry requirements. Nil impacts likely in terms of noise.
Flora	No	The site can be described as a highly modified landscape with introduced pasture species for grazing. The area has been extensively grazed in the past and no longer provides suitable habitat for endangered shrubs and grasses endemic to the New England (including Blue Grass). The proposed development is unlikely to impact endangered species of flora.
Fauna	No	The site is mostly cleared therefore the absence of suitable canopy trees and limited connectivity to areas of vegetation and waterways, restricts the potential for native fauna, including koala populations, from occurring at the site.

Bush Fire Prone Land

Section 4.15(1)(b) – Environmental Planning & Assessment Act 1979

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

Comment:

Has a Bush Fire management Plan been Prepared? No

Infrastructure

Has an engineering assessment been completed? Yes/No

Does this proposal have any potential infrastructure impacts? Yes/No

	Impact	Comment
Sewer	No	Wastewater will be disposed onsite and would be subject to separate s68 application. Wastewater from new dwellings would be contained wholly within the lot boundaries.
Water	No	Water supply would be via rural water supply. There are no minimum requirements for rain water storage however NSW Planning for Bushfire Protection requires minimum 20,000L reserve and STORZ fittings on rainwater tanks.
Access	No	Adequate arrangements can be made for access to the proposed new allotments.
Kerb & Gutter	No	N/A

Upgrade Existing Road	No	Mundays Land and Dumaresq Road are bitumen sealed. No road upgrades are required for the proposed subdivision.
Road Network	No	The existing road network can readily facilitate the proposed increase in traffic. Vehicles will turn onto Bundarra Road and either head east to Armidale or west to Bundarra/Inverell.
Electricity	No	The proposed new lots will be connected to electricity in consultation with the relevant supply authority. A condition of consent will apply.

Does the development require any new easements? Yes

Comment: Easements will apply for electricity infrastructure.

Has an Erosion and Soil Control Plan been submitted? No

Comment: As a condition of consent the proponent is required to design and implement appropriate erosions and sediment controls for the construction phase of the development.

Developer Contributions

Section 7.11 – Environmental Planning & Assessment Act 1979

Does this proposal require any Developer Contribution? Yes

Is the contribution for a subdivision? Yes

Is the contribution for a special purpose relating only to this proposal? No

Comment:

List Contributions:

Contribution Plan	Levy	Comment
Uralla Shire Council Section 7.12 Development Contributions Plan – Fixed Levy	Levy payable = 1% of the CIV	Based on the nominated value of works being \$907,500.00 for the project, section 7.12 contributions are calculated at \$9,075.00. * If the contributions are not paid within the financial year in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment (CPI adjustment).

Is there any other issue that requires notation? No

Comment:

Notification

Section 4.15(1)(d) – Environmental Planning & Assessment Act 1979

Was this application notified? Yes

Is this application an advertised development application? No

Were there any written submissions received? Yes

If Yes, what was the number of submissions received? Twelve (12)

Issue	Comment	Resolved?
<p>Riparian Drainage (Ferris Lagoon)</p> <ul style="list-style-type: none"> - Riparian Protected Areas - Surface Water - Subsurface Water - Water Quality Treatment - Waterlogging - 	<p>The proposed subdivision and subsequent dwellings are exempt from Controlled Activity Approvals under the provisions of Clause 29 of Schedule 4 of the Water Management (General) Regulation 2018.</p> <p>As such, referral/concurrence from NRAR is not necessary or required for the development to proceed.</p>	Y
<p>Ecological Issues</p> <ul style="list-style-type: none"> - Endangered Ecological Communities - Migratory Species - Threatened Species - Wildlife corridors - Chemical runoff 	<p>The biodiversity impact assessment was completed by a suitably qualified ecologist with an extensive history in providing such reports to Council. Recommendations contained in the report can be easily accommodated and generally were proposed by the applicant prior to the report being prepared. There are no Endangered Ecological Communities on the site and the land is not identified on the NSW Biodiversity Values mapping.</p> <p>The development does not trigger the Biodiversity Offsets Scheme threshold test and as such a BDAR is not required.</p>	Y
<p>Traffic & Access</p> <ul style="list-style-type: none"> - Current Conditions - Traffic Generation - Overall Traffic Issues - Speed limit of local road network - Lights from vehicles at night 	<p>The Armidale Engineering Design Codes used by Council's engineering directorate require roads with up to 100 equivalent tenements and 400 vehicle movements per day to have a 6m seal, as provided on Mundays Lane.</p> <p>With an estimated 7.4 vehicle movements per day per tenement (NSW Transport Roads and Maritime Technical Direction - Traffic Generating Developments), Mundays Lane has ample capacity to accommodate the proposed additional 19 lots.</p>	Y
<p>Bushfire Risk</p>	<p>The land is not mapped as bushfire prone in the NSW RFS bushfire prone land mapping. Accordingly the proposed</p>	Y

	development is not integrated development and there are no further requirements or condition under Planning for Bushfire Protection 2019. Further to this, there are no significant areas of remnant vegetation within proximity to the site.	
Management of pets, ie barking dogs	A condition of consent will apply that a restriction is placed on the new titles for the keeping and restraining dogs. Otherwise, barking dogs are controlled and regulated under the LG Act.	Y
Noise Impacts - Construction phase - Operational phase	A condition of consent will apply that noise impacts during the construction phase are limited to industry hours. It is considered there would be no unreasonable adverse impacts from the development during the operational phase.	
Privacy Impacts	Due to generous lot sizes and setbacks between dwellings, it is considered there would be little to no impact in terms of privacy.	Y
Increased waste & garbage services	The proposed cul-de-sac will be designed to allow for a garbage truck to safely and effectively stop and turn around (in a forward direction).	
Ground water & domestic bores	No bores or groundwater drilling is proposed as part of the development. Rural water supply for future dwellings would be via rainwater tanks capturing roof water from buildings. Adequate provision of rural water supply for residents can be made by means of rainwater tanks. Nonetheless, bores for stock and domestic purposes is restricted under section 52 of the <i>Water Management Act 2000</i> .	Y
Agricultural land impacts	The loss of just 44.97 ha of agricultural land does not warrant refusal of the Development Application, given the land is already zoned R5 Large Lot Residential.	Y

Lot sizes	The land zoning and lot size was identified in strategic planning studies undertake to facilitate implementation of the standard instrument, which is now identified as the Uralla LEP 2012.	Y
Climate change	The proposed development is not likely to have any impact in terms of climate change.	Y
Economic benefits to ARC	<p>The proposed development would result in additional rates to be collected by USC which in turn increases Council revenue.</p> <p>While it is acknowledged residents would likely work and shop in ARC, Invergowrie village would also benefit in terms of increased patronage to Invergowrie Store.</p> <p>Further, with changing nature of Australian workplaces, some residents could take advantage of WFH arrangements.</p>	Y
The design not pedestrian-friendly or bicycle friendly.	Generally agree that the proposed design does not promote cycling or walking tracks, nonetheless this does not warrant refusal of the application. Furthermore there is no trigger in Councils Development Standards or Policies that would require provision of cycling or walking tracks.	Y
Noxious weeds	It is considered that development of the site would assist in the control and eradication of weeds which were identified such as blackberry and St Johns Wart.	Y
Impacts to Barry Munday's Reserve	<p>Development of the site and creation of 19 additional residential lots would result in funding opportunities to upgrade public facilities at the reserve through the collection of section 7.12 contributions. This is generally considered a positive impact.</p> <p>Otherwise, a condition will apply to the development that stormwater systems are designed and implemented to ensure no adverse impacts to the lagoon and its surrounding riparian areas.</p>	Y

Changing social dynamics, ie lifestyles, disputes etc	Not a matter for consideration in a development assessment report (Section 4.15 EP&A Act)	N/A
Aesthetic Impacts <ul style="list-style-type: none"> - New development may not blend with existing architectural styles or character - Impacts to views of Mt Duval from Marble Hill Road 	Architectural building style would be assessed at the time of developing the land for residential use. The developer can impose restrictions on the title to ensure building materials are new and that no second hand relocatable homes are placed within the subdivision. The proposed development would not impact on views of Mt Duval from Marble Hill Road.	Y
Property values	Not a matter for consideration in a development assessment report (Section 4.15 EP&A Act).	N/A

Section 88b Instrument

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

A condition of consent will apply that appropriate restrictions and covenants are placed on the newly created titles.

Public Interest

Section 79c(1)(e) – Environmental Planning & Assessment Act 1979

Does this proposal have any construction or safety issues? No

Comment: N/A

Is there any public health issues? No

Comment: N/A

Are there any other public interest issues? No

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies or guidelines that have been considered in this assessment.

Site Suitability

Section 4.15(1)(c) – Environmental Planning & Assessment Act 1979

Is this a suitable site for this proposal? Yes

Council has previously determined that the site is suitable for the proposed development in re-zoning for the ULEP 2012. There are no aspects of the site to indicate that it would be unsuitable to accommodate the proposed development.

Assessing Officer General Comment

ASSESSMENT – KEY ISSUES

No issues warranting further detailed consideration have been identified.

Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of the approving the application. In that context it is recommended that Development Application DA-57-2023 for nineteen (19) lot subdivision of Lot 4 DP 590685, Munday Lane SAUMAREZ PONDS, be granted consent subject to the attached conditions.

Conclusion

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

From: noreply@opencities.com
Sent: Monday, 25 September 2023 9:23 PM
To: Council
Subject: Contact Council Submitted
Attachments: Uralla-Shire-development-objection-Saumarez-Ponds-subdivision-Mundays-Lane.docx

The following message was sent from the contact us form on our website: Reason for contacting Council Feedback

I am submitting an objection to a Development Application DA -57-2023. Please let me know if there is another way that a DA objection needs to be made, Thank you Louise Allen

The web site user supplied the following identifying information:

Given Name : Louise Allen (Mary Louise Allen)

Contact Information : [REDACTED]

The Reference Number generated for the web site user was : USCD-658

Objection to Development Application DA -57- 2023

Louise Allen (Mary Louise Allen)



25 September 2023

Objection to the proposed subdivision DA -57-2023 Lot 4 Munday Lane, Saumarez Ponds, to 19 x 2 hectare blocks.

Lot 4 Munday Lane, a 100-acre block is considered prime agricultural land with good soil and water.

3 or 4 years ago, the real estate business advertising the 3 separate holdings, (including Lot 4) described it as 'a once in a lifetime opportunity... to get prime agricultural land that had subdivision potential'.

Will Uralla Shire Council consider this subdivision in line with its goals for the future? Or will it be allowing the subdivision because of an expected financial gain from the development and future rate payers?

The following points are made against the proposed subdivision:

1. Permanent loss of prime agricultural land. This is a concern locally, and for NSW and nationally, that we do not reduce land that has agricultural value.
2. Drainage – must be considered with a particular note that Saumarez Ponds can live up to its name and become very wet and boggy. The basalt soil can literally take weeks to dry out and the water table sits at saturation levels, in the La Nina years.

How will the 19 driveways and solid surfaces, and many more building structures... impact the way water moves through the landscape and impacts neighbours.

3. Concerns for the future – re climate change. Despite the attractions of rural life- style blocks... if the Uralla Shire is to be an environmentally conscious one ... then setting up a new residential area, out of town, will mean up to 38 extra cars each week, (most on a daily basis), will be contributing more to emissions. Add to this the number of people who will want to mow most of their acreages.
4. Subdivision Entry -Point concerns. From the proposed plans, there will be a number of cars entering and leaving the Munday Lane entry point to the subdivision. Munday Lane and Dumaresq Road have been in poor condition on many, many occasions. Road safety at the intersections of these roads will have to become a priority. Not just a once- a -year response (after a request is put to council), but regular maintenance will be needed - so that visibility is maintained. The Bundarra Road has had a couple of fatalities in recent

years- related to the increased traffic and pressure on intersections, in high- volume traffic times. There is every reason to expect more pressure with additional road-users living in the district.

5. **Entry Point for Service vehicles:** for example the Garbage service. Will there be adequate space provided for the 38 bins which will need to be collected each week?
6. **Water:** provision especially for rural fire protection. During dry years, the Uralla water service provider drives to customers, in this area, on a daily basis. Will local bore water supplies be sustained to the future, with 19 new properties?
7. **Will the new subdivision bring business growth for the Uralla business community? Or will most of the subdivision residents support Armidale city? On the one hand much of the economic benefit of the new residents will only be seen in the collection of rates. A new subdivision will expect a higher standard of roads than is presently provided.**
8. **Environmental concerns.** Small - scale residential blocks in the area will negatively impact any prospects of planting green corridors. This 100 acre block, could make a significant positive contribution to the environment, if it was farmed with regenerative agricultural practices.
9. **Chemical run-off.** 19 extra small holdings will increase the use of chemicals in the environment. More garden chemicals are used in the presentation of gardens in urban landscapes. As this area is just near the lagoon, this is a big environmental concern.
10. **Pedestrian-friendly and bike-friendly environments.** Two goals for Uralla Shire. How will the subdivision be developed with these goals in mind?

From: [REDACTED]
Sent: Monday, 25 September 2023 9:21 AM
To: Council
Subject: Land development Munday's lane

I have tried to ring but didn't get a answer , I am wanting to lodge a disapproval for the development of the sub division on Munday's lane Application number DA 57-2023. I have concerns for the 2 blocks that are directly across from my house and possible driveway, They may cause headlights from cars to shine in on our house in the night , I also have several bird cages that will be defiantly affected by these lights at night this may cause then to take night frights and intern they can kill themselves with fright . I also have concerns that I and all the others on Munday's lane that we have only had less then 6 working days to go over this proposed plane as we only get the mail 3 days a week, We received this letter on the 20th of September , My address is [REDACTED]
[REDACTED] We moved here to be away from it all over 30 years ago , Now we face it directly across the road right in front of us, I dont this this is very fare and we are not happy with all of this going on , What do we need to do to lodge a objection about this , Regards Mark Porter 25/09/2023

From: [REDACTED]
Sent: Thursday, 28 September 2023 9:35 AM
To: Council
Subject: Re sub division DA-57-2023

To whom it my concern, Further to my last email . I have forgotten to add that being a permit fire officer with the RFS for our local area , That I can see there are great concerns for the lack of a fire escape rout with only one road in and out , If A fire comes from a north east direction there is no escape, Can this also be added to my objection email to please , Regards Mark Porter [REDACTED]

From: [REDACTED]
Sent: Tuesday, 26 September 2023 5:06 PM
To: Council
Subject: Objection to DA-57-2023
Attachments: Uralla Shire Submission DA-57-2023 2023-09-26.pdf

Hello

Attached PDF is a submission on DA-57-2023 regarding the subdivision of land on Munday's Lane, Saumarez Ponds. My objections and reasons are outlined in the submission.

Please notify me if I need to send this document to an alternative email. I believe the cut-off for submissions is Wednesday 27-Sep-2023.

Kind regards

Jamie Allen
[REDACTED]

**Submission to Uralla Shire Council on DA Application DA-57-2023
Lot 4 in DP590685 - Munday Lane, Saumarez Ponds**

I oppose the Development on the basis it:

- is excessive for the area as it adds 100% more houses to the Munday Lane area
- is destroying valuable farm land.
- Sets a precedent for future subdivision of valuable farm land
- Has no allowance to restore or improve the existing environment or develop wildlife corridors.
- Is proposed by out-of-area developers. These developers have only recently listed the companies with ASIC and have no prior history in sub-divisions or developments.

Jamie Allen, 55 Dumaresq Rd, Saumarez Ponds NSW 2350 Mobile 0409 467 451

Discussion

The Uralla Shire Council "Local Strategic Planning Statement" (LSPS) has four key strategic directions of:

Productivity / Liveability / Sustainability / Infrastructure (LSPS, page 1).

What LSPS Strategic Directions are covered in this DA?

Category	Discussion	Outcome
Productivity	"Land suitable for agricultural production is a valuable, finite commodity that is to be managed to ensure its long-term protection for future generations." (LSPS Item 5.1, page 19). This DA has 40 ha of productive farming land being converted into 2 ha house blocks.	Fail
Liveability	19 (+1 existing) house blocks within a 40 ha area. Is this the country lifestyle dream? Will Council have an effective neighbour disputes resolution mechanism in place?	Fail
Sustainability	Condenses black water effluent in a known wet area that drains into a wildlife lagoon.	Fail
Infrastructure	Allowance for wildlife corridors or greening area for climate change.	Fail
	Stretches existing power/phone/internet/water/road infrastructure. No infrastructure proposed in the general area for 19 dwellings DA.	Fail

Will this DA make this area (Saumarez Ponds) "a better place to live?"

This should be the over-riding question that Council needs to answer for any DA. It relates directly to the four key strategic directions in the LSPS. If the DA does NOT meet these strategic directions, then the DA should be rejected.

Defects of the DA that need to be considered.**Proposed development is excessive.**

Subdividing 19 lots in one 40 ha area is excessive. It is like developing a 20 storey tower block in an area of single storey houses. The only criteria that the DA seems to “meet” is the access road and >2 ha lots.

The existing house (Lot 3 DP590685) will finish up with 5 common boundary neighbours.

There are 17 existing houses on Munday Lane between Dumaresq Road and Marble Hill Road. This one subdivision development more than doubles the number of houses on this quiet lane.

In fact there are currently 40 dwellings within the larger area bounded by Bundarra Rd/Dumaresq Rd/ Munday Lane/Marble Hill Rd. This one development would increase the larger area in-fill by 50%!

Loss of valuable farm land.

“Land suitable for agricultural production is a valuable, finite commodity that is to be managed to ensure its long-term protection for future generations.” (LSPS, item 5.1, page 19).

The “Kerribee” property (828 Bundarra Rd) is currently run as a 95 ha cattle and hay property. This development does not meet Council’s own LSPS criteria for item 5.1.

Once this 40 ha is cut off the larger property, the remaining property will be prime subdivision land. Hence this one DA effectively affects 95 ha – not 40 ha.

Precedent.

If this subdivision is approved, how does Council stop further subdivision of farm land when this DA has set the precedent? How many more latent/sleeper DA applications are hidden in the Uralla Council files within this area? How many more will be approved? Will the current DA become a precedent for future applications? Will the current residents have any say in how the area is developed? After the Macleay Way Saumarez Ponds Estate development some years ago, the “Uralla Shire Council” at the time said “they would never allow this type of development again”

Wildlife corridor / greening New England / Environmental Development

Simple and effective ways to improve liveability could be through creating more shade areas. Given the Uralla Shire’s climate there is an emphasis on the need to plant trees and build other shade structures in areas such as playgrounds or sporting fields. Tree and other plantings have multiple benefits of providing protection from the sun and to some extent rain and wind, whilst providing a more visually appealing streetscape, reinforcing environmentally sustainable practices, providing focal points for resting or pedestrian spaces and creating microclimate improvements. (LSPS page 34.)

The protection of the Shire’s environmental assets and associated biodiversity is essential. A healthy ecology and rich biodiversity are valuable in their own right and help create more liveable towns that can strengthen Uralla Shire’s competitive advantage. Protecting the remaining assets and regenerating more assets also enhances the overall capacity of the Shire to respond to and be resilient to the effects of a changing climate. (LSPS page 40. Item 7.1 Protect and restore natural habitat.)

Do these statements only apply to Uralla township? Surely all developments within the Uralla Shire should consider these environmental aspirations? Where does this DA consider these major LSPS environmental considerations?

This DA has no allowance to restore or improve the existing environment. It is simply a money making exercise for out-of-town Developers. How does the DA meet the following LSPS Actions? (page 40):

7.1.2 Enhance and protect existing native and remnant flora and fauna through revegetation and biodiversity programs.

7.1.3 Maintain collaborative working relationships with primary producers and rural land owners to identify and protect native and remnant vegetation and wildlife corridors.

Out of area Developers.

The two Companies listed in the DA (Atlas Property Pty Ltd and NSW Development Project Management Pty Ltd) seem to be Tamworth based and have no link to the area. Both companies were only recently incorporated (May/June 2023) and have no history of developments or subdivisions. They appear to be “shelf companies” that are likely to be “unfinancial” if there are any disputes about the Development. Council would be taking a major financial risk in allowing this subdivision development by these Companies.

Other Issues of concern

Fire risk – The single access road comes off Munday Lane and heads South and East. Many hot prevailing winds come from the North West and would send a fire up the access road. This is the only access into the blocks.

Ground Water – ground water runoff goes into the Saumarez Ponds Lagoon. Any contamination will run straight into the Lagoon and affect the wildlife reliant on the Lagoon.

Bore water (LSPS item 7.2, page 41) is limited in the area and can not sustain this level of development.

Soil substructure. Saumarez Ponds is a wetland when it is wet. What conditions will Uralla Shire Council impose on these Sub-divisions to ensure good building practice? There will be drainage issues in this area. Council needs to be on top of this.

Road into subdivision. Needs to be a solid road to Council standard. Road should NOT be maintained by Council. Can a semi-trailer turn around in the turning circle?

Infrastructure – Electricity. There will be extra electricity resources. What new/upgrade lines are involved. How will this impact existing landholders? What caveats are there on new builds regarding solar?

Infrastructure – Phone & Internet. Mobile phone towers are already over loaded. Fixed wireless “broadband” is a poor. Extra phone and wireless internet needs to be part of DA rather than being “someone else’s problem”.

Infrastructure – Roads. Roads in the area are inadequate to cope with the traffic. They are designed to be local roads rather than transit roads or regional roads. Dumaresq Rd will take the majority of traffic from the subdivision to Armidale on a daily basis. A major upgrade to Dumaresq Rd is required. Who pays? Surely not existing rate-payers!. The likely increased traffic has a negative impact on existing land holders. What will Council do about this? As a **minimum**, the speed limit needs to decrease to 80 km/h, walking & cycling paths developed (*LSPS item 8.3, page 47, and Action 8.3.2*) along with “local traffic only” zones. Saumarez Ponds is a place to live. Look after the people that live here and pay rates – not those that travel through.

Uralla Shire LSPS – Planning Priority	New England North West (NENW) Regional Plan 2036	Uralla Shire Community Strategic Plan (CSP) 2017 – 2027
8.3 Creating a pedestrian friendly Uralla Shire	Planning priority 8.3 and associated actions are consistent with the following in the NENW Regional Plan <ul style="list-style-type: none"> Direction 19: Support healthy, safe, socially engaged and well-connected communities 	Planning priority 8.3 and associated actions are consistent with the following in the Uralla Shire CSP <ul style="list-style-type: none"> 1.2 A safe, active and healthy shire 2.3 A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained

The DA needs to contribute to the Saumarez Ponds area, not just the subdivision.

Jamie Allen



27-9-23.

URALLA SHIRE COUNCIL

ATTENTION: THE GENERAL MANAGER.

SUBJECT: PA57-2023.

PROPOSED 19 LOT RURAL/RESIDENTIAL GENERAL-CLASS
SUBDIVISION, MUNDAY'S LANE, SAUMAREZ PARKS.

MY FAMILY MOVED TO MUNDAY'S LANE,
SAUMAREZ PARKS IN 1990. WE MOVED OUT
HERE FOR THE PEACE AND QUIET AND THE SERENITY
AMONGST THE RURAL ATMOSPHERE AND NATURAL
ENVIRONMENT.

AFTER 33 YEARS LIVING IN THIS QUIET
AREA WE ARE CONCERNED BY THE PROPOSED
DEVELOPMENT OF 19 BLOCKS OF LAND HAVING
AN AREA OF ABOUT 2 HECTARES (5 ACRES).

THIS WILL BRING A VERY LARGE DISTURBANCE
IN THE AMBIENT ENVIRONMENT DURING CONSTRUCTION
AND A LARGE INCREASE IN VEHICLE TRAFFIC,
NOISE AND BARKING DOGS.

WOULD COUNCIL AND THE DEVELOPER
CONSIDER INCREASING THE SIZE OF THE LOTS.
THIS WOULD RESULT IN A DECREASE IN THE
NUMBER OF HOMES BUILT AND A DECREASE
IN THE AMOUNT OF VEHICLE TRAFFIC AND
NOISE.

YOURS SINCERELY
JOHN FARRELL

1/2

27-9-23.

URALLA SHIRE COUNCIL

ATTENTION = THE GENERAL MANAGER

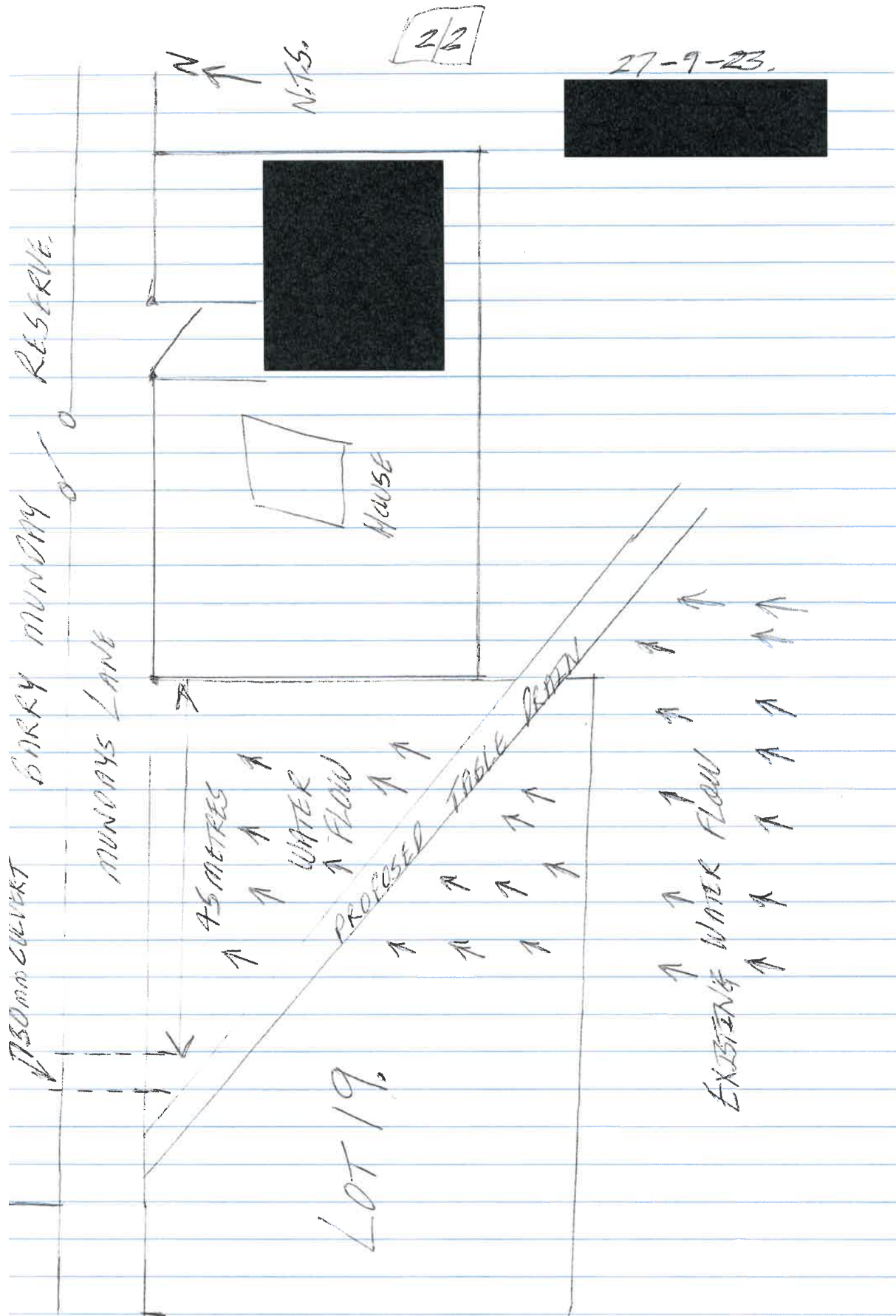
SUBJECT: STORM WATER OVER ROAD
IN VICINITY OF DP57-2023,
PROPOSED 19 LOT RURAL/RESIDENTIAL
SUBDIVISION, MUNDAYS LANE,
SAUMAREZ PARKS.

IF THE ABOVE DEVELOPMENT PROCEEDS
COULD CONSIDERATION BE GIVEN TO DRAINAGE
IN MUNDAYS LANE.

AT PRESENT DURING SUSTAINED RAIN AND
STORMS WATER FLOWS ACROSS MUNDAYS LANE
AND WASHES OUT THE DRIVEWAY AT [REDACTED]
[REDACTED] AS THE
WATER FLOWS ACROSS THE ROAD THIS
FORMS A HAZARD TO VEHICLES AND
DRIVER SAFETY WITH THE POSSIBILITY
OF AQUAPLANING.

COULD CONSIDERATION BE GIVEN TO
REDIRECTING WATER-FLOW WHICH FLOWS
FROM NORTH TO SOUTH, PASSES THROUGH
LOT 19 INTO THE ROAD TABLE DRAIN,
OVERFLOWS ONTO THE BITUMEN ROAD CAUSING
A TRAFFIC HAZARD.

THIS HAZARD COULD BE ELIMINATED
BY CONTER GRADING A TABLE DRAIN ACROSS
LOT 19 AND DIRECTING WATER-FLOW INTO THE
750MM CULVERT PIPE INSTALLED BY U.S.C.
DURING ROAD CONSTRUCTION EIGHT YEARS AGO.
REFER DIAGRAM. YOURS SINCERELY, JOHN FARRELL.



From: [REDACTED]
Sent: Thursday, 28 September 2023 10:06 AM
To: Council
Cc: 'Susan McPhee' [REDACTED]
Subject: RE: Attention Acting General Manager Toni Avery
Attachments: Updated DA Submission to USC_SMcPhee.pdf

Oops! I forgot to add the link for the Frog id records, where locals record frog calls that are identified and recorded on a map.

This information is found at [Explore FrogID records | Australian Museum FrogID Project](#)

Please accept this updated version and delete the previous 'DA Submission to USC'
Thank you.

Kindly,
Susan McPhee

From: [REDACTED]
Sent: Thursday, 28 September 2023 9:55 AM
To: 'council@uralla.nsw.gov.au' <council@uralla.nsw.gov.au>
Cc: [REDACTED]
Subject: Attention Acting General Manager Toni Avery

Please find attached my submission regarding da-57-2023-lot-4-mundays-lane-saumarez-ponds-proposed-subdivision and PLAN SHOWING PROPOSED SUBDIVISION OF LOT 4 IN DP590685 - PROPOSED LAYOUT 828 Bundarra Road, SAUMAREZ PONDS NSW 2350.

I will present a hard copy to the Council office during the day.

Please make note of my personal email address in the cc line and address any response to that address.

Kindly,

Susan McPhee

arrived by email at approximately 9:30 PM – less than 24 hours before the submission deadline on Thursday, September 28, a working day.

Roads

According to Section 2.7 of the Uralla Development Control Plan (DCP) 2011,

- Council may require that a traffic study to be undertaken where there is a likelihood of a significant increase in traffic volumes resulting from the subdivision;
- Council may require that existing roads be upgraded to a suitable standard to cater for any expected increase in traffic;
- Property accesses must not be constructed at points which present traffic difficulties in terms of sight distance,

1. Vehicle load on the roads

The addition of 19 dwellings whose inhabitants will access their homes via Munday's Lane will increase the vehicle traffic by anywhere between 19-76 vehicles (based on 1-4 vehicles per residence which may include as many as two adults and two adult children, all of whom require independent transportation). All will travel to the one entry road to the subdivision and from there along Munday's Lane.

In 15 years living on Munday's Lane, I have only once seen more than three cars in succession, when an unbelievable seven cars passed the end of my drive before I was able to turn out and join the line! Current traffic is generally the people who live between Marble Hill Road and Dumaresq Road. As there is no public transportation in the area, vehicular traffic will increase.

Consideration needs to be given to whether or not, when the road was surfaced some years back, it was designed for this increased use. Already, there are a number of places where the edges of the bitumen have begun to crumble. This will only increase with increased traffic. Dumaresq Road and Saumarez Ponds Bridge will also bear some of this increased use.

2. Recreational use of the road

Munday's Lane is popular among residents as recreational route, with several residents walking or running with their dog(s) twice a day. Any time we walk close to 8 am, several cars already pass us within a ten-minute period. In winter, the walk is best done before dusk, a time close to when others are returning from work. Walking at both times would be impacted significantly by additional traffic on this rural road without shoulder or sidewalk. At other times, parents walk along the road with strollers and pre-schoolers walking beside them.

Additional recreational uses are: 1. Cyclists often choose this route as an alternative to Bundarra Road; 2. Horse riders have recently used the reserve as a meeting place to start from on a ride along the quiet streets accessible from Munday's Lane; 3. During school holidays older children ride their bicycles unaccompanied to the refurbished tennis courts at Barry Munday Reserve.

3. Maintenance of the road edges

Traffic safety risk is proportional to road use. Where a road is seldom used, there is less opportunity for an accident. In terms of sight distance, the areas presenting the greatest risk are the intersections, where existing vegetation may obscure vision.

Consideration needs to be given to the need for an increase in the frequency of roadside vegetation maintenance.

To summarize the above, the quality of life and safety of those using Munday's Lane would be impacted by the additional traffic this subdivision represents.

- With the likelihood of a significant increase in traffic volumes resulting from the subdivision, a traffic study may be in order.
- Provision needs to be made for the safety of all who use Munday's Lane for recreational purposes – adults, children, animals.
- Provision for an upgrade of the existing road to a suitable standard to cater for the expected increase in traffic by motor vehicles, bicycles, horses and pedestrians needs to be made.
- Provision needs to be made for the ongoing maintenance of vegetation along the road and at intersections to ensure traffic safety in terms of sight distance.

Recreational Infrastructure

The Barry Munday Sporting Reserve is crown land, managed by USC.

A reference to the historical use of the reserve is found on the Saumarez Ponds Bridge plaqueⁱ. In 2019, USC proposed to resign from this management role. In response to community consultation, the residents of Munday's Lane and surrounding roads submitted twelve responses (which are linked belowⁱⁱ). A decision was made to continue in the management role and those who made an in-person submission to the meeting were invited to 'have some skin in the game' with respect to the reserve. A group of locals formed the Friends of Barry Munday Reserve, a subgroup of Southern New England Landcare. Under their auspice, grant money has been received from Uralla Solar Grants, Uralla Council Grants, Uralla Co-op, NSW Department of Planning and Environment under the NSW Koala Strategy. Local businesses and individuals have donated money and time towards the reserve.

In 2020, USC endorsed a Program of Works proposed by this group. (Linked, found from page 366ⁱⁱⁱ).

Completed activities of local residents include: new picnic tables and seating under the trees; noticeboard and signage; birdwatching seat; creation of a community garden to the north side of the tennis court; repair the barbecue chimney and pointing; remove vegetation from the tennis court surface; renew net posts and fencing; obtain grant funding for the purchase of new nets and lines; remove the fallen tennis shed; clear some weeds, have the tennis court surface sprayed by the weeds authority, plant a small number of trees.

Yet to be completed is planting of native vegetation along the west boundary and planting in the community garden.

USC has extended the drain on the west side of the reserve (created when the road was sealed) to dissipate water from the northwest corner of the cricket pitch. Mowing by USC occurs about twice a year concurrent with the mowing of the grass beside the roads.

The above endorsed Program of Works proposed 4-weekly mowing by USC during the growing season. Hazardous tree limbs and two fallen trees from 2022 remain on the roadside although notice was made to USC at the time they fell that they needed to be cleared.

Some of the factors impacting use of the reserve are irregular mowing, the presence of snakes, poor drainage of the ground during wet periods, lack of toilets, limited infrastructure for games and sport. The reserve has the potential to be a local hub and gathering place. It would be irresponsible of Council to approve this subdivision without consideration of the requirements for community-building facilities. Under ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 7.11 or SECT 7.12 USC is able to require a contribution by the developer towards the augmentation of public amenities.

- Having encouraged and endorsed the above work of local residents in the renewal of the Barry Munday Reserve, USC would be thoughtless and inconsistent to not take into account the requests of residents regarding the impact of this proposed development on the local community.

Water

Two dams will be removed from the landscape by this subdivision. During La Nina periods when rainfall is high, the Saumarez Ponds Lagoon is the storage basin for the rain. With there is high rainfall, the capacity of the lagoon has been exceeded with the excess water flowing via Ferris Lane and Dumaresq Road to Saumarez Creek.

Researchers have recorded the water levels and vegetation since 1988; these observations can be found online.^{iv}

There are two watercourses shown on the subdivisions map flow towards the Saumarez Ponds Lagoon. Run off from the nineteen properties will carry garden chemicals into the lagoon and on into Saumarez Creek affecting the ecology of the aquatic wildlife. The Biodiversity Assessment prepared for this development application mentions this lagoon, by the name 'Ferris Lane Lagoon'. Section 3.2.5 Groundwater dependent ecosystems (DGE) states,

"a large and significant wetland to the north of Munday's Lane referred to as Ferris Lane Lagoon (Figure 6). This is recognisable in aerial photography and forms part of a series of lagoons along the dividing range through the Saumarez Ponds locality that support an abundant waterbird population. ... Existing and future residential development within the Saumarez Ponds locality will continue to have a cumulative impact on the groundwater flows into these wetlands. Importantly, the wetland within the proposed development needs to be carefully considered given potential sub-surface connectivity with the Ferris Lane Lagoon to the north of the development."

No mention is made of the surface water flows to this lagoon and their impact on the environment. A list of birds sighted at the Ferris Lane Lagoon is found at <https://ebird.org/hotspot/L18035429>. Frogs identified at 89 Munday's Lane or 828 Bundarra Road, can be found at the Frog id records, [Explore FrogID records | Australian Museum FrogID Project](#).

The basalt underlying much of this area prevents water from draining, resulting in flooding and areas that bog vehicles. During a wet period fire trucks accessed our northern paddocks to put out a grass fire started by our neighbours. Going in at speed, they had no problem; coming out slowly the truck got bogged and had to be pulled out by a second truck called to the scene for that purpose. Over the years we have put thought, effort and money into managing this block to ensure that we are not tramping through mud everywhere we walk on our block. We are aware of others who have been similarly impacted. To the east of the proposed development, one resident has been flooded twice in 2022.

As noted in the Program of Works referenced above, during wet weather, the Barry Munday, Sporting Reserve grounds become quite wet and USC has already done additional work to manage the water flowing onto the reserve from the road. The cricket pitch is easily damaged by vehicle traffic when wet. This will need to be addressed by USC in response to this application:

- without appropriate management the additional stormwater will definitely impact the reserve, before moving on to impact the ecosystem of the lagoon, surrounding properties and roads.

Bush Fire Management

With only one road into the subdivision, a fire at any of lots 1, 3-8 could be spread by the prevailing SW winds across the road to the lots NW of those mentioned.

Evacuation would then require crossing the line of progress of the fire.

While there are only a small number of trees on the site, as noted above by our experience, grass fires are also a substantial threat.

In times of low rainfall, there would not be sufficient water stored in dams or tanks to fight fires.

- Consideration of the potential for future bush fires in the area and provision of adequate vehicular evacuation routes would increase the safety of the proposed subdivision.

Noise and Privacy

The road into the subdivision is a cul-de-sac, requiring the garbage truck to travel into the furthest house and back to Munday's Lane. This will extend the duration of garbage collection noise, which occurs at 6 am.

There will also be additional noise from the increased vehicle traffic and from recreational use of individual properties – dirt bikes, shooting, parties, etc.

With some of the existing lots having five additional neighbours, these residents will have increased noise from construction as well as from new residents.

For those who value a quiet neighbourhood and privacy, the loss of these qualities will make this a less desirable place to live, negatively impacting property values.

- A reduction of the number of lots to reduce the number of neighbouring lots to existing blocks is one way of preserving privacy.
- Requiring the developer to provide nature strips plantings for wildlife corridors would also reduce the noise and social intrusion.

Conclusion

According the Uralla Shire Council Local Strategic Planning Statement "Uralla Shire is a highly liveable rural area where there is a great sense of wellbeing." (p.10).

Productivity, liveability, sustainability and infrastructure are planning priorities (ibid p.17).

As presented, this subdivision challenges that 'great sense of wellbeing' by increasing the local population density without sufficient attention to increasing the available recreational spaces and community facilities, respecting the strong connection local residents have to the local natural areas, or maintaining existing quality of life by sustainably development suitable to the local environment.

Some may see dollar signs and increased property values in this development. For that to be realized, conditions are needed on this development application to ensure that USC's assertion,

"The culture and natural environment support quality of life and allow people to explore, connect, play, innovate and thrive." (Op cit.)

remains true for all residents of Saumarez Ponds.

Respectfully,

Susan McPhee



i <https://www.monumentaustralia.org.au/themes/culture/community/display/99157-opening-of-saumarez-ponds-bridge>

ii <https://www.uralla.nsw.gov.au/files/assets/public/v/1/hptrim/governance-meetings-council-and-committees-meetings-of-council-committees-of-council-business-paper-agendas-and-meeting-minutes-2019/business-paper-27-august-2019-ordinary-meeting-of-council.pdf> starting at page 178.

iii <https://www.uralla.nsw.gov.au/files/assets/public/v/3/hptrim/governance-meetings-council-and-committees-meetings-of-council-committees-of-council-business-paper-agendas-and-meeting-minutes-2020/business-paper-25-august-2020-ordinary-meeting-of-council.pdf>

iv <https://jamesbrinkhoff.users.earthengine.app/view/dynamiclagoons> this page defaults to Dangars Lagoon. From the dropdown box, select 'Saumarez Ponds' to move to the area under discussion. The graphed data can be enlarged by selecting the arrow within a box icon to the upper right of the box. Data from 1988 for this lagoon is found in Figure 5 (graph c) of the 'Ecosphere paper describing methods' also linked in the text box on this webpage.

From: [REDACTED]
Sent: Thursday, 28 September 2023 12:38 PM
To: Council
Subject: Submission of Objection to Development DA-57-2023 of Address Lot 4 Mundays Lane, Saumarez Ponds.

Submission of Objection to Development DA-57-2023 of Address Lot 4 Mundays Lane, Saumarez Ponds.

Amber Quast and Matthew Quast



We are writing to express our objection to DA-57-2023, Proposed 19 Lot Subdivision. Lot 4 Mundays Lane. Please see below 7 summarised points that directly impact [REDACTED]

1. Environmental Impact

Property subdivision often involves the construction of new homes or structures, which can have adverse effects on the local environment.

Ferris Lane Lagoon is less than a kilometre to this proposed subdivision, there are many known native aquatic birds that use this area as breeding grounds and habitat. Years of potential construction works and the existence of diverse species of animals, will disturb this wildlife. Additionally, many of the proposed lots and roads are also in the catchment area of this lagoon, which is at high risk of being polluted by construction works which negatively impact this lagoon's biodiversity.

Overall trees and vegetation will be removed, and a large area of uninterrupted land will disappear, and natural habitats and corridors will be disrupted.

The area is very much enjoyed by the current community, environmental impacts from this subdivision will reduce the enjoyment.

2. Increased Traffic

Most if not all traffic related to the proposed 19 subdivided lots will travel down Mundays lane, as this is the shortest distance to Armidale. This will see an increase in traffic density on Mundays Lane. As a result, traffic frequency becomes a prevalent issue and will result in an increased risk of accidents. This is concerning as there are a number of houses close to the boundary of this road and the road also experiences high foot traffic of dog walkers, runners, young families etc. There is no footpath to facilitate on-foot personnel safety. Barry Munday Recreation Reserve is located on Mundays Lane, this Reserve attracts a wide range people from the community including young families, the boundary fencing is not secure and currently poses a risk, this risk will increase with the changed traffic conditions and use caused by the subdivision.

For existing houses, such as ours, closer to the entry of the new proposed subdivision will experience increased noise pollution from vehicle noise, engine revving from acceleration and deceleration making it harder for people to enjoy their homes and neighbourhoods in peace.

Additionally, Roads and bridges may not be adequately expanded to accommodate the growing population and increased traffic as a result of the subdivision. This strain on infrastructure can result in pothole-ridden roads, longer commute times, and a decline in the overall quality of transportation services.

██████████ is very close to the road and the points raised here will negatively impact our lot and bring increased level of risk and displeasure related to traffic for our young family.

3. Loss of Privacy and Increased Noise Pollution.

With some existing lots going from 1 adjoining lot to 5 adjoining lots, this will see a reduction in privacy and sense of space. With more neighbouring lots and potential houses and outbuildings in close proximity, residents will experience a loss of the peace and solitude they once enjoyed on their property. This will lead to increased noise, reduced backyard privacy, and a sense of crowding, all of which can negatively impact the quality of life for current property owners. Increased noise may be from sources such as shooting (5 acres blocks), dirt bikes, household tools, garden tools and eventual construction noise for new houses built on new lots. As ██████████ will neighbour 5 lots in this proposed subdivision, this will have an immense impact.

4. Lack of Existing Infrastructure

The Barry Munday Recreation Reserve will most likely be used by potential new residents of 19 lots in the proposed subdivision. This reserve does not contain the facilities and infrastructure to support the potential 19 households worth of families and people of this subdivision. This will put undue strain on the current state of infrastructure and capacity of the recreation reserve.

Other infrastructure such as fences need to be considered for existing lots. Existing fences may not meet the standard/requirements of their new lot neighbours, this will cause conflict in regard to fence notices with unplanned and as well as unaffordable costs to upgrade fencing. ██████████ fencing is in this category and will neighbour 5 lots which is 5 separate parties to liaise with and have potential conflicts with.

5. Social Dynamics

A sudden influx of new neighbours will disrupt established social dynamics within the neighbourhood. The introduction of new neighbours could lead to conflicts over property boundaries/fences, shared resources, or differing lifestyles. This is highly likely with the properties drastically increasing their number of adjoining lots. A sudden increase in the number of neighbours can disrupt the sense of community that existed among current residents. This will lead to a reduction in neighbourly relationships and a sense of disconnectedness within the neighbourhood.

6. Aesthetic Changes

The proposed property subdivision will lead to changes in the aesthetic character of the neighbourhood. New homes or structures may not blend well with the existing architectural style or character, potentially diminishing the appeal of the area.

Residents on Marble Hill road will experience a reduced view of the iconic Duval Mountain. This will detract from the original design, purpose and aspect of some of the layouts and structures of these houses. New houses that will be built enabled by this subdivision will impede this scenic view.

7. Property Values

While property values can be influenced by various factors, the addition of multiple new neighbours and potentially less green space can impact property values negatively. Buyers often seek homes in neighbourhoods with a certain level of exclusivity and privacy. This property subdivision will compromise these factors.

As these 7 items summarised above will negatively impact our community and our particular lot of [REDACTED] Lane, we believe this subdivision needs to be re-considered.

Regards,

Amber Quast and Matthew Quast



Virus-free www.avg.com

From: [REDACTED]
Sent: Thursday, 5 October 2023 4:54 PM
To: Council
Subject: Munday's Lane sub division

Hello, we reside at [REDACTED] are opposed to the development.
Reasons are that our country lane is not to standards for additional traffic. Most homes have 2 vehicles so the result is additional 40 every day each way. A major factor is the quality of the roads, they are rarely maintained & we the residents drive around & through potholes.
We moved from the city 8 years ago for the peace county life would give us.
Please do not destroy our Lane.
Regards
Lee Daniel & Paul Marosszeky
Sent from my iPhone

Garry & Cheryl Cooper



9th October 2023

General Manager & Councillors
Uralla Shire Council
PO Box
URALLA NSW 2358

Dear Sir & Councillors,

Re: **DA-57-2023 Lot 4 Munday Lane, Saumarez Ponds**
19 Lot Subdivision

It is with some objection that we wish to lodge our concerns regarding the proposed development application at Munday Lane, Saumarez Ponds being:

- a) Reduced size of rural blocks to approximately 2 hectares. It was our belief that Uralla Shire Council had implemented a minimum size acreage to 10 acres and wondering why this has now been reduced to 2.01 Hectares = 4.97 Acres.

With a complex of 19 blocks at just this size we feel there will be so many problems created through such close rural living such as:

- Pets - barking dogs, roaming cats/dogs, noisy roosters
- Noise - kids on motor bikes etc
- Garbage – pets knocking over bins
- Fire Safety – residents ignoring mowing of large blocks

- b) Water – unless there is a stipulation that each home has at least 4 large tanks attached there will be a short supply of water.

Residents who can afford the sinking of a bore will probably choose this however if even 10 residents do such this then creates pressure on the underground water supply which established residents have already invested in. We believe this should be restricted so that new residents cannot sink bores.

Is Council prepared to provide a water supply for this growing village?

- c) Transport – with the increased usage of nearby roads due to 19 new lots, this brings the real possibility of 2 cars per block = 38 residents' cars in addition to all the trade service vehicles plus visitors etc so possibly 70 vehicles travelling to and from these blocks each day.

The Bundarra Road & Invergowrie/ Arding Road should be upgraded accordingly to safely provide for this traffic. We hold great concerns for Arding Road and the residents along the village area of Arding.

Council is aware of the requests Arding residents have made several times for 60kph speed signs to be implemented in the village in an attempt to slow passing traffic. Such requests have been ignored and we have been advised that they will not be enforceable as Police do not patrol them.

We at least need a speed camera installed through this village area.

Also the entrance from the New England Highway will need an upgrade to prevent a fatality occurring at this intersection.

Removal of the hill at Arding Reserve/ Old School House would also make it safer as would widening of the culverts along Arding Road so as to carry two vehicles.

The prevention of gravel trucks with bogie trailers would also go a long way to making it safer. These trucks have been carting gravel since the commencement of the nearby solar farm which must be close on 3 years...residents have had enough of the noise, vibration on homes and general wrecking of Arding Road – all things being ignored by Council which we believe is not receiving enough monetary benefit to cover road repairs from the small royalty payments collected.

Council is not even mowing the Arding Reserve as was previously agreed to do when machinery was in our area – it has been done once in how many years? Is this cost saving?

We are aware that new housing is required to cater for the current shortage however such problems should be addressed with plans put in place before development approval is given.

Invergowrie area is a perfect example of the problems created through such high intensity of rural residential living and the block size there is larger.

Please listen to the residents who already reside nearby this development!

Yours sincerely
Garry & Cheryl Cooper



AWTM Pty Ltd ATF Witherby Family Trust (ABN 50 285 185 541) T/A Wakefield Planning



Submission by way of Objection

Proposed 19 Lot Subdivision

DA 57/2023

Client: Friends of Barry Munday Reserve



Document Control Details

	Details	Date
Document Author(s)	Angus Witherby	
Internal Quality Review		
Project Reference		
Client Reference		
Document Revision	2.2	
Document Status	For Council Submission – minor amendments. Correct riparian setbacks; provide additional information re BDAR assessments	7 October 2023

Disclaimer

This Report is copyright. Apart from any fair dealing for the purposes of private study, research, criticism or review as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission. Enquiries should be made to the Business Manager, Wakefield Planning, [REDACTED]

This report has been prepared to inform the Client about particular matters. Use of material herein for any other purpose is at the end-user's own risk. The information contained in this report is to the best of Wakefield Planning's knowledge true and correct. Every effort has been made to ensure its accuracy; however, to the extent permitted at law, Wakefield Planning does not accept responsibility for any loss, injury or damage arising from the use of such information.

Principal Author Certification

I certify that I have prepared the contents of this Report and to the best of my knowledge:

- The information contained in this Report is neither false nor misleading; and
- It contains all relevant available information that is current at the time of release.



Angus Witherby

BA – Geography & Economics, Grad. Dip. Urb. & Reg. Planning, FPIA, CPP

Table of Contents

1.	About this submission	5
2.	About the Author.....	5
3.	The Site	5
3.1	About the Site	5
3.2	Zone Objectives	6
3.3	Lot Size.....	7
4.	Bushfire Risk	8
	Review of Vegetation	9
4.1	Planning for Bushfire Protection	11
	Aim.....	11
	Principles	12
	Objectives	12
	Performance Criteria	13
	Summary.....	18
5.	Riparian and Drainage Issues.....	18
5.1	Riparian Protection Areas.....	20
5.2	Surface Water	20
5.3	Sub-surface Water	20
5.4	Water Quality Treatment	21
5.5	Waterlogging	21
6.	Ecological Issues	22
6.1	Endangered Ecological Communities	22
6.2	Migratory Species	24
6.3	Threatened Species	24
7.	Traffic and Access	25
7.1	Current Conditions	28
7.2	Traffic Generation.....	28
7.3	Overall traffic issues	29
8.	Recommendations:.....	30
8.1	Modification of Proposal	30
8.2	Voluntary Planning Agreement or Developer Contribution.....	30
8.3	Conditions.....	30
8.4	Strategic Options	31

Table of Figures

Figure 3-1 - Zoning Map	6
Figure 3-2 -Lot Size Map 2ha	7
Figure 3-3 - Local Cadaster showing range of typical lot sizes. Source: Nearmap	7
Figure 3-4 - Proposed layout and lot sizes	8
Figure 4-1 - Bushfire Prone Land	9
Figure 4-2 - Planning for Bushfire Protection – Grassland	9
Figure 4-3 - Mundys lane looking north – west end.....	10
Figure 4-4 - Property for subdivision – looking south – west end.....	10
Figure 4-5 - Barry Munday Reserve	10
Figure 4-6 -Dumaresq Road – Large Lot Residential	11
Figure 4-7 - Mundays Lane – Large Lot Residential	11
Figure 4-8 - Bundarra Road – Large Lot Residential	11
Figure 5-1 - Aerial Context – Ferris Lagoon to the top of the image.....	19
Figure 5-2 - Cadaster and drainage patterns to Ferris Lagoon.....	19
Figure 5-3 - Approximate extent of riparian protection areas.....	20
Figure 5-4 -Aerial close-up showing potentially waterlogged (greener) areas	21
Figure 6-1 - White Box Yellow Box Grassy Woodland	22
Figure 6-2 - New England Peppermint Grassy Woodlands	23
Figure 6-3 - Ferris Lagoon Status	23
Figure 7-1 – Dumaresq Road -Existing Condition.....	25
Figure 7-2 - Mundays Lane - Existing Condition	25
Figure 7-3 - Mundays Lane - Edge Wear.....	26
Figure 7-4 - Example of culvert near to road edge.....	26
Figure 7-5 - Typical Build-up of vegetation outside immediate carriageway.....	27
Figure 7-6 - Mailbox close to carriageway edge.....	27
Figure 7-7 - Intersection Mundays Lane and Dumaresq Road	28

1. About this submission

This submission is made on behalf of the Friends of Barry Munday Reserve. It does not seek to repeat the many points made in submissions to date, but consider those aspects which might benefit from a review by an experienced planner. These issues are:

- Bushfire
- Riparian and drainage issues
- Water quality and off-site environmental impacts
- Ecological issues
- Road access and traffic

2. About the Author

The author has been an urban and regional planner for 40 years, and has worked in state and local government as well as the private sector. He has expertise in large lot residential development, as well as in riparian and bushfire issues. He has undertaken due diligence on similar developments within the past 12 months for private and Council clients. He was Director of Planning and Development at Moree Plains Shire Council from 2015-2022. He is Director of Wakefield Planning, which was founded in Armidale in 1992 when he was appointed to the University of New England to teach planning practice.

The author lived in the Invergowrie area for some 15 years, and was a volunteer member of the RFS. He has direct experience in fighting grass fires in the area, and has experienced flame heights of up to 5m from grassfires in the local area. During that time he was Manager, Planning at Severn Shire, for four years and developed an understanding of the ecological importance of Tableland lagoons, as well as riparian water quality issues, with work being done in conjunction with the NSW EPA. During this period he also was Acting Director, Planning and Building, Uralla Shire Council, on multiple occasions.

In terms of bushfire expertise, he has prepared bushfire reports in both NSW and VIC. His work has been previously accepted by the NSW RFS and well as by numerous councils in NSW and VIC. He has also had his work accepted by the CFA and VCAT in Victoria. Angus taught in the EMA course "Disaster mitigation for urban and regional planners" including the bushfire segment, and was co-author of presentations to the 2009 Royal Commission in Victoria and also the subsequent Federal Senate Bushfire enquiry as part of the PIA team. He is currently undertaking bushfire assessments for the RFS to review new station proposals.

3. The Site

3.1 *About the Site*

The land is in the R5 Zone, large lot residential, with a minimum lot size of 2ha. The site is a large, undeveloped portion of the zone that falls within the immediate catchment of Ferris Lagoon. It is surrounded by existing large lot residential development, and consists of generally good quality agricultural land.

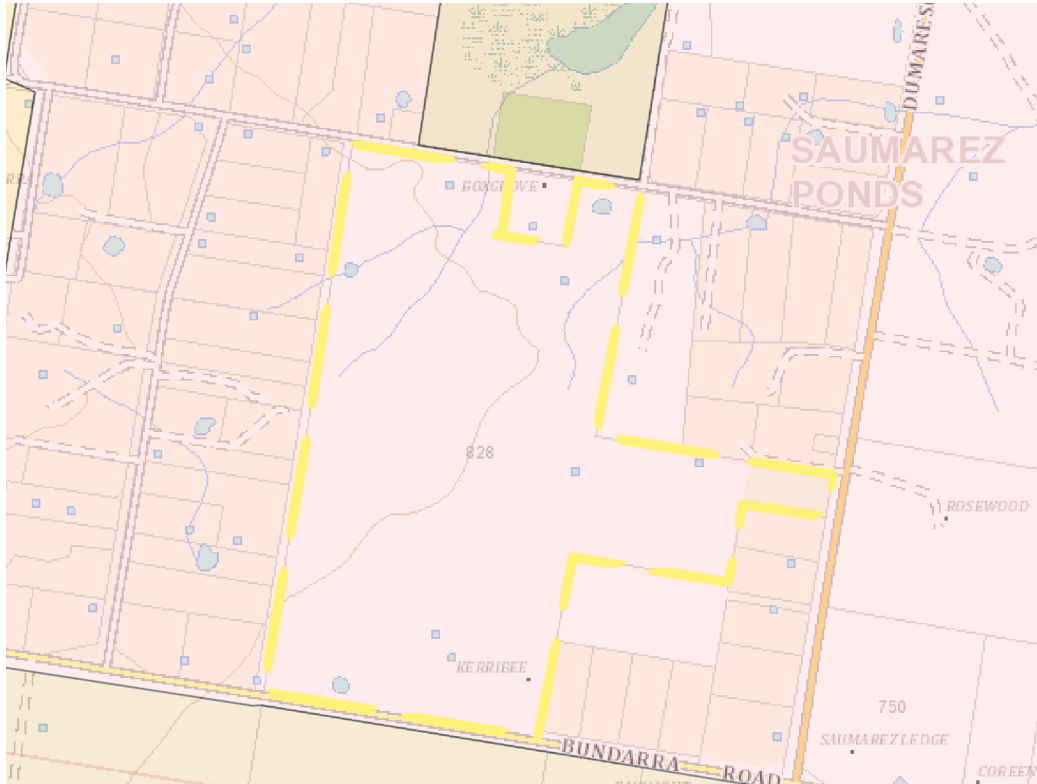


Figure 3-1 - Zoning Map

3.2 Zone Objectives

The objectives of the zone are:

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

In terms of the objectives, it is our submission that the proposal does not preserve, and minimize the impacts on Ferris Lagoon. In addition, we submit that it creates conflict with Ferris Lagoon, which is in the RU1 Zoning. In particular, the development would place considerable pressure on Ferris Lagoon, which although currently unrecognized, is likely to be of significant environmental value, including for migratory birds.

3.3 Lot Size

The zone in the vicinity is generally developed for large lot residential development, with typical sizes ranging from 2ha to 4ha with a reasonable spread of sizes. As shown in the lot size map, the minimum lot size is 2ha:

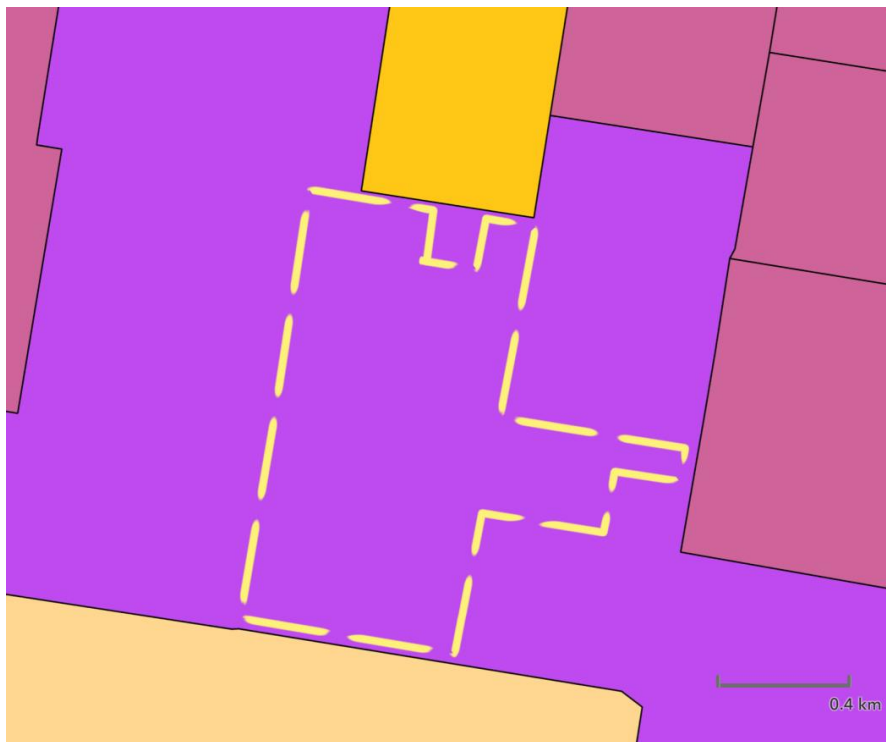


Figure 3-2 -Lot Size Map 2ha

Some lots of 4-6 ha have been re-subdivided as shown on the cadaster below:



Figure 3-3 - Local Cadaster showing range of typical lot sizes. Source: Nearmap

The proposed subdivision represents a minimum area subdivision, with no lot greater than 2.37 ha (two battle-axe lots are around this size). This means that it is a slightly higher density than the existing development within this zone:

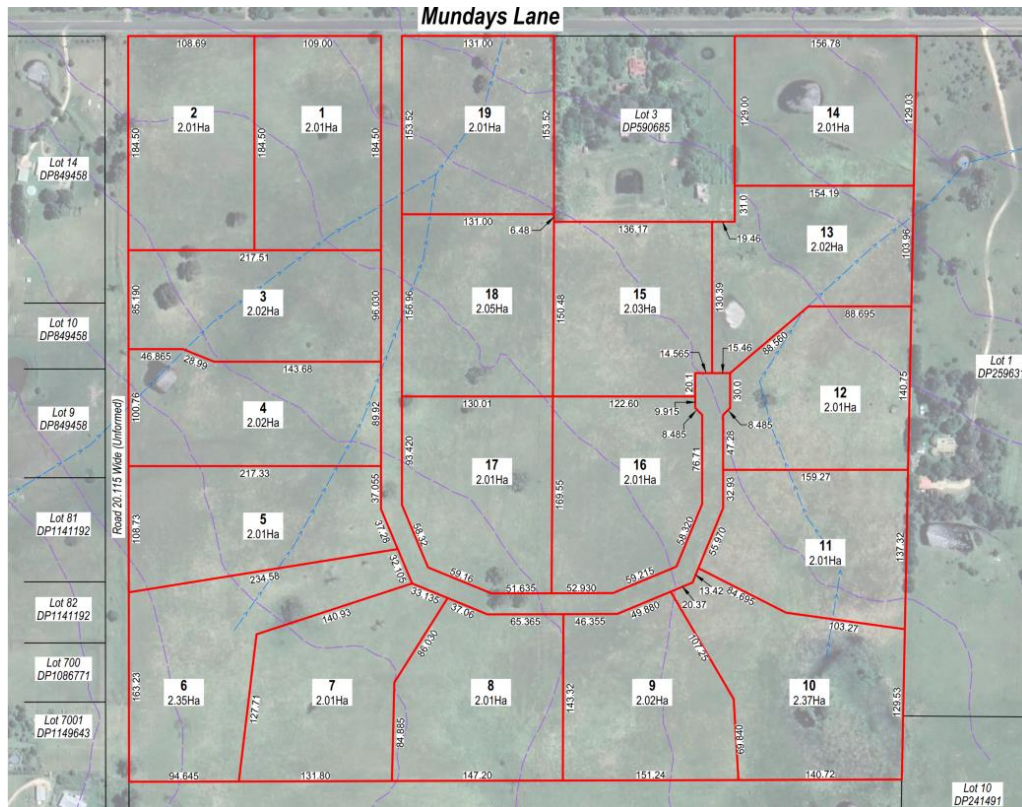


Figure 3-4 - Proposed layout and lot sizes

4. Bushfire Risk

Although the land is not identified as bushfire prone, in fact it is bushfire prone grasslands. This is reviewed below. Discussions have been held with local RFS volunteers who share the view that this is bushfire prone land, and should come within the provisions of *Planning for Bushfire Protection 2019*.

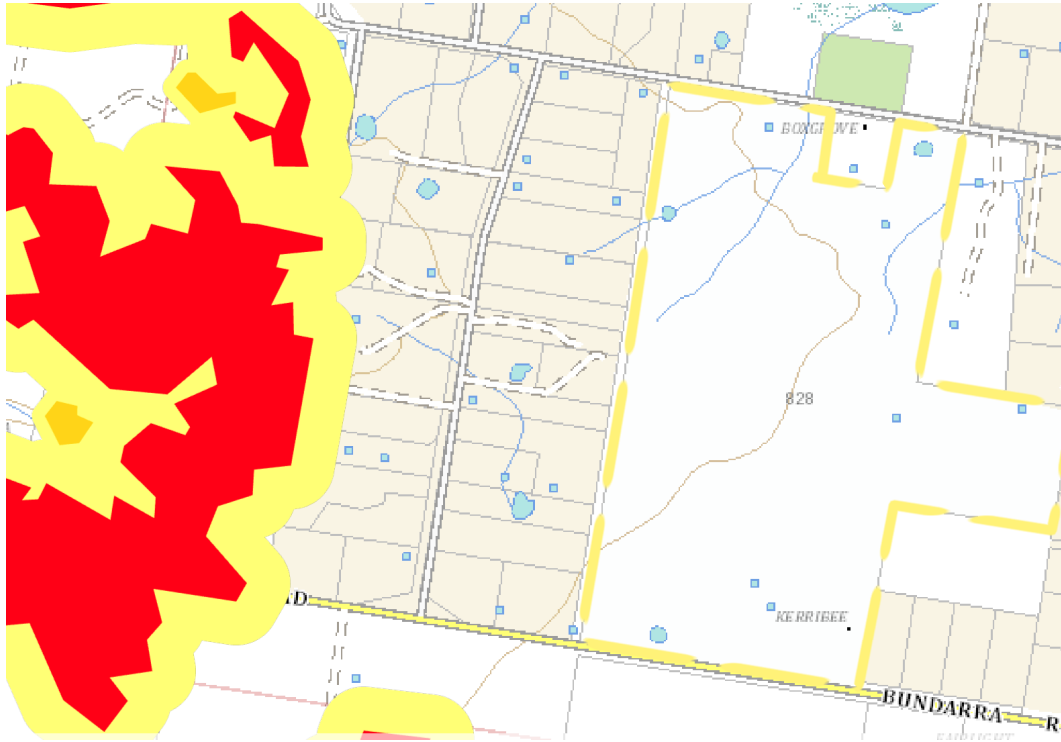


Figure 4-1 - Bushfire Prone Land

The land is not shown as bushfire prone on the map, noting that on this map grasslands are not shown as bushfire prone. Experience in the area confirms that the land is, in fact, bushfire prone, with grassfires in the area capable of reaching quite high intensities. In this respect we submit that the land is not properly classified, and that accordingly the provisions of *Planning for Bushfire Protection* should be considered.

Review of Vegetation

The images below clearly indicate the grassland and scattered timber vegetative context together with plantings around the existing dwelling and along the road corridor. On the site itself there is heavy grassland with occasional scattered trees.

Planning for Bushfire Protection indicates the following vegetation type as Grassland:



Figure 4-2 - Planning for Bushfire Protection – Grassland

Considering the figures following, it is clear that a bushfire designation of Grassland is appropriate. While it may be argued that large lot residential properties consist of managed vegetation, this is not necessarily the case, and, in addition, bushfire management is best focused on non-behavioural means rather than relying on ongoing maintenance.



Figure 4-3 - Mundys lane looking north – west end



Figure 4-4 - Property for subdivision – looking south – west end



Figure 4-5 - Barry Munday Reserve

Set out below are images of lots of the size proposed, indicating that grassland continues to be a significant bushfire factor.



Figure 4-6 -Dumaresq Road – Large Lot Residential



Figure 4-7 - Mundays Lane – Large Lot Residential



Figure 4-8 - Bundarra Road – Large Lot Residential

In summary, while some lots may have managed vegetation, this cannot be guaranteed, and accordingly the provisions of Planning for Bushfire Protection should be considered.

4.1 Planning for Bushfire Protection

The following aims and objectives underpin *Planning for Bushfire Protection, 2019*.

Aim

The aim of PBP is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.

Objectives

The objectives are to:

- *afford buildings and their occupants protection from exposure to a bush fire;*
- *provide for a defensible space to be located around buildings; provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;*
- *ensure that appropriate operational access and egress for emergency service personnel and occupants is available;*
- *provide for ongoing management and maintenance of BPMs; and*
- *ensure that utility services are adequate to meet the needs of firefighters*

Principles

The Principles are:

- *control the types of development permissible in bush fire prone areas;*
- *minimise the impact of radiant heat and direct flame contact by separating development from bush fire hazards;*
- *minimise the vulnerability of buildings to ignition and fire spread from flames, radiation and embers;*
- *enable appropriate access and egress for the public and firefighters; provide adequate water supplies for bush fire suppression operations;*
- *focus on property preparedness, including emergency planning and property maintenance requirements; and*
- *facilitate the maintenance of Asset Protection Zones (APZs), fire trails, access for firefighting and on site equipment for fire suppression*

It is our submission that these principles and aims are relevant, and apply. Accordingly, the layout of the subdivision has been reviewed in accordance with the subdivision principles of *Planning for Bushfire Protection 2019*.

Objectives

The specific objectives for residential and rural residential subdivisions with a dwelling entitlement are as follows:

Objective	Comment
Minimise perimeters of the subdivision exposed to the bush fire hazard (hourglass shapes, which maximise perimeters and create bottlenecks should be avoided);	The current lot shape is relatively efficient in minimizing the exposed perimeter.
Minimise vegetated corridors that permit the passage of bush fire towards buildings;	There are remnant and exotic plantings that create corridors, generally along Munday's Lane.
Provide for the siting of future dwellings away from ridge-tops and steep slopes, within saddles and narrow ridge crests;	Consistent – building envelopes can be specified.
Ensure that APZs between a bush fire hazard and future dwellings are effectively designed to address the relevant bush fire attack mechanisms;	Generally complies. See detailed assessments below.
Ensure the ongoing maintenance of APZs;	This could be achieved through conditions of development consent and restrictions of title.
Provide adequate access from all properties to the wider road network for residents and emergency services;	Access to the wider road network is considered to be poor, with only a single road entry to a proposed dead end road.
Provide access to hazard vegetation to facilitate bush fire mitigation works and fire suppression; and	The site would require a peripheral road.

Objective	Comment
Ensure the provision of an adequate supply of water and other services to facilitate effective firefighting.	Static supplies would be required.

Performance Criteria

Performance Criteria	Acceptable Solutions	Comment
Asset Protection Zones		
Potential building footprints must not be exposed to radiant heat levels exceeding 29 kW/m ² on each proposed lot.	APZs are provided in accordance with Tables A1 .12.2 and A1 .12.3 based on the FFDI.	Can comply with appropriate development controls See detailed analysis for APZs
APZs are managed and maintained to prevent the spread of a fire towards the building.	APZs are managed in accordance with the requirements of Appendix 4.	Can comply. Development consent conditions and restrictions on title.
The APZs are provided in perpetuity.	APZs are wholly within the boundaries of the development site	Can comply
APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	APZs are located on lands with a slope less than 18 degrees.	Can comply
Landscaping		
Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	landscaping is in accordance with Appendix 4; and fencing is constructed in accordance with section 7.6.	Can comply. Development consent conditions and restrictions on title
Access		
Firefighting vehicles are provided with safe, all-weather access to structures.	property access roads are two-wheel drive, all-weather roads; perimeter roads are provided for residential subdivisions of three or more allotments; subdivisions of three or more allotments have more than one access in and out of the development; traffic management devices are constructed to not	Can comply. Development consent conditions and restrictions on title Does not comply. A reconfiguration of the design is necessary to achieve a perimeter road design. Does not comply at the present time. An additional access would need to be provided. Complies

Performance Criteria	Acceptable Solutions	Comment
	prohibit access by emergency services vehicles;	
	maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;	Complies
	all roads are through roads; dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;	Does not comply
	where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;	N/A
	where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access shall be provided to an alternate point on the existing public road system; and	N/A
	one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.	N/A
The capacity of access roads is	the capacity of perimeter and non-perimeter road surfaces	Can comply subject to design.

Performance Criteria	Acceptable Solutions	Comment
adequate for firefighting vehicles.	and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating.	
There is appropriate access to water supply.	hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning; and there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.	Static supplies would be required.
Perimeter Roads Access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface	are two-way sealed roads; minimum 8m carriageway width kerb to kerb; parking is provided outside of the carriageway width; hydrants are located clear of parking areas; Roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m; curves of roads have a minimum inner radius of 6m; the maximum grade road is 15 degrees and average grade of not more than 10 degrees; the road crossfall does not exceed 3 degrees; and a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	Can comply. Can comply N/A Can comply – see above Can comply – detailed design Can comply – detailed design

Performance Criteria	Acceptable Solutions	Comment
<p>Non-perimeter Roads</p> <p>Access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating.</p>	<p>minimum 5.5m carriageway width kerb to kerb; parking is provided outside of the carriageway width; hydrants are located clear of parking areas;</p> <p>roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;</p> <p>curves of roads have a minimum inner radius of 6m; the road crossfall does not exceed 3 degrees; and a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.</p>	<p>Can comply if required at detailed design stage.</p>
<p>Firefighting vehicles can access the dwelling and exit the property safely</p>	<p>There are no specific access requirements in an urban area where an unobstructed path (no greater than 70m) is provided between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles.</p>	<p>Could be conditioned at the time of dwelling construction.</p>
Services		
<p>Adequate water supplies is provided for firefighting purposes.</p>	<p>reticulated water is to be provided to the development where available; a static water and hydrant supply is provided for non-reticulated developments or where reticulated water supply cannot be guaranteed; and static water supplies shall comply with Table 5.3d.</p>	<p>Static water supplies required.</p>
<p>Water supplies are located at regular intervals; and the water supply is accessible and reliable for firefighting operations.</p>	<p>fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;</p>	<p>Not an urban subdivision. See notes re hydrants</p>

Performance Criteria	Acceptable Solutions	Comment
	hydrants are not located within any road carriageway; and reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.	
Flows and pressure are appropriate.	fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005.	N/A
The integrity of the water supply is maintained.	all above-ground water service pipes are metal, including and up to any taps; and above-ground water storage tanks shall be of concrete or metal	N/A
Location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	where practicable, electrical transmission lines are underground; where overhead, electrical transmission lines are proposed as follows: lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and no part of a tree is closer to a power line than the distance set out in ISSC3 Guideline for Managing Vegetation Near Power Lines.	Could comply subject to detailed design.
Location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used; all fixed gas cylinders are kept clear of all flammable materials to	This is a dwelling level issue, not affecting the subdivision.

Performance Criteria	Acceptable Solutions	Comment
	a distance of 10m and shielded on the hazard side; connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and above-ground gas service pipes are metal, including and up to any outlets.	
Water Supply Requirements		
Residential lots (<1000m ²)	5000 l/lot	N/A
Rural-residential lots (1000-10,000m ²)	10,000 l/lot	Could comply
Large rural/lifestyle lots (>10,000m ²)	20,000 l/lot	Could comply
Multi-dwelling housing	5,000 l/dwelling	N/A

Summary

In summary, the development should be re-designed to comply with Planning for Bushfire Protection. In this regard, such a redesign is feasible.

5. Riparian and Drainage Issues

As shown on the figure following, the land drains to Ferris Lagoon, to the top of the image. This lagoon fills during major rain periods, but rarely becomes completely dry. It is one of a chain of similar lagoons across the top of the range, and is of critical importance for birdlife.

It is also one of the few lagoons with urban development in its immediate catchment. Accordingly it is at a greater risk of ecological disturbance.

In addition to the two main drainage lines across the site, overland flow is known to occur during key rainfall events. This needs to be taken into consideration in dwelling location, or, alternatively, water needs to be adequately directed to the existing drainage lines.

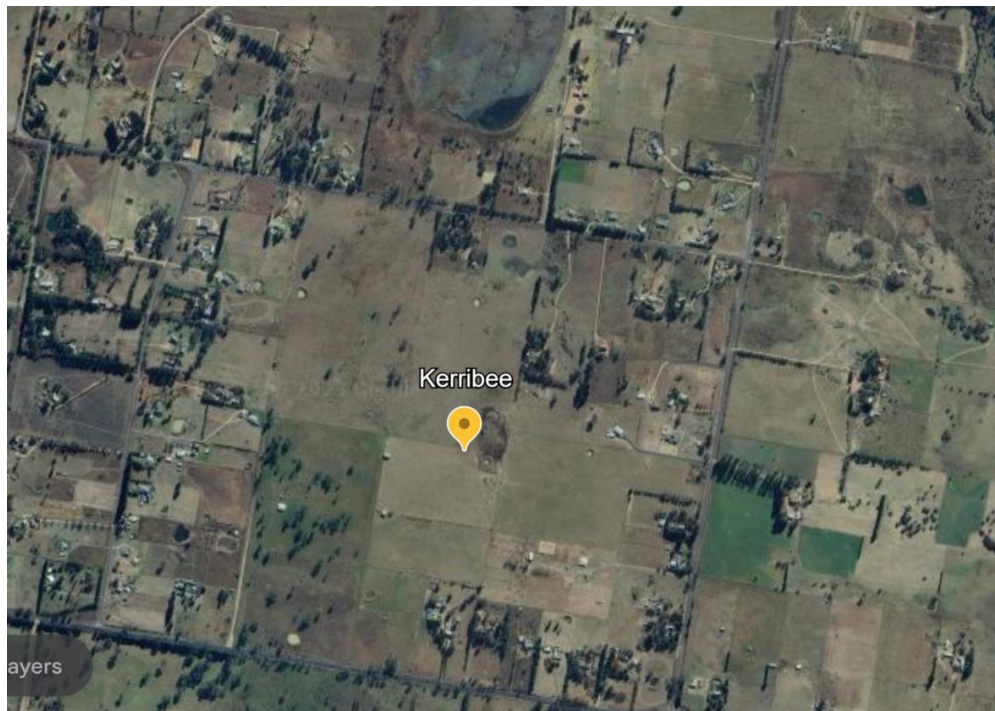


Figure 5-1 - Aerial Context – Ferris Lagoon to the top of the image.

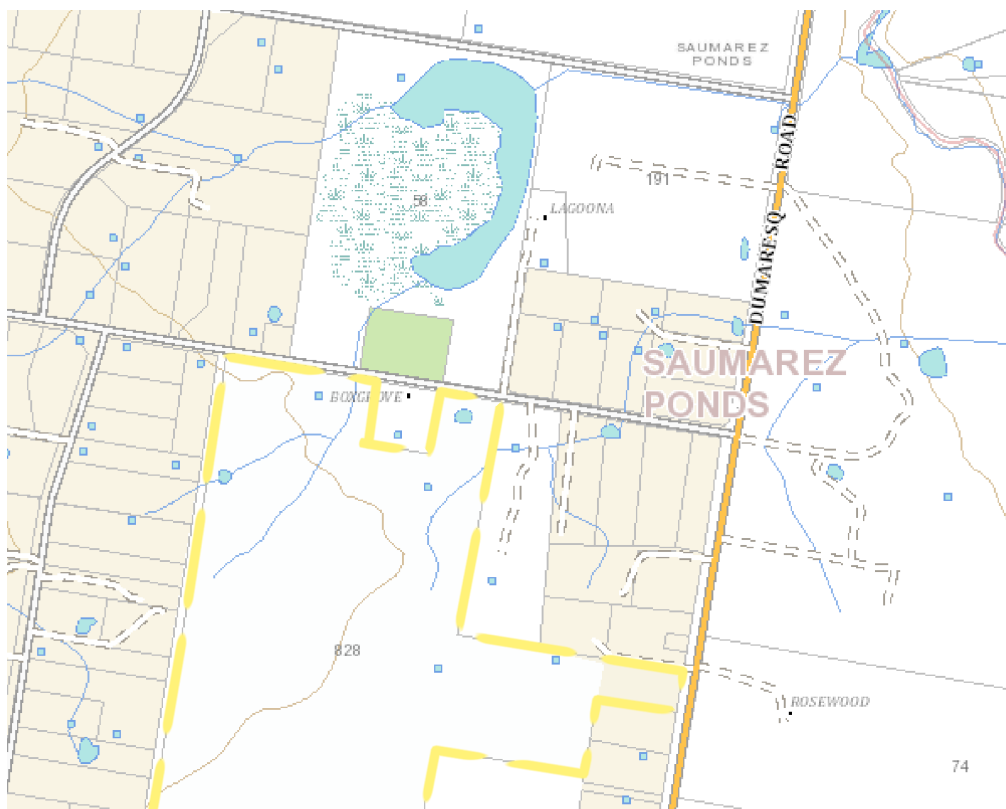


Figure 5-2 - Cadaster and drainage patterns to Ferris Lagoon.

The property is traversed by three first order streams (Strahler numbering) two of which become a second order stream prior to crossing Munday's Lane. NRAR approval would be necessary as the development encroaches on the riparian areas. Under the riparian guidelines in NSW a protected area of 20m width (10m each side) of a first order stream and 40m width (20m each side) of a second order stream is required. This land is unavailable for development. In addition, NRAR may well require plantings within the riparian zones.

5.1 Riparian Protection Areas

The diagram below shows the areas that would need to be included in riparian protection areas.

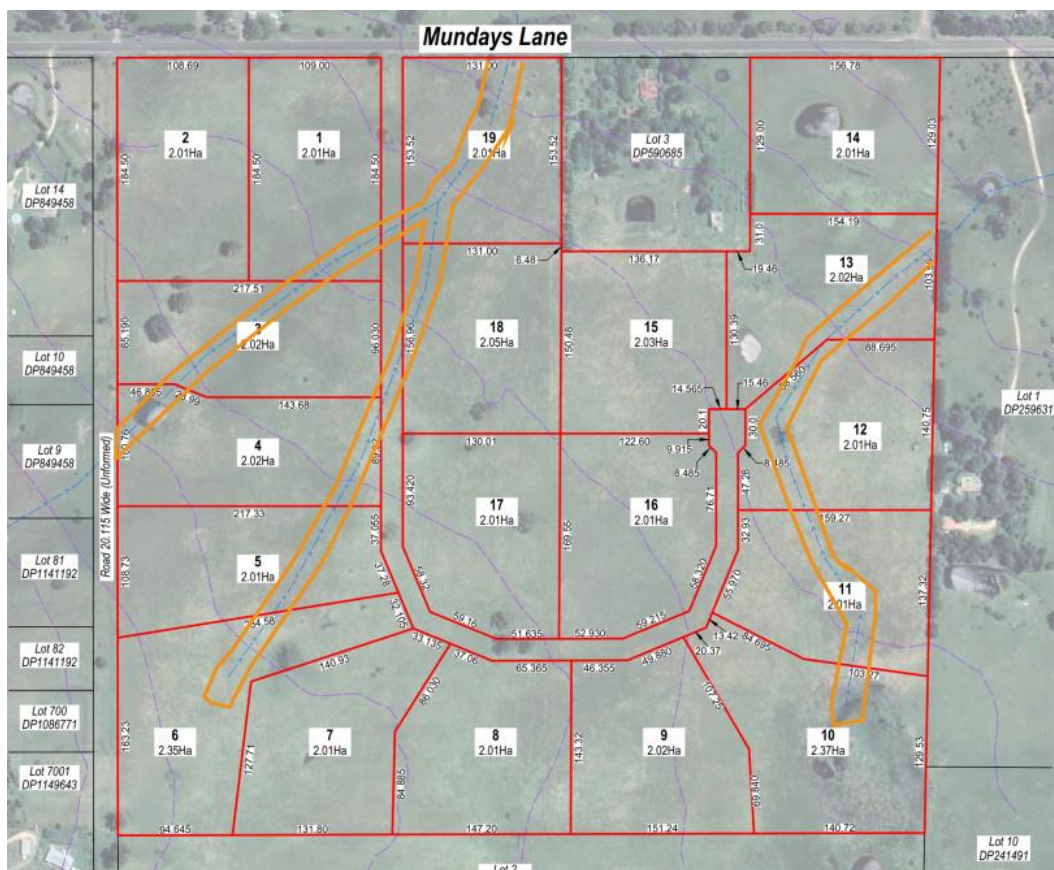


Figure 5-3 - Approximate extent of riparian protection areas

5.2 Surface Water

In addition to the riparian protection areas, there is a need to pay particular attention to surface water quality. In this respect runoff from large lot residential development is more likely to contain high nutrient loads as well as the potential for agricultural chemicals and the like. This needs to be addressed before streams discharge to the lagoon.

5.3 Sub-surface Water

Further, on-site sewage disposal, if not well-managed can contribute to both surface and ground water contamination. If the development is to be supported, then it is necessary for water quality treatment to be implemented on the main runoff lines. This would also require NRAR approval for an in-line facility. In addition, all sewage treatment on-site should be through tertiary level systems.

5.4 Water Quality Treatment

There are existing dams on two of the first order streams. The upstream one on the westernmost stream could and should be repurposed to address water quality from upstream developments. This would represent the best use of this dam. The other is mid-development and could be removed, subject to dams being implemented on the downstream ends of the streams, prior to them crossing Munday's Lane.



Figure 5-4 -Aerial close-up showing potentially waterlogged (greener) areas

5.5 Waterlogging

A further issue is waterlogging, particularly during wet winters, when areas of poor drainage and along creek lines can have waterlogged soils, often for some months. There has been no opportunity review any geotechnical work that might have been conducted, however this is very strongly suggested prior to further consideration. In particular it should assess soil suitability for road construction as well as for dwelling sites. These should be located on better drained areas (which will also be further from the riparian zones) and roads need to be constructed to take into consideration these ground conditions.

6. Ecological Issues

6.1 *Review of Ecological Report*

The report submitted is noted, noting that it only addresses grasslands. No author is provided, and the report's provenance is therefore doubtful. Any professional report should make its authorship clear. We have noted that the assessment was very limited, did not include tree species and did not identify EECs in the vicinity, notably the Lagoon.

It is understood from that report that it is around ten years since oversewing was undertaken, and it would be expected that some native species persist, even if not in the majority. This has not been reflected in the report.

6.2 *BDAR Assessments*

It is noted that it is asserted that there is no BDAR trigger. The BDAR assessment has been re-run to note the clearing requirements. An estimate was made for road clearing together with reasonable house sites and curtilages. Assuming 1000 m² for each house site, 400 m² for driveways per lot, and 17,000 m² for roading = 43,600 estimated clearing. The site area is 4.263 ha. This is not above the clearing threshold as determined by the tool.

6.3 *Endangered Ecological Communities*

A review of the Commonwealth database for endangered ecological communities was undertaken, as it is necessary to review both Commonwealth requirements as well as state requirements. In this respect NSW does not have an exemption whereby compliance with state legislation is considered to also cover Commonwealth legislation.

A review of the Commonwealth website identified the following EECs¹ which may be present on the land:

- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland. This is critically endangered, and the presence of the key tree species would be sufficient for the land to be so identified.

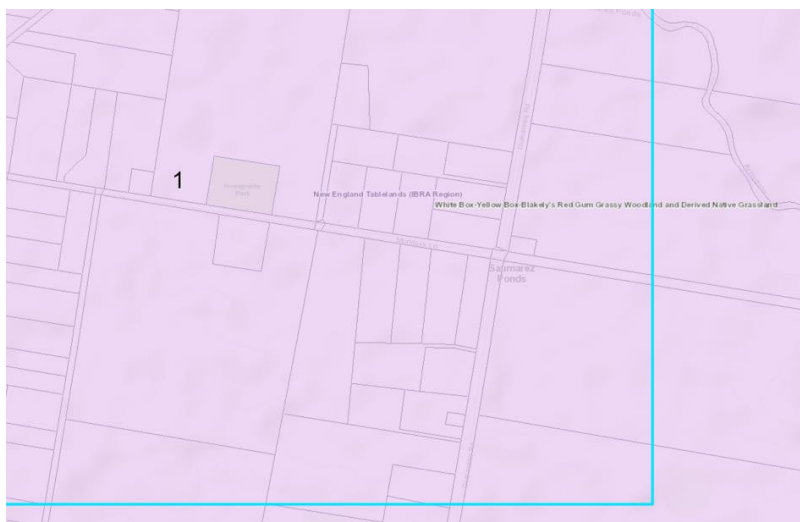


Figure 6-1 - White Box Yellow Box Grassy Woodland

¹ <https://pmst.awe.gov.au/> searching on the site as indicated in the Figure. Accessed 3 October 2023.

- New England Peppermint (*Eucalyptus nova-anglica*) Grassy Woodlands. This is also critically endangered and accordingly identification of tree species is required.

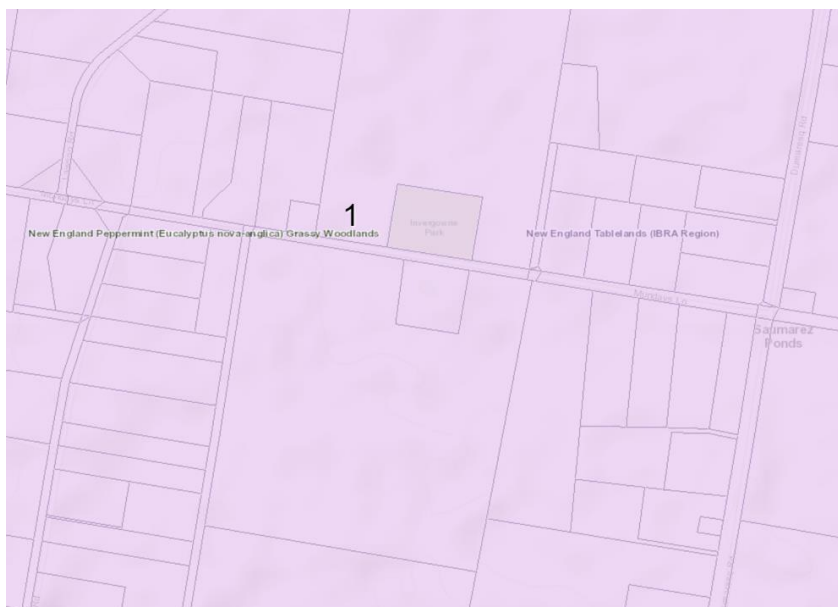


Figure 6-2 - New England Peppermint Grassy Woodlands

Further, Ferris Lagoon is identified as:

- Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion)

This is considered endangered.

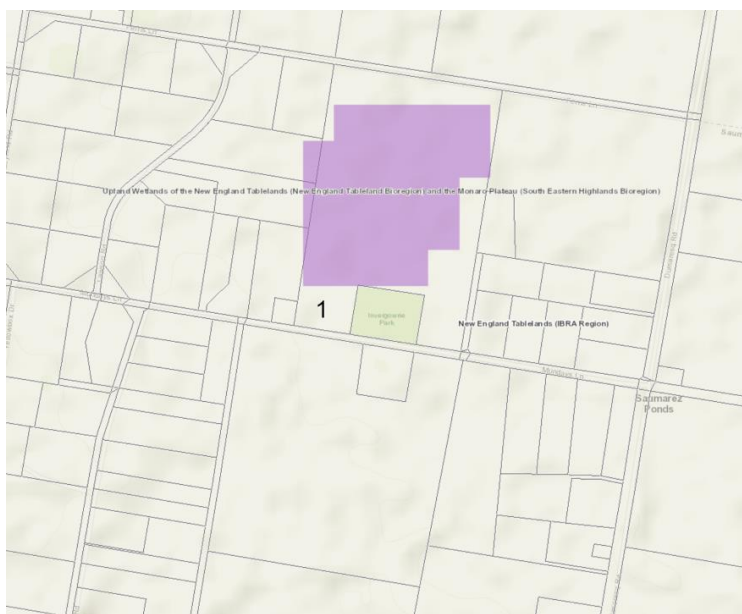


Figure 6-3 - Ferris Lagoon Status

6.4 *Migratory Species*

The following migratory species were identified as being potentially on the site:

- *Gallinago hardwickii*
- *Motacilla flava*
- *Myiagra cyanoleuca*
- *Calidris melanotos*
- *Rhipidura rufifrons*
- *Hirundapus caudacutus*
- *Calidris ferruginea*
- *Tringa nebularia*
- *Calidris acuminata*
- *Apus pacificus*
- *Actitis hypoleucos*

Again, habitat should be reviewed including tree species to assess any potential role the site might play.

6.5 *Threatened Species*

The following threatened species have been identified as being potentially on the site:

- *Myuchelys belli*
- *Calyptorhynchus lathami lathami*
- *Grantiella picta*
- *Neophema chrysostoma*
- *Falco hypoleucos*
- *Aprasia parapulchella*
- *Leionema lachnaeoides*
- *Phascolarctos cinereus* (combined populations of Qld, NSW and the ACT)
- *Arthraxon hispidus*
- *Rostratula australis*
- *Stagonopleura guttata*
- *Petrogale penicillata*
- *Pseudomys novaehollandiae*
- *Euphrasia arguta*
- *Melanodryas cucullata cucullata*
- *Litoria castanea*
- *Thesium australe*
- *Dichanthium setosum*
- *Petaurus australis australis*
- *Nyctophilus corbeni*
- *Hirundapus caudacutus*
- *Calidris ferruginea*
- *Dasyurus maculatus maculatus* (SE mainland population)
- *Picris evae*
- *Aphelocephala leucopsis*
- *Anthochaera phrygia*
- *Pteropus poliocephalus*

- Eucalyptus mckieana
- Climacteris picumnus victoriae
- Chalinolobus dwyeri
- Bertya sp. Clouds Creek (M.Fatemi 4)
- Callistemon pungens
- Eucalyptus nicholii
- Botaurus poiciloptilus

Again, habitat should be reviewed including tree species to assess any potential role the site might play.

7. Traffic and Access

The images below show current road conditions:



Figure 7-1 – Dumaresq Road -Existing Condition

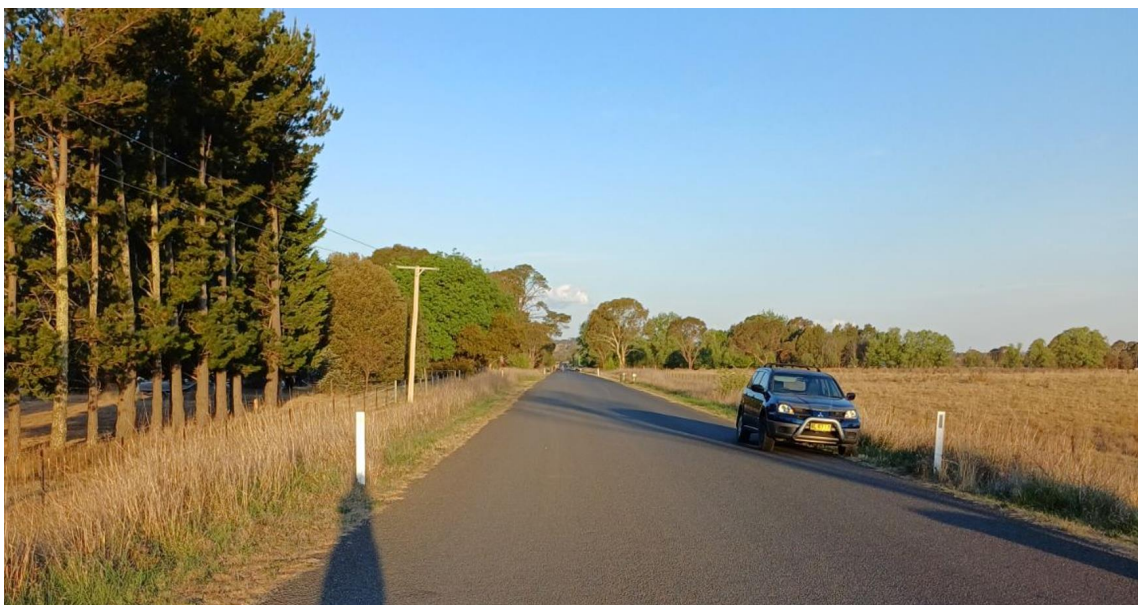


Figure 7-2 - Mundays Lane - Existing Condition



Figure 7-3 - Munday's Lane - Edge Wear



Figure 7-4 - Example of culvert near to road edge



Figure 7-5 - Typical Build-up of vegetation outside immediate carriageway



Figure 7-6 - Mailbox close to carriageway edge



Figure 7-7 - Intersection Munday's Lane and Dumaresq Road

7.1 Current Conditions

The *Planning for Bushfire Protection* review addressed the internal layout issues for the development. Munday's Lane is sealed, with the carriageway consisting of a notional 7m seal. The road is a school bus route, and is also used by B-Doubles (generally for cattle) as well as quarry traffic from the local quarry. In addition, the road is utilized by cyclists, pedestrians and horse riders. In this respect a 7m carriageway is inadequate. Dumaresq Road, which connects Munday's Lane to the Bundarra Road is a notional 6.5m carriage way, and is generally in poor condition.

Both these roads, given their traffic function, should be 8m sealed carriageway at minimum.

7.2 Traffic Generation

Large Lot residential development is a high traffic generator compared to typical suburban lots. Surveys on the periphery of Armidale as part of a traffic study for a residential development identified generation rates of just below 10 trips per household per day. It is considered that similar rates would apply in the current situation. On this basis, a total of 190 trips per day are likely to occur. Based on the road layout and lot

pattern it is estimated that current volumes are approximately 170 trips per day. This would result in a total generation of some 360 trips per day, which is slightly above the 300 trips per day for a quiet residential street.

Limited survey work has been able to be conducted to provide current traffic volumes. This took the form of intersection counts (all movements) at the junction of Munday's Lane and Dumaresq Road. Counts were from 7:00 AM – 10:00 AM and 3:00 PM – 6:00 PM which are considered to capture the AM and PM peaks.

This work should be considered as indicative only, due to the following factors:

1. The survey is during the school holiday period.
2. It should be noted that volumes would be significantly depressed due to the school holidays. Accordingly, the actual counts should be considered very conservative.
3. Cattle sales are Thursday, with cattle to be on-site by 7:30pm Wednesday which means not all cattle movements are likely to be captured.

In summary, the survey work demonstrates:

Peak hours are 8:15-9:15 am and 4:00-5:00 PM with 22 vehicles AM and 30 vehicles PM in Munday's Lane and 76 vehicles AM and 91 vehicles PM at the intersection of Munday's Lane and Dumaresq Road. On the basis that the AM peak generally represents 10% of total vehicle movements, overall vehicle movements are estimated at 220 trips per day in Munday's Lane and 760 trips per day at the intersection with Dumaresq Road.

This compares with the lot count estimates earlier, which are higher, which is expected due to the impact of school holidays on the actual counts, which is expected to be significant. Given, say, a 50% uplift to account for school traffic, total volumes would be some 330 as compared to the lot-based estimate of 360 trips per day. Of note is that the volumes on Dumaresq Road are significantly higher, with an estimate of 760 trips per day. This road has the narrower carriageway.

Only small numbers of quarry and cattle trucks were detected during the survey, which is not unexpected given the cyclic nature of both activities.

7.3 Overall traffic issues

It is our submission that there are several issues arising.

1. The road is subject to a wide range of uses and pressures. As currently constructed, the road is not adequate for the existing pressures which include school buses, agricultural service vehicles, quarry trucks, pedestrian, cyclist and horse riding uses.
2. In addition, there are issues which include visibility at driveways, steep fall-offs into culverts and the location of mail facilities within 600mm of the pavement edge. These are in addition to the inherent conflict between the current user groups.
3. The proposed intersection would create a light nuisance for the existing dwelling.
4. The proposed volumes, while not of themselves major, would significantly accelerate the maintenance requirements of Munday's Lane.

Accordingly, it is submitted that the development should make a pro-rata contribution to upgrading Munday's Lane to an 8m sealed carriageway, as well as the same for Dumaresq Road through to Bundarra Road. This would permit two-way traffic on the seal, including heavy vehicles, while improving other user safety. In addition it would improve access for service and fire-fighting vehicles and significantly reduce long-term maintenance costs.

It is noted that Council has the power to implement a development contribution plan, even though an application has been lodged. Given the need to review the layout and riparian issues, it is submitted that this should be undertaken. Alternatively, a Voluntary Planning Agreement could be discussed with the proponent.

8. Recommendations:

As a result of our review, we make the following recommendations to Council.

8.1 *Modification of Proposal*

1. That Council not support the proposal in its present form but seek re-design of the proposal to address the following issues:
 - a. Bushfire – Grassland provisions of *Planning for Bushfire Protection 2019*
 - b. Riparian Zones - The need to establish and protect riparian protection zones in accordance with *Guidelines for Riparian Corridors on Waterfront Land*
 - c. Water Quality - The need to address water quality to protect Ferris Lagoon. In this regard weight should be given to *The NSW Wetlands Policy* and related guidance documents.
 - d. The potential for Endangered Ecological Communities as well as endangered species based on assessment that includes tree species.

8.2 *Voluntary Planning Agreement or Developer Contribution*

- e. That Council discuss with the proponent a voluntary planning agreement to contribute to the upgrade of Mundays Lane and Dumaresq Road to an 8m sealed carriageway on a pro-rata basis, or, if they are not supportive,
- f. The implementation of a developer contribution plan to the same effect.

8.3 *Conditions*

If Council is considering supporting a proposal, preferably modified and re-advertised, the following conditions in addition to standard conditions of consent and subject to the redesign as discussed above should be imposed.

1. At the time of dwelling construction that:
 - a. Building envelopes be specified that take into consideration potential waterlogging of soils, and riparian proximity.
 - b. A requirement be imposed for tertiary on-site sewage management facilities for all dwellings
 - c. Dwelling access comply with *Planning for Bushfire Protection*
 - d. Dwelling construction be to BAL 12.5 with all dwellings having a loop driveway around the dwelling and an appropriate APZ to achieve this BAL.
 - e. Landscaping to comply with *Planning for Bushfire Protection*
 - f. Static water supplies and access to comply with *Planning for Bushfire Protection*
 - g. Covenants on title (Section 88E to ensure ongoing compliance with *Planning for Bushfire Protection*
2. That a mechanism be developed to maintain water quality control devices in a way that does not impose costs on the Council. (This could include a special rate, for example).

8.4 Strategic Options

If the development does not proceed, there is an opportunity to secure the undeveloped section of the immediate catchment from further development. This could be done by reverting to the RU1 zone.

While noting that the lagoon is not in public ownership, an appropriate conservation zone could be placed over it, and its immediate curtilage, which would allow continuation of current practices, while limiting future development options. This would facilitate the long-term protection and preservation of the lagoon.

From: JOSEPHINE NEWBERRY [REDACTED]
Sent: Tuesday, 10 October 2023 3:59 PM
To: Council
Subject: Mundays Lane submission

Without prejudice.

To whom it may concern.

My husband Chris Powell and I object to the proposed 19 lot subdivision on Mundays lane. I have listed our objections below.

-The subdivision of good agricultural land.

-These sorts of subdivisions should be put on poorer quality land that does not have this agricultural value.

-We have lived here for over 30 years and this area has been a quiet rural setting most of that time but for a few feral neighbours/feral kids/feral pets. This problem will only increase with this size subdivision.

-This subdivision is above a large bird breeding area. Hence the 'ponds' in our area name. This area is a lovely wetlands which will be under threat from the new development.

I hope this submission is taken into account, as the time frame given was too short and due to the lack of notice of this subdivision.

I also have to put in a complaint regarding being notified re: this subdivision. We have not received any notification from Council regarding this. You must have our mailing address, as the rate notices seem to find us.

Regards,
Josephine Newberry.
Sent from my iPhone

From: Lou Allen [REDACTED]
Sent: Thursday, 12 October 2023 3:13 PM
To: Mayor Uralla; Robert Crouch; Tim Bower; Sarah Burrows; Leanne Doran; Bruce McMullen; Tom O'Connor; Leonie Petrov; Tara Toomey
Subject: Regarding DA- 57- 2023 Lot 4 Mundays Lane, Saumarez Ponds

Hello Mayor and Councillors,

Thank you very much for the chance for residents from Saumarez Ponds to meet with Councillors, at the Barry Munday Reserve, on Sunday afternoon. It is very much appreciated that so many of you were there - attending on a weekend was a big effort.

I am one of the residents who has put in a submission against the proposed development DA -57 -2023 of 19 two hectare blocks at Lot 4 Mundays Lane, Saumarez Ponds.

I acknowledge that it is the right of the landholder to formulate ideas and plans for the block - but it is an opportunity for the Council, to look at the impact of the proposal first.

I am attaching a copy of my submission to Council and I will try to summarize the points here:

1. The development will take out a significant section of a block capable of productive agriculture.
2. Drainage and water flows- the impact of urban infrastructure will affect the roads and lagoon.
3. Environmental impact of chemicals- through to the Lagoon and Saumarez Creek.
- 4.. Effects of impact of extra vehicles- entrance points to the roads, increase in traffic, road wear & tear, and most importantly Road Safety issues.
5. Water in dry periods- I believe that the water carting business supplying water to residents in the Uralla Shire, has to source that water from Uralla. In dry periods there will be increased pressure on water supplies.
6. Water in wet periods- Saumarez Ponds can become a very wet and slow -to- drain area. The drainage of the land, in all of the area is very important. If people are going to build, they need to have the assurance of how the area handles water flows.
7. Planning pedestrian and bike- friendly passageways for present and future residents - would help with the road safety issues expected from a new small- lot subdivision.
8. Green corridors for flora and fauna- when a large size block has a proposed development, it is an opportunity to make sure there is some provision for the natural environment to be enhanced.

Thank you for reading.

Lou Allen

-----Original Message-----

From: JOSEPHINE NEWBERRY [REDACTED]

Sent: Wednesday, 18 October 2023 1:48 PM

To: Kate Blackwood [REDACTED]

Subject: Re: Munday's Lane submission

Thank you for getting back to me.

I did forget to put in the submission about the underground water supply dropping as more and more people in the Saumarez ponds area sink more bores. This subdivision will put huge pressure on a finite resource.

The water table has dropped considerably in the last 30 years. I know this sounds selfish but a lot of good people have added considerably to the biodiversity of this area and would like to have a water source to maintain this asset.

The other thing I wanted to mention was the prevalence of noxious and environmental weeds in the Saumarez Ponds area.

Just to name a few are Chilean needle grass, African Lovegrass, Gorse, Spanish Broom, Pyracantha, Cotoneaster, Honeysuckle and Privet just to name a few. A lot of these are not being sprayed or controlled by council, on council land, let alone private land. With this new proposed subdivision, this problem will only be exacerbated. The above problem is not being managed now!

I have been to the Noxious Weeds County Council in Armidale and they have said they do not have the funds to do any control measures for most of the above weeds, I mentioned now, let alone when and if this subdivision is approved.

I'd like to know what measures the council is putting in place to manage the above weeds now and in the future.

I hope the above can be added to my submission.

Kind regards,
Josephine Newberry.

Sent from my iPhone

From: Jamie Allen [REDACTED]
Sent: Saturday, 4 November 2023 9:57 PM
To: Mayor Uralla; Robert Crouch; Tim Bower; Sarah Burrows; Leanne Doran; Bruce McMullen; Tom O'Connor; Leonie Petrov; Tara Toomey
Subject: DA-57-2023 Mundays Lane subdivision

Hello

Thank you for the opportunity to meet with many of you at the Barry Munday Reserve at Saumarez Ponds on October 8th. It was greatly appreciated that you were there and engaged openly with the local residents - and you took valuable time out of your weekend to visit us.

While I have made a more formal submission to Council regarding DA-57-2023, I would like to briefly summarise the concerns I have regarding the DA-57-2023 subdivision (Lot 4 in DP590685 - Mundays Lane, Saumarez Ponds):

- The 40 ha subdivision in the DA was partitioned from a 95 ha productive farm. That is, productive farming country is being turned into houses.
- The other 43 ha lot (zoned R5) between the planned subdivision and the Bundarra Road will now be a prime subdivision development for the future. This current DA will therefore set a precedent for further subdivisions.
- This DA is excessive. The proposed 19 lots will more than double the number of houses currently on Mundays Lane.
- There will be significantly more traffic on roads (Mundays Lane, Marble Hill Rd, Dumaresq Rd) not designed for that level of usage.
- Pedestrian and cycling activity in the area currently can only occur on the narrow roads due to the open trenches dug beside the roads. Increased traffic makes this more dangerous.
- The DA has no allowance to restore or improve the existing environment, develop wildlife corridors or public green space.
- The land of the subdivision gets very wet during a rain event, when a few inches of surface water runs over most of the land in the area - not just the water courses shown on the environmental plan.
- Water from the subdivision drains into the Saumarez Ponds/Ferris Lane Lagoon. Any contaminants (fertiliser, pesticides, grey water, etc) from the lots will also flow into the Lagoon.
- Managing 19 "eco-friendly" sewerage systems in this environment of water flow direct into the Lagoon catchment will be impossible.
- It has been more than 12 months since a significant rain event, so neither the Developers nor their environmental study could consider actual water flow and its consequences in the Environmental Report.
- The single entry access proposed by the DA is potentially dangerous during a fire event.
- Bore water in the area is already being strained by existing developments. The underground water system will not cope with new developments of this size.
- This level of development is effectively creating the Saumarez Ponds Village. The DA should therefore contribute to this village development beyond just the subdivision itself.
- According to the ASIC Companies register, the two Companies mentioned in the DA are based in Tamworth, were only registered in May/June this year, and have no prior history in sub-divisions or developments.

This DA also highlights the need for the Uralla Shire Council to urgently consult and develop a strategic plan for the development of the Saumarez Ponds area. USC has a "Community Strategic Plan 2017-2027" that has noble statements and worthwhile goals. However, these need to be translated into actions when Development Applications are submitted so that these goals can be realised.

Kind regards

Jamie Allen
[REDACTED]

14.3 Rural Property Signs Proposal

Department:	Infrastructure & Development
Prepared By:	Interim Executive Director Infrastructure & Development
Authorised By:	General Manager
Reference:	UINT/23/18254

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3.	We are good custodians of our environment
Strategy:	3.2.	Maintain a healthy balance between development and the environment

SUMMARY

This report proposes the introduction of a new service for rural property owners involving the installation of a new form of rural address signage on cost-recovery basis to help improve community safety and property identification.

RECOMMENDATION

That Council :

1. Notes that the intention of the Uralla Rural Property Address Scheme is based on the voluntary participation by rural landowners who would only be subject to the charge if they ordered a rural property address sign.
2. Notes that the full recovery cost to Council for supplying and installing a rural property address sign is assessed to be \$360.00 per unit.
3. Endorses the addition of a fee of \$360.00 to the 24/25 Fees and Charges payable by individual rural property owners who wish to participate in the Uralla Rural Property Address signage scheme.

REPORT**Overview**

Currently many rural properties either do not display easily visible property numbers or names on mailboxes and/or, the display of names and numbers at the property entrance is not always clearly visible from the road or cannot be seen at night.

Unlike most urban settings where individual property addresses and property entries are relatively easy to identify from the street, properties in rural areas are often separated by significant distances and the entrances are often partially concealed amongst rural road verge vegetation. A further significant and related aspect is that the public roads leading to rural property entries are often a relatively high speed zone.

Those issues combine to create potentially significant difficulties and risks with identifying a particular property entry for occasional visitors to rural properties such as for example emergency services, deliveries, veterinarians, livestock transport, and officers of the various public agencies with an interest in rural properties or farming activities.

In response to those issues, Council's neighbouring local government partners, Walcha and Armidale, have implemented a Rural Property Addressing system (based on voluntary participation by landowners) which aims to provide rural properties with a nationally recognised and prominent addressing system.

The Rural Property Addressing System involves the placement of a standard sign (refer to photograph below) in a prominent location at the entry to the property.



The property numbering system is consistent with the RMB system where it is based on the distance from a reference point (usually the nearest road intersection). In the case above '653' represents that the entry is 6530m (or 6.53km) from the reference point. Signs ending in an odd number (as in the above example) indicate that the property entry is located on the left hand side when travelling from the reference point, and even numbers indicate the entry is on the right hand side when travelling from the reference point.

Proposed operational approach

Council staff regularly traverse the rural areas of the LGA when undertaking their usual work activities. The actual installation of a Rural Address sign (single post placed into the natural ground) is a relatively straightforward process which could be a minor additional task to the works already undertaken by Council's Roads and Open Space teams.

The supply of poles, finished signage blades and fittings is readily available locally. The current estimated cost of locally purchasing the finished signs combined with the cost of installation by Council staff is \$360.00 per unit.

It is proposed that Council supply this service with a fee of \$360 per unit and include such a fee to Council's 24/25 Fees and Charges in order to begin offering this service to local rural property owners.

CONCLUSION

This report recommends that Council offers a new Rural Address Signage installation service to be subject to a full cost recovery fee with effect from 1st July 2024 to help improve rural property identification particularly for emergency services. The proposed fee of \$360 will be included in the 24/25 Fees and Charges schedule.

COUNCIL IMPLICATIONS**Community Engagement/Communication**

Via the publication and consultation of the new fee addition to Council's 24/25 Fees and Charges.

Policy and Regulation

Council is required to consult its community regarding the establishment of fees and charges.

Financial/Long Term Financial Plan

The recommended fee (\$360 per unit) for Council to provide rural address signage upon request is based on full cost recovery principles.

Asset Management/Asset Management Strategy

N/A

Workforce/Workforce Management Strategy

Council work teams

Legal and Risk Management

The installation of clearly marked rural address signage would mitigate a number of current issues which often attend the entries to rural properties along

Performance Measures

A future report returned to Council prior to the setting of the 24/25 Fees and Charges

Project Management

Internal

14.4 Project Updates - Public Spaces Legacy Program

Department:	Infrastructure & Development
Prepared By:	Manager Projects
Authorised By:	General Manager

SUMMARY

The purpose of this report is to provide Council with the current status and outlook for the three (3) Public Spaces Legacy Program (PSLP) grant funded projects being undertaken by Council; namely:

- The Rotary Park Upgrade;
- The Glen Upgrade (including Constellations of the South); and
- The Pioneer Park Upgrade.

RECOMMENDATION

That Council notes the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project.

REPORT**Project updates**

Councillors please note, this status update report was current on 8 February 2023.

Council officers requested an extension of time to April 2024. As a result of diligent monitoring and cost control efforts, the opportunity to slightly extend the deliverables across the PSLP Grant projects has been created. On that basis, the installation of the mosaic tiles for the Entry statement at Pioneer Park, originally a Stage 2 deliverable, has been brought forward to Stage 1. Additionally, moderate funding for the overhaul of the existing information shelter at The Glen has been created. The actual scope of work for the shelter and information panels is still under consideration with input from UTEC being sought prior to finalising that objective.

The extension requested was denied due to the fact that the timeframe for all projects ended on 31 December 2023. However, Council received documented confirmation and instruction to complete the projects and acquit within 2 months of the official completion date.

PSLP Project 1 - Rotary Park Upgrade – The Rotary Park Upgrade Project has reached full Practical Completion. The bottom car park area has now been increased to allow for additional RV and caravan parking. The reduced bottom garden and signage are set for reinstatement and may have been completed by this meeting date.

PSLP Project 2 - Pioneer Park Upgrade – Project construction continues with the spiral pathway complete. A sealer is yet to be instated. Seating construction has been completed. The sprinkler system and park drainage have been completed and are operational. Lighting to the rear wall is 90% complete. Entry statement foundations and blocks are complete. Artists are currently working on the entry statement mosaic designs for approval. Landscaping and turfing are complete with additional over-seeding due.

Lighting to the entry statement is 90% complete. Additional lights will be erected from the amenity block taking into consideration traffic constraints. (FYI Amenity refurbishment has been identified under SCCF5A due to be undertaken to coincide with an official opening of the Park. Organisation of the official opening will be undertaken during February and March and is currently projected to occur in late May.

The final Stage 1 Park should be opened to the public by late March with a possible temporary exclusion zone around the entry statement section if that element is not complete with mosaics at that time.

PSLP Project 3 - The Glen Upgrade (including The Constellations of the South)

Infrastructure –More granite boulders have been placed around the facility to inhibit illegal camping and to keep unauthorised vehicles inside the road reserve. The new pathway linking Rotary to The Glen has been asphalted. Signage for the Glen indicating the walking route to the toilet facilities at Rotary has been installed. Two park benches received with the accessible table setting are yet to be installed.

The information panels draft has been presented to UTEC and recommendations are due in March. The Project Manager is assessing new quotes for renewal of the information shelter structure to stay in line with the original design.

Constellations of the South – This component involves the delivery of eight (8) Artwork sculptures. The Phoenix, Spin (Nebula) and Lupus have been erected. Musca and Pavo are due end-February, with Hydrus due early March. Earth has been placed to cover the obelisk plinths. Artist statements have been received and are currently being manufactured by the Phoenix Foundry for installation in March. An obelisk has been selected to place near The Stargazer to receive the artist statement plaque and a descriptive plaque demonstrating how to find the Celestial South Pole using the Stargazer and the Spire. The intended plaques are similar style to match the existing plaques on Crux and Carina.

Contact Prof Fred Watson is being sought to inform him of the project and to issue an invitation to the official opening. Signage to front the car park for the Constellations of the South and the dog park is under development.

Funding and Reporting

Council officers are continuing to work with the Department of Planning and Environment (DPE) to ensure the requirements of the funding agreement are met. This is now monitored by monthly reporting until project completion.

CONCLUSION

The PSLP Projects are either complete (Rotary Park) or proceeding at pace (The Glen and Pioneer Park). The construction phase of the project is on schedule to be completed late March 2024, in-line with the new direction from the funding partner to finish when practically possible. The PSLP expenditures for each project remain healthy and within the original budgetary limits.

Significant physical advances have been made for both remaining project sites.

This report recommends that Council note the current status of the PSLP Projects.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Significant community and key stakeholder consultation has been undertaken to this point and it is the project delivery team's intention to maintain a high level of communication with all parties into the future.

Policy and Regulation

Uralla Shire Council Procurement Policy, NSW Local Government Act and Regulations.

Financial/Long Term Financial Plan

All three projects are being undertaken via capital funding from the NSW Government, therefore the draw on Council's capital resources is negligible. However, all three assets will have new and higher 'replacement costs' following their enhancements. That will result in higher than previous annual depreciation figures in Council's Annual Financial Statements. There may be some additional increases to Council's annual operating and maintenance budgets.

Asset Management/Asset Management Strategy

The renewal and refurbishment work undertaken on each of the three project sites will effectively establish three new and upgraded (more high value) assets, each with a new lifespan. Once completed, the finished assets will be accounted for, at their new higher replacement costs, on Council's Asset Register and the resultant future operating and maintenance costs defined in Council's Buildings Asset Management Plan.

Workforce/Workforce Management Strategy

To achieve deliverables expected under the funding deeds, some elements of works at the Glen have been undertaken internally by Civil Infrastructure staff, having no bearing on usual maintenance works.

Legal and Risk Management

All current work on the projects is in accordance with Council resolutions. Project budgets are being closely managed.

Performance Measures

Council is currently compliant with the performance measures issued with the Funding Deed from the Grant Partner.

Project Management

The Projects are being effectively delivered via contracted resources, with some input from the Civil Infrastructure workforce, under Council supplied project management, costed through the funding.

14.5 Tree Management Guidelines

Department:	Infrastructure & Development
Prepared By:	Acting Manager Environment & Waste
Authorised By:	Executive Director Infrastructure & Development
Reference:	UINT/24/1518
Attachments:	1. Draft Guidelines - Tree Management - October 2023  
LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK	
Goal:	3. We are good custodians of our environment
Strategy:	3.1. To preserve, protect and renew our beautiful natural environment

SUMMARY

Council resolved at its meeting of 28 November 2023 to place the Tree Management Guidelines on public exhibition for community comment. The policy was exhibited from 7 December 2023 to 1 February 2024 and three (3) submissions were received.

Submission 1 raised tree-related concerns on rural roads, however, this was not directly related to the draft guidelines under consideration and will be dealt with using a different channels. Submissions 2 and 3 were primarily focused on suggestions for removal of some tree species which could be problematic in the future.

The submissions also suggested the inclusion of 31 additional native tree species which are well proven under the local weather conditions. Council staff reviewed the submissions and made adjustments accordingly.

It is recommended that Council now adopts the amended Tree Management Guidelines.

RECOMMENDATION

That Council

- 1. Notes the submissions received.
- 2. Notes the staff responses and amendments to the guidelines related to the submissions: and,
- 3. Adopts the amended Guidelines for Tree Management.

REPORT

Council resolved at its meeting of 28 November 2023 to place the Tree Management Guidelines on public exhibition for community comment. The policy was exhibited from 7 December 2023 until 1 February 2024 and three (3) submissions were received.

Submission 1	The submission principally deals with Council’s management of fallen trees along rural roads and vegetation growth on rural road reserves.	Council Response	The matter raised is of concern however it does not directly relate to the specific purpose of the tree management guidelines which are under consideration here. The matter will be dealt with using a different channel.
--------------	--	------------------	--

Submission 2	<p>A. Suggested the removal of four (4) species from the list of species due to either the incidence of fallen limbs, disease or dying out from rising temperatures. The species are <i>Acacia implexa</i>, <i>Angophora floribunda</i>, <i>Eucalyptus pauciflora</i> and <i>Eucalyptus viminalis</i>.</p> <p>B. Suggested the inclusion of 31 additional species to the current list of tree species</p>	Council Response	<p>A. A staff review of the submission confirmed that three (3) of these species should be removed from the guidelines due to the dangers they may pose in the future. However the fourth species ie. <i>Eucalyptus viminalis</i> is increasingly rare and planting it should be encouraged. For this reason it has been left in the guidelines as an available option.</p> <p>B. Staff review shows that that these species are all native and are already present in the LGA and should be added as available species in the guideline.</p>
Submission 3	Correction of a repeated species in submission 2.	Council Response	The repeated reference was replaced with a different species as requested in the submission

Please refer to amendments made on pages 28 – 30 in the attached Tree Management Guidelines.

CONCLUSION

This report recommends that Council take note of the submissions received and the staff responses to each of those submissions, and consequently recommends that Council adopts the amended Tree Management Guidelines.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Significant community and key stakeholder consultation has been undertaken to this point and is reported here.

Policy and Regulation

N/A

Financial/Long Term Financial Plan

There are no financial implications which flow from the adoption of this report.

Asset Management/Asset Management Strategy

This report underpins the future appropriate management of a natural resource.

Workforce/Workforce Management Strategy

Council staff

Legal and Risk Management

N/A

Performance Measures

The project to establish a tree management policy and guidelines is complete upon the adoption of this report.

Project Management

Manager Waste and Environment



Guidelines for Tree Management

2023



Table of Contents

1. Introduction	3
1.1. Background	3
1.2. Purpose of the tree management guidelines	3
2. Tree Species Selections	4
2.1. Selection criteria	4
2.2. Tree Species list.....	5
3. Trees on Council-managed Land.....	6
3.1. Tree Preservation Legislation and Tree Management.....	6
3.2. Tree planting	6
3.3. Street Tree Planting by Residents	7
3.4. Street tree pruning.....	8
3.5. Requests for removal of a Tree.....	8
4. Guidelines for Roadside Vegetation removal.....	10
5. Appendices.....	13
5.1. Appendix 1: List of preferred tree and shrub species.....	13
5.2. Appendix 2: Detailed Tree/shrub selection matrix.....	25
5.3. Appendix 3: Street Tree Planting Request Form.....	31
5.4. Appendix 4: Application Form to Prune/Remove Tree(s).....	33



1. Introduction

1.1. Background

Trees are an essential component within our streetscapes and open spaces providing a range of benefits to the community by cooling our towns, providing shade, supporting habitat, and providing important amenity values. However, trees can also present a risk to people and property by branches falling and potentially entire trees falling due to old age, poor structure, or other defects. Council and community recognise that climate change and population growth present unique challenges and threats to maintaining canopy cover.

The need to manage the streets and green spaces within the Shire's urban areas is essential, not only to protect people and property, but also to maintain their health and longevity.

Good planning, species selection and appropriate maintenance are vital for safe and manageable streets, roadsides and open spaces that will provide aesthetic, physical, environmental, and ecological benefits to the community. It is Council's role to manage these trees on behalf of the community in a safe, effective and efficient manner to provide maximum aesthetic, physical and psychological benefits to all.

1.2. Purpose of the tree management guidelines

These guidelines have been developed to support the implementation of the **Tree Management Policy for Council-Managed Land 2023** and provide a framework to protect, promote and nurture trees in our streets and open spaces.

These guidelines should be read in conjunction with the principles and definitions in the Tree Management Policy for Council-Managed Land 2023 and relevant legislation.

The following principles apply:

- » "Planting the right tree, for the right location" with consideration given to their whole of life maintenance requirements and the possible impacts to private and Council infrastructure, and public safety;
- » Species selection is based on careful consideration to the environmental, social, and historic character of individual urban areas;
- » Protection and retention takes precedence during the assessment of development applications, delivery of infrastructure, performing maintenance activities and when assessing event applications likely to cause impact to public trees;
- » Achieving a sustainable urban forest takes into consideration the possible conflict between trees, community expectations and the built environment;
- » Sustaining tree population entails implementing an appropriate tree removal/replacement programs that ensure the tree resource is continually managed; and
- » Management of trees shall be in line with relevant legislative requirements and best management practices.



2. Tree Species Selections

2.1. Selection criteria

As most trees in the streets and parks within Uralla Shire will occupy their planting sites for many years, a careful considered selection of the site and tree species is vital. The basic principle in tree selection is the **right tree for the right place** with due consideration given to aesthetic/design requirements, biological criteria (i.e. tolerances) and functional criteria (management issues). Given the land diversity across the Shire there is not one overall 'perfect' tree, therefore the most successful course is to match the planting site limitations with the right tree for that site.

Species of trees are selected based on:

- » **Biological requirements** relate to a trees ability to tolerate the existing and expected future climate and urban conditions. The species selected should have high tolerance levels that will allow establishment and sustained growth while producing desired benefits with low management inputs. It also relates to available root space to sustain the potential tree size.
- » **Ecological issues** include selecting plants that do not have the potential to become woody weeds and impact on natural systems. Species selected should include those that provides habitats for koalas, birds and small mammals.
- » **Functional and spatial issues** include the tree's ability to be pruned so as to provide required clearances. It also relates to the tree's root system and its limited impact on adjacent infrastructure. Certain species have been identified as more problematic than others in causing pavement damage.
- » **Aesthetic issues** consider the ability for trees to enhance the visual amenity of a streetscape or area, without negative impact to surrounding infrastructure.
- » **Health considerations.** Species selection will utilise trees that have no known or low levels of toxic or allergenic characteristics.
- » **Tree longevity** is also considered as the longer a tree is allowed to grow in a site the greater the benefits to the landscape and return on initial investment the trees will have.
- » **Native and indigenous species** will be used appropriately considering the pervading landscape context of open space and streets where the landscape is dominated by like vegetation or where there is strong community support.
- » A mix of exotic, native or indigenous tree species can be found in many areas of open space throughout Uralla Shire. Future tree planting may continue to maintain this mixed theme or, based on community support, reinforce a particular tree species theme.



2.2. Tree Species list

Council's **preferred street and open spaces tree species list** (see Appendix 1) was developed to ensure trees are selected to suit the site conditions. Council acknowledges the selection of appropriate tree species requires careful consideration of several factors, including:

- » Availability and suitability of the species for the location;
- » Suitability of the species within the context of the existing character of the street and neighbourhood, local landscape, and infrastructure;
- » Structural integrity of the tree species;
- » Immediate and potential future impact on overhead and underground services;
- » Ability to maintain clear sight lines and lines of travel for vehicles and pedestrians;
- » Potential for roots to cause damage to existing infrastructure both public and private;
- » Proximity of the tree to, and the type of, building/dwelling (considering the size of the tree when mature);
- » Structure and habit of the mature tree;
- » Maintenance requirements; and
- » Expected life of the tree.



3. Trees on Council-managed Land

3.1. Tree Preservation Legislation and Tree Management

Council is responsible for the management and maintenance of all trees on all Council-managed land, including those that may have been planted previously by residents on Council verges.

Trees and vegetation in the Uralla Shire Council are protected under the:

- » State Environmental Planning Policy (Biodiversity and Conservation) 2021
- » Biodiversity Conservation Act 2016 No 63
- » Local Land Services Amendment Act 2016

The **Biodiversity and Conservation SEPP** regulates proposed tree and vegetation removal that is not associated with a development but still requires a permit from Council.

Tree management on rural properties (which are not managed by Council) that are zoned as below is administered by the Local Land Services under the **Local Land Services Amendment Act 2016**.

- » RU1-Primary Production
- » RU2-Rural Landscape

3.2. Tree planting

Trees are planted in streets where opportunities exist due to the removal of dead or diseased trees, where there are gaps in established avenues, and where residents have requested that trees be planted.

The following criteria need to be applied to the decision-making process during tree replacement:

- » If the trees are actively causing problems (such as lifting road surfaces or becoming an environmental nuisance) replacement becomes a priority and will take place on a block by block or street by street basis;
- » Replacement trees need to be of a **similar** character and form to the specimens being replaced to maintain consistency in the streetscape;
- » Existing site conditions such as current road and parking widths as well as kerbing alignments need to be sufficient to sustain healthy growth of the trees;
- » Trees are not to be located where private overhanging trees will significantly reduce their health, vigour or shape or where foliage from the mature street tree will impinge upon traffic signals;
- » Where nature strips do not exist, street trees can be planted within pedestrian areas where a minimum of 1.5m width can be maintained; and
- » No new tree planting shall be undertaken in streets with a pedestrian area less than 2.1m wide, i.e. the distance between the back of kerb and the property boundary.

Urban environments present challenges to establishing and maintaining trees. Space is restricted by overhead and underground utilities and services, the proximity of roads,



footpaths and driveways. Therefore the planting of trees in streets is subject to the Local Government Act 1993, the NSW Electricity Supply Act 1995 No 94, and the NSW Water Acts and Regulations. Council plants species which are appropriate for the streetscape and are well suited to local conditions. Thus, the recommended tree planting spacing is as follows:

- Small Trees, <7m: 5 – 10 m centres
- Medium trees, 7-15m: 10 – 15m centres
- Large Trees > 15m: 15- 20m centres

Table 1: Street tree planting clearance

Street feature	Minimum distance from feature
Intersection in residential streets except in quieter residential streets where visibility may not be a problem	15m
Streets intersecting with a main road.	18m
Driveways	2m
Pedestrian crossings – distance from outer edge of crossing on either side	10m
Street lighting pole	5m
Footpaths/Cycle ways – clearance from edge of cycleway path to centre of tree trunk	0.8m
Electrical Power Poles- Essential energy requirement	15 m (or distance equal to tree mature height, whichever is greater)
Water Meter	1.5m
Manholes and storm water inlet pit	1.5m
Utility boxes, hydrants or drainage pits	2m
Stop signs	8m or more if necessary for clear vision
Regulatory signs	Not to block sign

3.3. Street Tree Planting by Residents

Council appreciates and supports the activities of residents and community groups who support and assist in tree planting activities across the Shire. Due to the necessity that Council abides by the legislation discussed above, permission from Council should to be sought before planting trees and shrubs within Council-managed nature strips, road reserves, parks or any other public open space.

While planting by residents may be well meaning, problems may arise from plantings that have not undergone adequate planning and assessment. Some issues that may arise from unauthorised planting include:

- » Obscuring vision for vehicle and pedestrian traffic.
- » Inconsistency with Council plantings and plans of management.
- » Future damage to Council and/or private property.
- » Public liability claims and the added difficulty of ongoing maintenance, for example inappropriate species planted near power lines.



Council reserves the right to remove inappropriately planted vegetation. Council may, where deemed appropriate and where possible, facilitate a replanting with more suitable vegetation consistent with Council's policies.

Therefore if you would like to plant a tree on the nature strip or other area of Council-managed land, please complete the **Street Tree Planting Request Form** (*Appendix 3*). Council will assess the application to determine if the site and proposed species is suitable.

3.4. Street tree pruning

Pruning is an essential component of the effective management of Council's trees. Once trees are established, pruning is the key maintenance process to keep individual trees in a safe and visually appealing condition. This will be achieved through, but not restricted to, the following:

- » Pruning in accordance with the Australian Standard for Tree Pruning, AS 4373 – 2007 (Pruning of amenity trees);
- » Maintain public safety through the removal of structurally unsound limbs;
- » Maintain tree health through the removal of dead or diseased material;
- » Maintain prescribed clearances from services;
- » Maintain prescribed clearances from roads, footpaths and driveways;
- » Ensure traffic safety and visibility of road signs; and
- » Minimise future work requirements through the removal of potential tree species which are known to pose future problems.

Council is responsible for the pruning of all trees on the streets. Residents are not permitted to prune street trees. If you believe a street tree needs pruning, please contact Council's Customer Service team to request staff to check the tree and take appropriate action.

The following issues are not necessarily considered as justifiable reasons to prune trees on Council-managed land, or native vegetation on public land generally:

- » leaf drop into gutters, downpipes, pools, lawn areas, etc;
- » to create an increase natural light if the tree existed prior to the construction of an affected dwelling or an installation of solar appliances;
- » to improve street lighting into private property;
- » to enhance views or reduce the height of trees;
- » to erect a fence or reduce shade created by a tree(s);
- » to reduce fruit, resin or bird droppings falling on cars, driveways or clothing lines
- » in response to minor lifting of driveways and footpaths by the tree roots; and
- » for a potential bushfire control hazard that has not been confirmed by the Council.

3.5. Requests for removal of a Tree

Trees, whether alive, senescing or dead, have an intrinsic value as habitat and their removal is viewed by Council in the first instance as undesirable. However Council recognises there



will be some circumstances where removal of a tree is necessary. The removal of a tree (other than pest or dangerous trees) will be treated by Council as the option of last resort, with pruning always being preferable to complete removal.

The removal of any tree on Council-managed land whether it is dead, alive, fallen or standing, from Council is prohibited unless you have prior approval.

If you believe the removal of a tree on Council-managed land is required please contact Council's Customer Service team to request a Prescribed Tree Removal Application Form (Appendix 4)

Matters for Consideration

Upon receipt of a Prescribed Tree Removal Form the Council will consider – but not be limited by – the following matters when determining an application to prune/ remove a tree or monitoring needs to be undertaken:

- (a) Risk of personal injury posed by the tree;
- (b) Risk of damage to buildings, structures or services;
- (c) Health, growth habit, stability and structural soundness of the tree;
- (d) The significance of the tree; and
- (e) The contribution of the tree to the surrounding landscape and amenity.

Council may approve a tree removal request (at no cost to the applicant) in the following circumstances:

- » the tree poses an unacceptable risk to public safety;
- » the tree is causing a significant impact to public or private property or infrastructure and alternative methods for minimising the impact will not be effective;
- » The tree is structurally poor and/or poses an unacceptable risk to public or private safety and/or has a history of major limb failure;
- » the tree is dead, diseased, damaged, or deformed and cannot be revived to a sustainable condition;
- » the tree is detrimentally affecting the health of a nearby resident, the request is supported by evidence from a medical specialist, the species of tree is uncommon in the vicinity of the applicant's residence and alternative options for managing the issue are not feasible;
- » the tree restricts vision for safe vehicle movement and other alternatives such as effective pruning cannot be achieved;
- » the tree is a pest tree and removal is consistent with Council's established budgetary priorities for the management of pest plants on Council land;
- » tree removal is required to facilitate improvements to Council infrastructure and the infrastructure cannot practicably be redesigned to avoid the need for removal; and
- » the tree is in the location of an approved Council development.



The following will not be considered as valid reasons for removal of a tree on Council-managed land:

- a) a leaf drop (into gutters and downpipes, pools, lawns and the like);
- b) to reduce shade or increase natural light if the tree existed prior to the construction of an affected dwelling, establishment of a garden area, or installation of solar appliances;
- c) to improve street lighting of private property;
- d) to enhance views;
- e) to reduce fruit, resin or bird droppings on cars, driveways and clothes lines / washing
- f) minor lifting of driveways and paths by tree roots;
- g) to erect a fence;
- h) bushfire hazard control that has not been verified by RFS or Fire & Rescue; or
- i) potential damage to sewer mains unless supported by written expert advice and only where reasonable alternatives are not feasible eg relocation or encasement of main, and the trees causing the damage can be identified.

Note: Council's refusal of a tree application will only be reconsidered where satisfactory evidence is supplied by a suitably qualified person.

4. Guidelines for Roadside Vegetation removal

Trees on rural road corridors (Council-managed land) are managed as part of Council's roadside vegetation assets. Many of these trees provide habitat for wildlife and may often be the only remnant or remaining Indigenous vegetation in the area. The protection of trees is considered as part of maintenance of trees on roadsides.

Due to their ecological importance it is Council's preference that fallen trees in rural road corridors are left in place unless there is an overriding safety issue to do something else (ie they are creating a traffic safety hazard for example). Removal of fallen trees or dead wood from roadsides is therefore not permitted without the express approval of Council.

In Council's own work, the following strategies shall be used in order to manage biodiversity impacts in road construction projects that involve the removal of vegetation, in order to minimise impacts on fauna and habitats.

Pre-clearing process:

Pre-clearance process shall be undertaken to check for any threatened flora or fauna species within areas to be cleared and provide adequate safeguard measures to minimise the impact of the clearing on resident fauna. The following shall be undertaken:

- » Environmental assessment to identify known locations of biodiversity features and identifying fauna that have the potential to be disturbed as a result of clearing.
- » Engaging an ecologist to check for the presence of threatened flora and fauna identified in the environmental assessment as likely to occur.



- » Recording details of all hollow-bearing trees, trees containing threatened fauna.
- » Marking habitat features to be protected during construction.
- » Confirming the location of a pre-determined habitat for the release of any fauna encountered onsite.

Clearing of roadside vegetation:

Clearing of vegetation has the potential to displace, injure or kill native fauna, including threatened species. USC shall undertake the following steps to minimise the impacts on fauna from loss of habitat as a result of vegetation removal:

- » The hollow-bearing trees (HBT) to be removed shall be clearly marked by spray painting.
- » A licensed wildlife carer/or ecologist shall be present during all habitat removal activities to capture and relocate fauna that may be encountered.
- » Staged habitat removal: All non-hollow bearing vegetation (trees, undergrowth, feed-trees, regrowth and grass) shall be removed prior to the removal of HBT.
- » Identified HBT shall be left for at least 24 hours after removing non-habitat vegetation to allow fauna to escape.
- » An ecologist shall check hollow-bearing trees to ensure they are not used by fauna before felling. Where necessary, fauna may be trapped and relocated to a pre-determined habitat for release.
- » Before felling HBT, the tree trunk shall be tapped using an excavator to scare fauna from the hollows. This will be repeated several times to 'substantially' shake the tree to make the wildlife exit the tree.
- » Habitat trees shall be felled carefully to avoid injury to any fauna remaining in trees.
- » A re-check shall be undertaken after felling HBT to ensure no fauna have become trapped or injured during clearing operations. Any animals that emerge shall be captured, inspected for injury then relocated to a pre-determined nearby habitat.
- » Where HBT trees are taken down in stages, the non-hollow-bearing branches shall be removed before the hollow-bearing branches are removed.
- » The logs of HBT shall be stockpiled separately from other vegetation stockpiles:
 - The logs shall be inspected for fauna immediately before chipping to avoid injury/death to fauna that may be present.
 - Where appropriate, the logs shall be permanently relocated to adjacent habitat areas where it would not be considered a fire hazard. This would provide additional potential habitat for ground-dwelling fauna such as reptiles and small mammals.

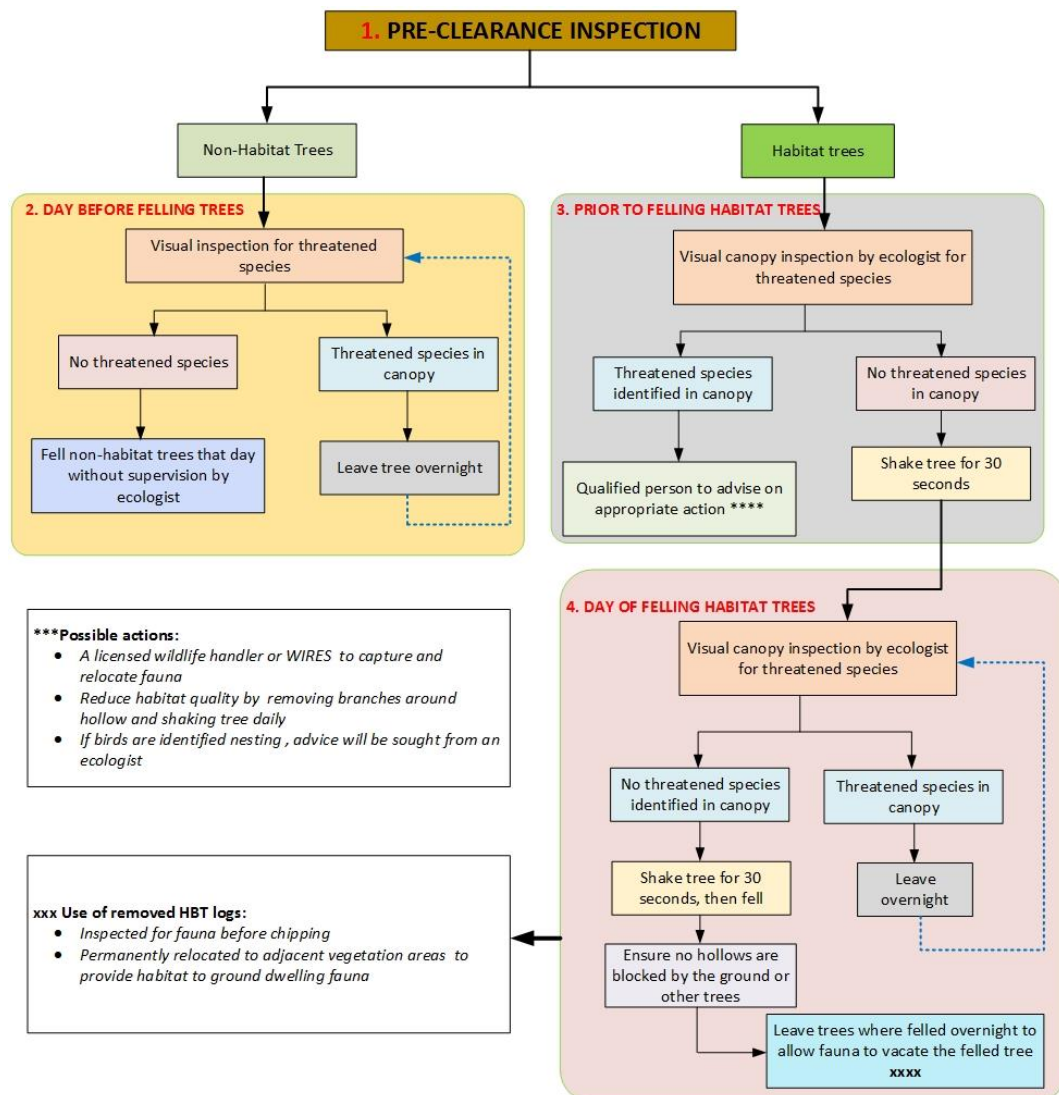






Figure 1: Tree removal procedure







5. Appendices

5.1. Appendix 1: List of preferred tree and shrub species





Deciduous trees with colourful autumn foliage

Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Fraxinus angustifolia</i> 	Narrow leaf ash	20 x 8	Attractive, pyramidal shaped, deciduous tree with handsome, divided, elliptic, mid green leaves that grow in whorls of 3-4 and make for good autumn colouring before they fall.
<i>Fraxinus oxycarpa</i> <i>"Raywoodii"</i> 	Claret ash	12 x 12	A good shade tree with beautiful autumn foliage, the Claret Ash is suitable for larger gardens, parks, and street plantings. Has been a very popular landscape tree in Australia for many years.
<i>Fraxinus excelsior "Aurea"</i> 	Golden ash	10 x 4	A broad crowned, deciduous tree with golden stems, black buds and bright yellow leaves in summer. It turns wonderful shades of red and brown in autumn.
<i>Liquidambar styraciflua</i> 	Liquidambar or sweet gum	15 x 15	Large, fast growing deciduous trees, probably best known for their spectacular orange, purple, red or yellow autumn foliage. Require an adequate root run. They are large trees with strong roots which can crack concrete.







Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Ginkgo bilboa</i> 	Maidenhair tree	10 x 8	A tall growing deciduous tree with maidenhair like foliage. The foliage colours golden yellow in Autumn. The female tree bears a plum-like cone with an ill smelling flesh, but the kernel is edible and sweet. Very slow growing and requires good soil and plenty of water during summer.
<i>Sapium sebiferum</i> 	Chinese tallow	8 x 10	A fast growing small to medium tree with a distinct main trunk and grey bark with furrows which run from top to bottom. The green heart shaped leaves change in autumn, displaying a brilliant array of colour in shades of crimson, yellow and orange. This variety starts off as a pyramid shape when young and develops a medium domed crown as it matures.
<i>Malus floribunda</i> 	Crab apple	5 x 6	A most delightful spring flowering hardy small to medium sized tree with blossoms in white, pink, or red followed by small, green, gold or pink 'apples' Stunning autumn colour in shades of yellow, red, orange and purple.
<i>Murraya paniculata</i> 	Mock orange	3 x 3	A fast-growing deciduous shrub that has a dense, rounded growth habit. It sports oval, serrated, dark green leaves and features showy, cup-shaped, four-petal flowers in the late spring and early summer. The lovely, fragrant flowers of the mock orange are said to resemble orange blossoms, which is how the shrub got its common name of mock orange. They are rich with nectar.





Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Cotinus Coggygria</i> 	Smoke bush	3 x 2	Deep purple foliage provides a dramatic contrast to the usual green and oat-coloured grasses. Misty pink clouds of flower emerge in late spring to early summer and gracefully waft like puffs of smoke above the dramatic rounded leaves. Spectacular crimson foliage follows in autumn. The unusual almost perfectly matt surface of the leaves makes a striking feature in borders and mixed plantings, offering a unique saturation of colour.
<i>Prunus nigra</i> 	Flowering plum	5 x 4	A small, ornamental flowering plum with very dark purple summer foliage carried on dark branches. Single pink flowers in spring make a spectacular display. Often used as a striking small foliage contrast tree for smaller gardens or as a street tree. Well-known and has been commonly used as a street tree.
<i>Prunus serrulate</i> 	Japanese flowering cherry	10 x 8	Medium tree with a broad vase-shaped crown that droops somewhat with overhanging branches when older. The smooth bark is brownish-green, twigs reddish-brown. The young leaves are bronze coloured and emerge at the same time as the flowers. In the summer the leaves turn dark green with a somewhat bluish-green underside. The autumn colour is yellow to orange. It flowers abundantly from late April to early May, producing double pure pink flowers. For parks, public gardens avenues and streets.
<i>Acer rubrum</i> 	Lipstick maple	12 x 9	An upright deciduous tree with a rounded canopy of thick green leaves that turn bright orange to deep crimson in late autumn. Leaves stay green longer than other varieties, but the seasonal display is worth the wait. Great choice for either a specimen planting, mass planted as a bold avenue or as a shady street tree. They need a great amount of water in their first 5 years.



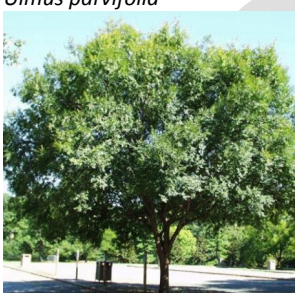



Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Acer palmatum</i> 	Japanese maple	4 x 2	Well known for its beautiful array of colours throughout the year, with its green foliage turning into a stunning crimson red in the autumn before falling. Through the Winter it makes up for its lack in foliage with its greyish-purple bark that stands out. It has a good tolerance to most soil types and conditions once established. Although it prefers a cooler position making it frost tolerant with moist, well-drained soils. They need a great amount of water in their first 5 years.
<i>Acer platanoides</i> 	Crimson Sentry	7 x 4	Upright branching, compact dense and broadly columnar. Has dark purple leaves in spring, turning greenish in summer and golden autumn colouring. Slow to moderate growth rate
<i>Fraxinus Americana</i> 	White Ash	11 x 8	This is a fast-growing, large deciduous tree with nice canopy suitable for a shade cover. Foliage is a combination of dark green on top of the leaf and lighter green underneath. In autumn, leaves turn a range of yellow, orange or bronze autumnal colours. The tree is oval-shaped when young, becoming more rounded with age, with upright spreading branches
<i>Quercus coccinea</i> 	Scarlet oak	12 x 8	A highly ornamental, fast-growing, deciduous Oak which has an open, wide spreading habit. It is more rounded than Pin Oak with larger foliage showcasing a brilliant display of colour in autumn when the leaves turn an intensely vivid scarlet colour before falling. Spring sees glossy green, deeply lobed new foliage and acorns produced can take up to two years to mature starting off green and turning pale brown with a deep cap covering them by half. Young bark is relatively smooth and grey, darkening with maturity.







Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Nyssa sylvatica</i> 	Tupelo	15 x 8	A stunning tree best known for its rich autumn display and highly ornamental barks. Popular as a specimen tree for parks and gardens. Conical growth habit, becoming rounded with age. Tolerates poorly drained and moderately wet sites, but best in a well-drained, moist, acid soil. Intolerant of compacted soils, high pH and high atmospheric pollution. A relatively slow growing species,
<i>Quercus palustris</i> 	Pin Oak	14 x 8	A fast-growing deciduous tree with shiny, deeply lobed dark green leaves. In autumn, foliage turns bronze with occasional red coloured leaves and tends to stay attached to the shoots until the new spring growth begins. Conical in shape, it has a strong leader which over time develops a loose spreading canopy. The bark of the young tree is smooth, but by middle age develops more texture. As the tree matures, it forms a distinctive structure whereby upper branches point upwards, middle branches are horizontal and lower branches droop.
<i>Pyrus calleryana</i> 	Flowering pear	12 x 7	This pear takes up very little space making it a perfect selection for small gardens and tight spaces. Gorgeous early white spring blossom appears in profusion, forming a dense carpet of snow as it falls. Thick, glossy green leaves create a lush summer feel and transition through autumn, memorable for its vibrant hues from orange to red. Trees bear tiny inedible pear-like fruits mostly hidden by the foliage. It has a neat vertical form and is popular for its adaptability to a wide range of urban conditions, including poor soils, drought, pollution and compaction. A beautiful specimen or deciduous hedge with year-round attributes. Medium growth rate.
<i>Platanus orientalis</i> "digitat" 	Oriental Plane	20 x 10	This is a large tree that has dark finely pointed green leaves with five lobes. It has a large trunk that has attractive coloured grey to white bark. It produces insignificant flowers in Spring followed by brown fruits.







Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Quercus rubra</i> 	Red oak	20 x 9	<p>Fast-growing, long-lived deciduous tree. Well structured, this tree grows straight and tall, developing a solid trunk and rounded top with age. Bark is grey brown in colour and foliage is broad and glossy. In its native area, where winter temperatures are quite low, the dark green foliage turns a vibrant red colour. Leaves will be more likely to turn a maroon-red colour before falling.</p> <p>Due to its broad crown, this tree makes an excellent street or park tree, where there is adequate space for it to show-off all its autumn charm. It grows well in most soils. With a little regular irrigation, it will grow relatively quickly</p>
<i>Pistacia chinensis</i> 	Chinese pistache	8 x 6	<p>This lovely small, deciduous tree has a moderate growth rate and great autumn colour in shades of orange, yellow and red. Bark is dark grey with shallow furrows and this variety is capable of withstanding relatively harsh conditions. A fantastic feature tree in parks and gardens. Great for street planting. Provides shade for shade loving plants to grow undergrowth.</p>
<i>Ulmus parvifolia</i> 	Chinese Elm	18 x 15	<p>Structurally upright when young, becoming ovate with age forming lustrous dark green foliage and a dense large crown providing good shade.</p> <p>A very adaptable tree capable of growing well in a wide variety of sites. Performs best in moist, well drained soils, but will tolerate some dryness as well as wet sites.</p> <p>Perfect for Shade tree, large properties</p>
<i>Koelreuteria paniculata</i> 	Golden rain tree	10 x 10	<p>A deciduous tree with pinnate, green foliage that turns golden/yellow in autumn. It bears terminal clusters of long, yellow flowers that hang down from the branches in early summer giving it its name of Golden Rain. The flowers mature to papery, pinkish/brown pods that contain pea sized seeds. The bark of the trunk is furrowed.</p> <p>It can be quite spectacular when established but responds best to hot summers, dry autumns, and cold winters.</p>





**Favoured natives:**

Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Acacia baileyana</i> 	Cootamundra wattle	6 x 4	This is a very fast-growing small tree with beautiful grey feathery foliage and bright yellow flowers in late winter. The flowering is often so prolific that can hide the foliage. The colour and texture of the leaves is a year-round feature. This species does tend to seed itself, so it is best not to plant it near areas of natural bushland to prevent it from establishing feral populations, however, in urban areas it makes a magnificent small street tree. Relatively short lived.
<i>Acacia fimbriata</i> 	Fringed wattle	6 x 4	An evergreen, short trunked tree with a dense foliage cover of soft, light green, linear leaves. It flowers in mid-winter and spring, producing masses long cylindrical spikes of fluffy, butter yellow, globular flowers. It responds well to regular pruning to keep it tidy and compact. This tree is great as a fast-growing screen because of its dense foliage. This Acacia will have a useful life of about 8-12yrs.
<i>Nothofagus gunnii</i> 	Fagus beech	6 x 6	A tangled deciduous shrub or small tree with a thick shrubby appearance. The leaves are alternate, simple, and ovate, with rounded teeth on the margins and show a distinct "concertina" shape. They are bright green, turning yellow, then sometimes brilliant red, in autumn. The plant has separate male and female flowers that can occur on the same tree. Both male and female flowers are small and inconspicuous.
<i>Hakea laurina</i> 	Pincushion hakea	5 x 5	A small tree with spectacular globular red flower heads with protruding white styles which mainly flower during autumn and early winter. Often grown as a screening shrub that is very hardy and tolerant of frost and drought conditions. Not suitable for wet areas (due to root rot). The leaves of are dark green, long, and narrow, and have a slightly serrated edge.







Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Eucalyptus torquate</i> 	Coral Gum	12 x 10	<p>Small to medium spreading native tree with rough grey to black bark on the trunk and larger branches. The bark flakes rather than peels. Leaves are lanceolate and grey-green in colour. Flowers are large and normally coral-pink in colour.</p> <p>Prefers well-drained soils and can withstand dry conditions. Not frost tolerant when young.</p> <p>Good for planting in gardens and streets</p>
<i>Acacia filicifolia</i> 	Fern-leaved Wattle	6 X5	<p>An erect shrub or tree which has smooth grey or dark brown bark which develops fissures as it ages. The smaller branches are more or less cylindrical with fine, longitudinal ridges. Each head of flowers consists of fifteen to thirty individual yellow to bright yellow flowers from July to September.</p>
<i>Acacia melanoxylon</i> 	Blackwood	7 x 4	<p>Prefers higher rainfall, grows on wide range of soils, provides excellent windbreak good shade, does not inhibit grass growth. Attractive feature or shade tree in broad streetscapes, reserves, and parks. Not suitable for narrow streetscapes, under power lines or close to pipes or drains. Long lived and does not shed limbs as frequently as some eucalypts and other acacia species. Attracts birds, native butterflies and insects, caterpillar food plant.</p>
<i>Casuarina cunninghamiana</i> 	River Oak	20 x 15	<p>Very ornamental, excellent soil binder. Frost hardy. Prefers moist environment (creek banks) but will tolerate dry periods.</p>



Species	Common name	Height x width (m)	Description (growth rate, useful life)
Eucalyptus blakelyi 	Blakel's Red Gum	20 x 5	Medium-sized tableland red gum tree commonly found in swampy creek lands. Typically has a smooth bark, sometimes with accumulated rough bark at the base in varying shades. Pink to white flowers from October to December.
Eucalyptus melliodora 	Yellow Box	18 x 10	The "yellow" refers to the sapwood colour and the "box" to the non-peeling, finely matted bark texture. It is a well-behaved street tree with a good silhouette and, when the nectar flow starts, fragrant. Reasonably ornamental, excellent shade tree with deep root systems and does not inhibit grass growth. The flowers (Nov-Jan) are a major source of nectar for apiarists.
Eucalyptus nova-anglica 	New England Peppermint	20 x 12	Endangered species isolated to the New England Tablelands having been heavily impacted by New England Dieback syndrome. Can tolerate heavy frosts and cold conditions. Often located in lower slopes within drainage channels or adjacent to waterways on fertile, deep soil. Flowering occurs between February and May, with fruit held in the canopy for 6 to 12 months or more. Produces nectar for bees and is a known food source for koalas. Common in creek lands.
Eucalyptus viminalis 	Manna gum, Ribbon gum, White Gum	30 x 15	A straight tree with rough bark on the trunk and the larger branches. The bark on the upper part of the tree peels away in long "ribbons" which can collect on the branches and surrounding ground. The leaves are the favoured food of Koalas. The sap has a high sugar content which makes it a food for tree dwelling marsupials such as the Yellow-bellied and Sugar Gliders. Provides good shelter and windbreak



Native Shrub Species




Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Acacia rubida</i> 	Red-stemmed Wattle	2 x 2	Very common creek land species, very hardy. Cream/yellow flowers from August to October. Valuable ornamental, particularly conspicuous during winter when stems are reddish. Severe pruning after flowering benefits plants.
<i>Acacia amoena</i> 	boomerang wattle	3 x 2.5	The shrub has an erect to spreading habit and has reddish brown branchlets. It blooms between July and December and produces inflorescences with bright to pale yellow flowers. The spherical flower heads contain six to twelve bright golden flowers with dark brown bracteoles. Often suffers from frost damage when young.
<i>Callistemon sieberi</i> 	Alpine or River Bottlebrush	3 x 2	An attractive, easy to grow plant which could be used in as a screen or informal hedge or as part of a mixed border. It is fast growing with fine soft foliage and a showy flower display which attracts nectar feeding birds. It will tolerate drought, neglect and hard frosts Flowering is prolific and long lasting, occurring from November to March. Very common creek land species, suitable for poorly drained soils.
<i>Callistemon citrinus</i> 	Crimson Bottlebrush	4 x 3	Evergreen shrub with arching branches clothed with lance-shaped leaves that emerge coppery before maturing to grey-green. The special attraction of bottle brush is its habit of flowering twice a year if well-watered. The main flowering season is from early November, but its autumn flowers are even more welcome from the end of March. The brilliant red looks fresh in late summer heat waves and warm in early winter.



Species	Common name	Height x width (m)	Description (growth rate, useful life)
<i>Callistemon pungens</i> 	Prickly Bottlebrush	4 x 3	Distinct shrub or small tree ranging from 2-5 m tall. The leaves are 2-3 cm long with a pungent tip 1-2 mm long. The flower spike is 5-6 cm long and 2.5-4.5 cm in diameter. The species is characterised by its purple stamens and small, pungent leaves.
<i>Bursaria spinosa</i> 	Blackthorn	3 x 2	Produces abundant small white flowers through Summer. It is usually grown as a small to medium shrub for garden and landscape settings. The flowers are sweetly perfumed, making this shrub a lovely feature plant, and its hardiness makes it a good choice for garden and landscape use. Low maintenance and fast-growing, it performs best in well-drained soil and will thrive in conditions from full sun to partial shade. Yearly pruning will prevent it becoming leggy. Great for attracting birds as the dense prickly foliage offers a protective shelter.
<i>Hakea microcarpa</i> 	Small fruited hakea	2 x 2	Unusual tree/shrub with spiky leaves that are blue green, forming an airy conifer like large plant very quickly. In spring flossy white flowers crowd branches and are showy for several weeks. Full sun and average to poor well drained soil. Drought and frost hardy. Fast growing in youth to its ultimate size. Common near streams and bogs in rocky situations.
<i>Leptospermum polygalifolium</i> 	Common creek Tea Tree	1 x 1	Ornamental small tree (or shrub) with reddish new growth and dark green small pointy leaves. It grows along watercourses so can tolerate regular water. Useful screen and windbreak. Can be cut for cut flowers and foliage. Plants respond well to pruning so can be clipped to formal or informal hedges. Hardy in most soils and aspects.



Non-native Trees and Shrubs

Species	Common name	Height x width (m)	Description
Arbutus unedo 	Irish strawberry tree	8 x 3	An evergreen small tree in the Heath family. The showy red edible fruits mature in autumn and have a high sugar content but are rather bland tasting. It is slow-growing and may be trained to show off its interesting peeling bark. It is easy to grow, hardy and tolerates a wide range of soils. Lightly prune back the shoots regularly to maintain an attractive shape.
Lagerstroemia indica 	Crepe myrtle	6 x 6	It is an erect, wide-spreading, multi-stemmed, medium-sized, deciduous, flowering shrub or small tree that grows rapidly. Blooms through summer. Has exfoliating bark, and attractive autumn foliage. The blooms are crepe paper-like flowers in colours of white, pink, mauve, lavender, and purple. The leaves are light green with tinges of red. Excellent street tree.
Photinia robusta 	Many varieties/cultivars including "Red Robin"	3 x 3	A tall shrub that may be regarded as one of the toughest and most vigorous hedging species. Regular trimming is needed to keep Photinia hedges in shape and under control.



5.2. Appendix 2: Detailed Tree/shrub selection matrix

Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Fraxinus angustifolia</i>	Narrow leaf ash	Large	Moderate	Deciduous	pyramidal shaped	Long	Autumn	Parks, gardens and street
<i>Fraxinus oxycarpa</i> "Raywoodii"	Claret ash	Medium	Fast	Deciduous	Upright, open canopy	Long	Autumn	Parks, gardens and street
<i>Fraxinus excelsior</i> "Aurea"	Golden ash	Medium	Moderate	Deciduous, Exotic	Rounded, spreading	Long	Autumn	Parks, gardens and streets
<i>Liquidambar styraciflua</i>	Liquidambar or sweet gum	Large	Fast	Deciduous, Exotic	Pyramidal canopy	Long	Autumn	Parks, gardens and street
<i>Ginkgo bilboa</i>	Maidenhair tree	Medium	Very slow	Deciduous, Exotic	Open shrubby canopy	Long	Autumn	Street. parks, gardens
<i>Sapium sebiferum</i>	Chinese tallow	Medium	Fast	Deciduous	Irregularly oval, open canopy	Long	Autumn	Gardens and parks where there is space
<i>Malus floribunda</i>	Crab apple	Medium	Moderate	Deciduous, Exotic	Rounded	Long	Autumn	Hedging
<i>Murraya paniculata</i>	Mock orange	Small	Fast	Deciduous, Exotic	Rounded, densely-branched		Autumn	Garden
<i>Cotinus Coggygria</i>	Smoke bush	Small	Slow growing	Deciduous	Open-crown, round	Medium	Autumn	Parks, street, powerlines
<i>Prunus nigra</i>	Flowering plum	Small	Moderate	Deciduous	Rounded crown	Medium	Autumn	Parks, gardens and streets.
<i>Prunus serrulate</i>	Japanese flowering cherry	Medium	Moderate	Deciduous	Broad vase-shaped crown	Medium	Autumn	Larger gardens, streets and parks
<i>Acer rubrum</i>	Lipstick maple	Medium	Medium to Fast	Deciduous	Upright, rounded	Long	Autumn	Gardens and streets
<i>Acer palmatum</i>	Japanese maple	Small	Medium to Fast	Deciduous	Rounded to broad-rounded	Long	Autumn	Larger parks, gardens and wide streets
<i>Quercus coccinea</i>	Scarlet oak	Medium	Medium to Fast	Deciduous	Open, wide spreading	Long	Autumn	Street and Parks
<i>Nyssa sylvatica</i>	Tupelo	Medium	Medium	Deciduous	Upright, conical	Long	Autumn	Parks or open areas
<i>Quercus palustris</i>	Pin Oak	Large	Fast	Deciduous	Conical in shape	Long	Autumn	Parks or open areas



Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Pyrus calleryana</i>	Flowering pear	Medium	Fast	Deciduous	Upright, Oval or Rounded Shape	Medium	Autumn	Excellent park and shade tree, and can be used in streets
<i>Platanus orientalis</i> "digitat"	Oriental Plane	Large	Fast	Deciduous	Pyramidal to rounded	Long	Autumn	Nice shade, park or streets
<i>Quercus rubra</i>	Red oak	Large	Fast	Deciduous	Upright, rounded	Long	Autumn	Streets and open spaces/parks
<i>Koelreuteria peniculata</i>	Golden rain tree	Medium	Slow growing	Deciduous, Exotic	open branching and rounded	Long	Autumn	Streets and open spaces/parks
<i>Acacia baileyana</i>	Cootamundra wattle	Small	Fast	Deciduous	wide-spreading	Medium	Winter	Parks, Street
<i>Acacia implexa</i>	Hickory wattle	Small	Fast	Deciduous	Arching	Long	Autumn	Hedge
<i>Acacia fimbriata</i>	Fringed wattle	Small	Fast	Deciduous	globe-shaped	Medium	Winter	Parks and gardens
<i>Nothofagus gunnii</i>	Fagus beech	Small	Fast	Deciduous	Thick shrubby appearance.	Medium	Autumn/Wi nter	Street and hedge
<i>Hakea laurina</i>	Pincushion hakea	Small	Fast	Deciduous	Dense, Round	Long	Spring	Not in wet areas
<i>Acacia filicifoli</i>	Fern-leaved Wattle	Small	Fast	Native	Erect shrub	Medium	Winter/Spr ing	wide streets and parks
<i>Acacia melanoxylon</i>	Blackwood	Medium	Fast	Native	Upright and spreading	Medium	Spring/Sum mer	Parks
<i>Casuarina cunninghamiana</i>	River Oak	Large	Fast	Native	pyramidal	Long	Autumn	River banks to stabilise soils
<i>Eucalyptus blakelyi</i>	Blakel's Red Gum	Medium	Moderate	Native	V-shaped canopy	Long	Spring/Sum mer	Parks and gardens
<i>Eucalyptus melliodora</i>	Yellow Box	Large	Moderate to slow	Native	oval-shaped	Long	Summer	Parks and gardens
<i>Eucalyptus viminalis</i>	Manna gum, Ribbon gum, White Gum	Large	Fast	Native	Open crown	Long	Spring	Hedge
<i>Acacia rubida</i>	Red-stemmed Wattle	Small	Fast	Native	Erect	Medium	Winter	Hedge
<i>Acacia amoena</i>	boomerang wattle	Small		Native	Erect	Medium	Spring, Summer	Creek land and poorly drained soils

Guidelines for Tree Management

26



Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Callistemon sieberi</i>	Alpine or River Bottlebrush	Small	Fast	Native	Rounded	Long	Spring	Screen or informal hedge
<i>Callistemon citrinus</i>	Crimson Bottlebrush	Small	Slow	Native	Domed	Long	Spring and summer	Hedge, gardens
<i>Callistemon pungens</i>	Prickly Bottlebrush	Small		Native	Bushy	Long	Summer	Garden and landscape
<i>Bursaria spinosa</i>	Blackthorn	Small to medium	Fast	Native	Narrow to rounded	Long	Summer	Hedging and screening
<i>Leptospermum polygalifolium</i>	Common creek Tea Tree	Small	Fast	Native	Twiggy canopy	Long	Spring	Hedge
<i>Acacia rubida</i>	Red-stemmed Wattle	Small	Fast	Native	Erect to bushy	Long	summer	Screening
<i>Arbutus unedo</i>	Irish strawberry tree	small	Slow to moderate	Evergreen, Non native	Well-rounded dense canopy	Long	summer	Small gardens or parks along borders for screening
<i>Lagerstroemia indica</i>	Crepe myrtle	Small	moderate	Evergreen, Non native	Erect, wide-spreading	Long	Spring	Hedge for wider verges, nature strips, parks and reserves.
<i>Photinia robusta</i>	Many varieties/cultivars including "Red Robin"	Small	Fast	Evergreen, Non native	Domed	Long	Spring	Hedge
<i>Acer platanoides</i>	Crimson Sentry	Medium	Slow-moderate	Deciduous, Non native	Upright branching	Long	Summer and Autumn	Streets, parks and gardens
<i>Fraxinus Americana</i>	White Ash	Medium	Fast	Deciduous, Non native	Upright, rounded	Long		Street, parks and gardens
<i>Pistacia chinensis</i>	Chinese pistache	Medium	Moderate	Deciduous, Non native	upright oval, rounded	Long	-	Street, parks and gardens
<i>Ulmus parvifolia</i>	Chinese Elm	Large	Moderate	Deciduous, Non native	vase-shaped and spreading canopy	Long		Perfect for Shade tree in large spaces



Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Eucalyptus torquata</i>	Coral Gum	Small-Medium	Moderate	Native	Spreading	Long but not frost tolerant while young	-	Gardens and streets
<i>Eucalyptus leucosylon</i>	Yellow, gum	10-30m	medium	native	upright	long	Autumn, winter	Windbreaks, shade, ornamental, well-drained soils
<i>Eucalyptus sideroxylon</i>	Mugga ironbark or red ironbark	Medium	Medium	native	Upright, bushy	Long	April to Dec	Streets, parks
<i>Eucalyptus acaciaformis</i>	Wattle-leaved peppermint	20m	Fast	Native	Upright, bushy	Long	Summer	Streets, reserves
<i>Eucalyptus dalrympleana</i>	Mountain white gum	40m	Fast	Native	Upright	Long	Autumn to spring	Parks reserves
<i>Eucalyptus pulverulenta</i>	Siller-leaved mountain gum	5-9m	Fast	Native	Upright	Long	Summer	Streets, parks, gardens
<i>Eucalyptus stellulata</i>	Black sally	15m	Fast	Native	Upright or mallee	Medium	Summer, autumn	Near water, along creek banks, etc.
<i>Eucalyptus gregsoniana</i>	Mallee snow gum	4-6m	Fast	Native	Small tree/shrub, attracts birds, bees	Medium	Winter, spring	Streets, gardens, well-drained soils
<i>Eucalyptus moorei</i>	Narrow-leaved Sally	6-10m	Fast	Native	Upright tree or mallee	Medium	Autumn	Streets, parks
<i>Eucalyptus radiata</i>	Narrow-leaved peppermint	10-50m	Fast	Native	Upright	Long	Spring-summer	Parks, reserves
<i>Eucalyptus nicholii</i>	Narrow-leaved black peppermint	15-18m	Fast	Native	Upright bushy	Long	Autumn	Parks, reserves
<i>Eucalyptus lacrimans</i>	Weeping snow gum	15m	Slow	Native	Upright, pendulous	Long	Spring, summer	Damp areas, clay



Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Eucalyptus camphora</i>	Swamp gum	25m	Medium	Native	Upright	Long	Summer	Wet areas
<i>Eucalyptus coccifera</i>	Tasmanian snow gum	Medium	Medium	Native	Upright	Long	Summer	Parks, reserves
<i>Eucalyptus crenulata</i> ,	Silver gum	Medium	Fast	Native	Upright, bushy	Long	Spring- summer	Streets, parks
<i>Eucalyptus gunnii</i>	Cider gum	Large	Fast	Native	Upright	Long	Anytime	Parks, reserves
<i>Eucalyptus neglecta</i>	Omeo gum	7m	Fast	Native	Spreading	Long	Summer	Streets, parks
<i>Eucalyptus urnigera</i> ,	Urn tree	5-15m	Medium	Native	Urn shaped	Long	Autumn- winter	Streets, parks
<i>Eucalyptus risdonii</i>	Risdon peppermint	Small	Medium	Native	Upright pendulous	Long	Summer	Streets, parks
<i>Eucalyptus perriniana</i>	Spinning gum	Medium	Fast	Native	Upright, bushy	Long	Anytime	Streets, parks
<i>Eucalyptus parvula</i>	Small-leaved gum	10-15m	Fast	Native	Upright	Long	Summer	Streets, parks
<i>Eucalyptus megalocarpa</i>	Rosea	Small	Fast	Native	Upright	Long	Autumn, winter	Streets, well drained
<i>Eucalyptus kybeanensis</i>	Kybean mallee ash	4-6m	Medium	Native	Upright	Long	Spring	Streets, gardens
<i>Eucalyptus saxatilis</i>	Suggan Buggan mallee	Small	Medium	Native	Upright tree or mallee	Long	Autumn, winter	Parks, gardens

Guidelines for Tree Management

29



Genus	Common Name/s	Tree Size (small= <7m, Medium=7- 15m, Large > above 15m)	Growth Rate	Type and Origin	Habit / Form	Useful Life Expectancy (Short = < 10 years, Medium= 10-30 years, Long > 30 years)	Flowering seasons	Planting location
<i>Acacia floribunda</i>	Gossamer wattle	6m	Fast	Native	Spreading	Medium	Spring	Streets, windbreaks
<i>Acacia dealbata</i>	Silver wattle	30m	Fast	Native	Upright, attractive blue foliage	Medium	Spring	Streets, parks
<i>Hakea salicifolia</i>	Willow-leaved hakea	3-5m	Fast	Native	Upright, bushy	Long	Spring	Streets, parks, windbreaks, gardens
<i>Melaleuca alternifolia</i>	Australian tea tree	7m	Medium	Native	Upright, attractive bark and flowers	Long	Spring	Streets, parks, wet areas
<i>Banksia integrifolia</i>	Coast banksia	Up to 25m	Medium	Native	Upright	Long	Winter	Streets, parks, well- drained
<i>Banksia marginata</i>	Silver banksia	Up to 12m	Medium	Native	Bushy	Medium	Winter	Gardens, parks, well- drained
<i>Banksia neoanglica</i>	New England Banksia	2.5m	Medium	Native	Bushy	Long	Winter	Gardens, parks, well- drained
<i>Allocasuarina littoralis</i>	Black she-oak	5-15m	Medium	Native	Bushy, upright	Long	Summer	Parks, gardens



5.3. Appendix 3: Street Tree Planting Request Form



STREET TREE PLANTING REQUEST FORM

Use this form to seek council's approval to plant a tree at verge of your property.

Part 1: Applicant Details

1.1 Applicant Details	
Applicant Name:	Phone:
Property Address:	Mobile:
Email Address:	Signature:
Date:	

Part 2: Tree Details

1. Who will supply and plant the tree/s

- ☐ Council to supply and plant tree(s)
☐ I will supply and plant my own tree(s) as per the preferred species list by Council
☐ Other (specify):.....

2. Tree Preference

No.	Preferred tree names

3. Proposed Planting location

Complete sketch of property, showing location of proposed nominated tree/s, street names and property address. Trees must be numbered clearly.

**Part 3: Access Details**

Do you need the inspecting officer to contact you for an appointment or to make special arrangements for access into your property - e.g. locked gate, dogs, you wish to be present?

No ☐ A Council officer will inspect the tree planting sites after application

Yes ☐ Please provide details of the person we need to contact to make an appointment.

Contact Person: _____ Phone: _____

Part 4: Office Use Only

☐ **Approved** ☐ **Refused**

Name :

Position:

Signature :

Date: _____

Comments by Approval officer:

<p><i>(Large diagonal 'DRAFT' watermark across the page)</i></p>
--



5.4. Appendix 4: Application Form to Prune/Remove Tree(s)



Application to Prune/Remove Tree(s)

Use this form to request an inspection for approval under State Environmental Planning Policy (Biodiversity & Conservation) 2021

Part 1: Applicant Details

1.1 Applicant Details			
Applicant Name:		Phone:	
Address:		Mobile:	
Email Address:		Signature:	
Date:			

1.2 Address of property where tree(s) is located	
Address:	
Suburb :	Post code:
Lot/Dp No.	

Part 2: TREE INFORMATION – Attach sheet if additional space is required?

Tree no.	Remove or prune	Type of tree	Approx. Height (m)	Reason (choose from options A)

Options A: (1. Structural Damage, 2.Plumbing problems, 3. Obstruction/Views, 4. Overhanging Residence, 5. Overhanging Neighbours, 6. Overhanging Wires, 7. Disease, 8.Dying 9. Dangerous)

Other (please specify.....)

Complete sketch of property, showing location of nominated tree/s, street names and property address. Trees must be numbered clearly.



(To clarify the identification of tree/s to be assessed, where possible mark those trees on-site with ribbon/tape to assist the tree officer undertaking the inspection)

SIGNIFICANT TREES		
1. Are any of the trees listed as an Environmental Heritage Item?	yes	No
2. Are any of the trees listed on Koala Tree Register?	Yes	No

SUPPORTING DOCUMENTATION		
What additional relevant documentation of photographs supports of the application?		
1. Arborist report	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Plumber's report	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Structural engineers report indicating damage to property	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Other (Specify):-		

ACCESS DETAILS	
Do you need the inspecting officer to contact you for an appointment or to make special arrangements for access into your property - e.g. locked gate, dogs, you wish to be present?	
No <input type="checkbox"/> A Council officer will inspect the tree works once the completed form has been registered.	
Yes <input type="checkbox"/> Please provide details of the person we need to contact to make an appointment.	
Contact Person: _____	Phone: _____

OFFICE USE ONLY

Inspection notes		
Tree number and type	Determination	Comment

Uralla Shire Heritage Items are listed in Part 1 of Schedule 5 of the Uralla LEP and can be viewed via this link: [Uralla Local Environmental Plan 2012 - NSW Legislation](#) (Note whole gardens are listed where applicable).

Tree species identified as Koala Habitat trees in the Northern Tablelands are listed on the NSW Department of Planning and Environment webpage and can be viewed via this link: [Koala habitat | NSW Environment and Heritage](#)

Trees and vegetation in the Uralla Shire Council Local Government Area are protected under the [State Environmental Planning Policy \(Biodiversity & Conservation\) 2021](#)

14.6 Urgent Minor Works Requirements

Department:	Infrastructure & Development
Prepared By:	Executive Director Infrastructure & Development
Authorised By:	Executive Director Infrastructure & Development
Reference:	UINT/24/1920

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1. We have an accessible inclusive and sustainable community
	2. We drive the economy to support prosperity
	4. We are an independent shire and well-governed community
Strategy:	1.2. A safe, active and healthy shire
	2.3. Communities that are well serviced with essential infrastructure
	4.2. A strategic, accountable and representative Council

SUMMARY

The purpose of this report is to inform Council of two important minor capital works issues which have arisen and which will need to be dealt with within a short timeframe.

RECOMMENDATION**That Council:**

1. **Endorses the intention to install replacement perimeter stock fencing to renew the failed existing perimeter fencing at Council's Uralla Sewer Treatment at an estimated cost of \$8,000 drawn from unexpended Sewer Capital Renewal funds which are available within the current budget.**
2. **Endorses the intention to install approximately 50m of stormwater pipe in order to underground the existing flows of stormwater through the private property at 72 Hill Street, at an estimated cost of \$10,000 drawn from unexpended Stormwater Capital Renewal funds which are available within the current budget.**
3. **Notes that future investigation of stormwater impacts on two further properties downstream of 72 Hill Street will be undertaken and further stormwater undergrounding may be recommended to Council during the budget setting processes for the Financial Year 2024/2025.**

REPORT**Uralla Sewer Treatment Plant Perimeter Stock Fencing.**

The Uralla Sewer Treatment Plant was established on its current site in the early 1960's via a land resumption process. The private land which surrounds the Treatment Plant land is generally given over to stock grazing.

The sewer treatment operating plant and aeration ponds are secured by an inner perimeter comprising an 8 foot security fence topped with barbed wire. The outer perimeter of the Sewer Treatment Plant land

comprises stock fencing for the purpose of keeping the livestock stock holdings of neighbouring properties separated from Council's land.

The existing perimeter stock fencing has failed to the extent that it no longer effectively operates as intended and stock from neighbouring property have entered the Treatment Plant property on a number of recent occasions.

The neighbouring lot principally affected until the fencing is renewed is Lot: 4 DP: 229729 Owner Mr D. J. Smith which runs cattle.

A replacement fence of improved quality (matching that of the neighbouring property) has an estimated cost of \$8,000. It is recommended that the source of funds for this work is unexpended capital from Council's 23/24 Sewer Renewal budget.

Stormwater Flows from Hill Street to Uralla Creek

Stormwater collected in the catchment around the Hill Street/Fitzroy Street intersection combines with stormwater collected from a catchment around the Thunderbolts Way/King Street West intersection and is directed under Hill Street and onto the private land comprising 72 Hill Street (Lot: 3 DP: 1188244).

The stormwater currently empties onto the land of the subject property from a Council stormwater headwall at the termination of the current underground system. The water then flows above ground, over an easement (in favour of Council) which transits across the subject property and continues downhill until it finally enters Uralla Creek.

The prior creation of the easement through the subject property was in obvious preparation for a future undergrounding of the stormwater collection system from the existing headwall, through the property, and thence to Uralla Creek.

Recent wet weather events have demonstrated that an increase in expected stormwater flows through the subject property (most likely from continuing built environment developments up stream) now create an increased and ongoing erosion risk to the property.

This necessitates, in the immediate term, the undergrounding of stormwater flows by placement of a stormwater pipe inside the existing easement which transits the property.

CONCLUSION

This report presents the case for two, previously unplanned, minor capital works to take place in the near term in order to moderate existing risks.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Both property owners have been consulted directly by staff and are supportive of the recommended works taking place.

Policy and Regulation

Council is the responsible party in the case of both projects discussed in this report.

Financial/Long Term Financial Plan

Sufficient funds to execute both projects are available, respectively, within the existing renewal/new capital budgets for Sewer and for Stormwater.

Asset Management/Asset Management Strategy

Both capital renewals/upgrades will be captured in the relevant Asset Management Plans.

Workforce/Workforce Management Strategy

Council Staff

Legal and Risk Management

Both recommended projects are intended to mitigate existing risks to Council

Performance Measures

N/A

Project Management

Internal

14.7 Quarterly Budget Review December 2023-24 (QBRs)

Department:	Corporate & Community
Prepared By:	Manager Finance & IT
Authorised By:	Interim Executive Director Corporate & Community
Reference:	UINT/24/2351

Attachments:	1. Quarterly Budget Review Statement (QBRs) 2 of 2023-24  
---------------------	--

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4. We are an independent shire and well-governed community
Strategy:	4.3. An efficient and effective independent local government

SUMMARY

The purpose of this report is to present to Council a review of the budget for the second quarter of the 2023/24 financial year.

RECOMMENDATION

- 1. The second quarter budget review summary for the 2023/24 financial year be received and noted; and**
- 2. The adjustments to budget allocations be adopted.**

BACKGROUND:

It is a statutory requirement that Council's Responsible Accounting Officer prepares and submits a budget review statement to Council on a Quarterly basis each financial year (LGGR 2005 cl.203 (1)). Also, in compliance with the Local Government (General) Regulation, Council's Responsible Accounting Officer must include with the budget review report an opinion on the financial position of Council and any recommendations for remedial action if required. As such the second quarterly review for the 2023/24 financial year has been prepared and attached for Council's review.

REPORT

The original budget for the financial year 2023-24 indicated a negative operating result prior to taking grants for capital purposes into consideration and after accounting for depreciation and amortisation. However, based on the adjustments made through QBRs1, the year ending operating result suggests a positive outcome.

ISSUES

Due to frequent staff turnover and a prolonged period of vacancies within I&D department, progress on capital projects has been slow. The Council has prioritised the recruitment process and, with the expectation of successful new hires, we hope to ascertain the progress of capital grant funding and utilisation of funds more precisely by third-quarter of the year. Any necessary adjustments to the budget for capital grant income and expenses will be addressed in QBRs3. Accordingly, there has been no adjustment in capital grant income and capital expense proposed in QBRs2.

The original budget was premised on a budget distribution ratio of 30:70 for wages and contractor and material costs into capital expenses. As at January 2024, only 15% of total capital expenditure had been assigned to wages which is, based on historical trend, significantly understated. A similar issue has also been identified with the capitalisation of Plant and Equipment costs. An understatement of actual salaries, wages and plant costs which should be capitalised (i.e. used to produce capital projects) could potentially impact the unrestricted cash position by the end of the year.

An internal review is being undertaken to identify the issues and adjust the cost allocations for salaries, wages and plant costs to ensure that allocations are aligned to the actual costs. This is still projected to achieve the 30:70 ratio. The outcome of this review will be reflected in the QBR53.

CONCLUSION

Based on available information and analysis of the second quarterly budget review, it is considered that the Council's expected financial status is satisfactory. Assuming adherence to the initial budget distribution with a projected 30:70 ratio for wages and contractor and material costs in capital expenses, it is expected that the end of year position will be within budget parameters.

COUNCIL IMPLICATIONS

Community Engagement/Communication

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

Policy and Regulation

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

Financial/Long Term Financial Plan

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

Asset Management/Asset Management Strategy

N/A

Workforce/Workforce Management Strategy

N/A

Legal and Risk Management

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

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

Financial Management – the second quarter budget is in line with the original budget adopted by Council in June 2023. This risk is assessed as low.

Performance Measures

One of three required budget reviews.

Project Management

N/A

URALLA SHIRE COUNCIL
Budget Review Statement
For the Quarter Ending 31 December, 2023

SI	Table of Contents	Page #
1	Responsible accounting officer's statement	2
2	Proposed variations to revenue	3
3	Proposed variations to operating expense	4
3	Projected income statement - combined	5
4	Projected income statement - by fund	6
5	List of restrictions and free cash position	7
6	Contracts & consultancy expenses	8

URALLA SHIRE COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
FOR THE QUARTER ENDING 31 DECEMBER 2023

Report by the Responsible Accounting Officer

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

The original budget for the financial year 2023-24 indicated a negative operating result prior to taking grants for capital purposes into consideration and after accounting for depreciation and amortization. However, based on the adjustments made through QBRs1, the year ending operating result suggests a positive outcome.

All the suggested adjustments in QBRs2 relates to operational performance. Due to a frequent staff turnover and prolonged period of vacancies within I&D department, progress on capital project have been very slow. The Council has emphasised the recruitment process, and with the expectation of successful new hires, we hope to ascertain the progress of capital grant funding and utilisation of funds more precisely by third-quarter of the year. Any necessary adjustments to the budget for capital grant income and expenses will be addressed in QBRs3.

Based on available information and analysis of the second quarterly budget review, it is my view that the Council's expected financial status appears to be satisfactory by year-end, assuming adherence to the initial budget distribution with a projected 30:70 ratio for wages and contractor and material costs in capital expenses. However, data available until January 2024, as reflected in monthly financial statements, indicates that only 15% of total capital expenditure has been assigned to wages. There might be a need to reconsider the allocation of remaining wages from Capital Expense to Operating Expense in QBRs3. Such adjustment could potentially impact the unrestricted cash position by the end of the year.



Mustaq Ahammed
Responsible Accounting Officer

URALLA SHIRE COUNCIL
REVENUE BUDGET REVIEW SUMMARY
Key variances identified as at 31 December, 2023

GL Account	Function	Description	251,712	Comment	Impact
41000.0146	McMaugh Gardens	Over the past few months, there has been an increase in Means Tested Fee paying residents at McMaugh Gardens.	150,000	Revenue Increase	↑
01120.0120	Interest Income	Due to high bank rate, the council anticipates that the estimated interest income will exceed the the original budget	200,000	Revenue Increase	↑
02020.0125	Building Control Office	According to the initial plan, the cost of the Building surveyor was intended to be shared with Walcha Council. However, since the recruitment did not proceed, the estimated recovery from Walcha Council is now reversed. Same amount is adjusted in expense.	-40,658	Revenue Decrease	↓
02015.0115	Town Planning - S94 Contributions	During the budget process for 2023-24, it is possible that the budget officer overlooked the fact that Section 94 has been replaced by Sections 7.12 and 7.11, and there is no anticipation of regular revenue flow from S94. Moreover, the revenue was budgeted from both S94 and S7.12. Hence, the budget for S94 is reduced.	-57,630	Revenue Decrease	↓

↑ = positive impact on cash flow

↓ = negative impact on cash flow

URALLA SHIRE COUNCIL
EXPENSE BUDGET REVIEW SUMMARY
Key variances identified as at 31 December, 2023

GL Account	Function	Description	-	222,141	Comment	Impact
03866.0350	TCS	The budget has been adjusted due to a vacant position, reduced level of service delivered to the clients, and reduced PPE costs.	-	150,000	Expense decrease	↑
03000.0350	GM Office	The initial estimate for administration costs seems to have been overestimated, hence, reduced to align with the current actual expenditure.	-	12,435	Expense decrease	↑
03105.0415	Admin Building	Due to the increase of electricity rates, the estimate for the full-year electricity cost has increased to 30k to accommodate the increased cost.		13,952	Expense increase	↓
04020.0350	Building Control Office	The estimated cost for sharing the service of Building Surveyor with Walcha Council is reduced. Same amount reduced from income.	-	40,658	Expense decrease	↑
03020.0330	Elected Members	The initial budget allocation, which was prepared based on 2022-23 budget for "Other Sundry Expense" in the area of Elected Members appears to have been overstated, with an estimated budget of \$37k. The current trend suggest that only a minimal amount of the total will be required by the end of the year.	-	33,000	Expense decrease	↑

↑ = positive impact on cash flow

↓ = negative impact on cash flow

URALLA SHIRE COUNCIL
INCOME STATEMENT & CAPEX SUMMARY WITH QBRs ADJUSTMENTS
31 December, 2023

Amt in '000

	Actuals to Dec, 23	Original Budget	QBRs1 Adjustments	QBRs2 Adjustments	Revised Budget
Income from continuing operations					
Rates and annual charges	7,913	7,946	-	-	7,946
User charges and fees	2,489	6,081	-100	150	6,131
Other revenues	326	781	-	-41	740
Grants and contributions provided for operating purposes	7,259	9,263	3,538	-58	12,743
Interest and investment income	616	744	-	200	944
Total income from operational activities	18,603	24,815	3,438	252	28,505
Expenses from continuing operations					
Employee benefits and on-costs	5,705	11,938	111	-191	11,858
Materials and services	3,324	6,903	177	-31	7,048
Borrowing costs	38	45	-	-	45
Councillor and Mayoral fees and associated expenses	66	150	-	-	150
Audit fees	-6	143	-	-	143
Other expenses	176	596	-	-	596
Net loss/(gain) from the disposal of assets	-53	-	-	-	-
Total expenses from continuing operations	9,250	19,775	288	-222	19,840
Operating result prior to consideration of capital grants and depreciation	9,353	5,041	3,150	474	8,664
Less: Depreciation, amortisation and impairment	3,011	6,367	-	-	6,367
Operating result after depreciation	6,342	-1,327	3,150	474	2,297
Add: Grants and contributions provided for capital purposes	308	5,753	-	-	5,753
Overall result with capital grants	6,650	4,426	3,150	474	8,050
Capital Expenditures					
Employee benefits and on-costs	451	1,781	-	-	1,781
Materials and services	2,803	8,412	875	-	9,287
Total Capex	3,254	10,193	875	-	11,068

URALLA SHIRE COUNCIL
INCOME STATEMENT AND CAPEX BY FUND WITH QBR5 ADJUSTMENTS
31 December, 2023

In '000

	General Fund				McMaugh Gardens				Water Fund				Sewer Fund			
	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget
Income from continuing operations																
Rates and annual charges	6,270	6,328	-	6,328	-	-	-	-	628	641	-	641	1,016	976	-	976
User charges and fees	1,307	4,019	-	4,019	648	962	150	1,112	500	928	-	928	35	72	-	72
Other revenues	326	747	-41	706	0	34	-	34	0	-	-	-	-	-	-	-
Grants and contributions provided for operating purposes	4,974	9,429	-58	9,371	2,285	3,102	-	3,102	-	270	-	270	-	-	-	-
Interest and investment income	598	431	200	631	-	135	-	135	11	139	-	139	7	39	-	39
Total income from operational activities	13,474	20,954	102	21,056	2,933	4,233	150	4,383	1,139	1,978	-	1,978	1,058	1,087	-	1,087
Expenses from continuing operations																
Employee benefits and on-costs	4,102	8,351	-191	8,161	1,345	2,979	-	2,979	141	412	-	412	117	307	-	307
Materials and services	2,234	4,560	-31	4,528	616	1,079	-	1,079	286	919	-	919	187	522	-	522
Borrowing costs	36	40	-	40	2	5	-	5	-	-	-	-	-	-	-	-
Councillor and Mayoral fees and associated expenses	66	150	-	150	-	-	-	-	-	-	-	-	-	-	-	-
Audit fees	-6	143	-	143	-	-	-	-	-	-	-	-	-	-	-	-
Other expenses	176	596	-	596	-	-	-	-	-	-	-	-	-	-	-	-
Net loss/(gain) from the disposal of assets	-53	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total expenses from continuing operations	6,556	13,841	-222	13,619	1,963	4,062	-	4,062	427	1,331	-	1,331	304	829	-	829
Operating result prior to consideration of capital grants and depreciation	6,918	7,113	324	7,437	970	171	150	321	712	647	-	647	754	258	-	258
Less: Depreciation, amortisation and impairment	2,364	5,220	-	5,220	107	233	-	233	309	500	-	500	230	415	-	415
Operating result after depreciation	4,553	1,894	324	2,218	863	-61	150	89	402	147	-	147	524	-157	-	-157
Add: Grants and contributions provided for capital purposes	247	5,573	-	5,573	35	-	-	-	26	180	-	180	-	-	-	-
Overall result with capital grants	4,800	7,467	324	7,790	897	-61	150	89	429	327	-	327	524	-157	-	-157
Capital Expenditures																
	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget	Actuals to Dec, 23	Current Budget	QBR52 Adj	Revised Budget
Employee benefits and on-costs	445	1,755	-	1,755	-	-	-	-	5	21	-	21	1	5	-	5
Materials and services	2,763	7,967	-	7,967	24	180	-	180	16	712	-	712	-	428	-	428
Total Capex	3,208	9,722	-	9,722	24	180	-	180	21	733	-	733	1	432	-	432

URALLA SHIRE COUNCIL
FINANCIAL RESTRICTIONS & FREE CASH
As at 31 December, 2023

Particulars	Balance at 30-Jun-23	Balance at 31-Dec-23
Cash and investments	24,305,403	26,298,033
Total restricted cash	23,509,052	25,458,459
Free/Unrestricted Cash	796,352	839,574

Detail of Restrictions	Balance at 30-Jun-23	Added to Restrictions	Release from Restrictions	Balance at 31-Dec-23
External Restrictions	17,877,291	6,557,750	4,112,063	20,355,559
Unexpended Loans - Industrial Land	486,937	-	-	486,937
Trust funds	31,296	-	-	31,296
McMaugh Fund - Bonds	3,325,000	500,000	200,000	3,625,000
Developer Contributions - General (Section 94)*	1,114,765	62,134	-	1,176,899
Home Care Package (19225.9162.9150)*	4,000	-	4,000	-
TCT funding delivery shortfall (monthly)	1,235,739	210,365	-	1,446,104
TCS CHSP funding delivery shortfall (annual)*	3,182,044	-	970,365	2,211,679
Bushfire Local Economic Recovery - Courthouse Refurbishment	20,378	-	52,959	-
PSLP - Glen precinct in 2022 budget	797,250	-	549,761	247,489
PSLP - Pioneer Park - in 2022 budget	565,664	-	272,987	292,677
Black Summer Bushfire Recovery - Generators	23,420	-	22,074	1,346
Regional NSW Planning Portal (Planning portal integration to Authority and)	80,000	-	1,600	78,400
Water Fund	2,336,010	766,883	-	3,102,893
Sewer Fund	1,616,240	355,720	-	1,971,960
Stormwater Drainage	312,261	-	-	312,261
Fixing Local Roads Round (FLR) 3	387,223	-	-	387,223
Regional and Local Roads Repair Program	1,679,408	-	913,349	766,059
Fixing Local Roads (FLR) Pothole Repair Round	204,557	-	199,887	4,671
USC AGRN1034 - NSW Severe Weather and Flooding (Advance)	-	-	-	-
Block Grants	399,099	477,000	849,081	27,017
Supplementary	76,000	38,000	76,000	38,000
Conservation and Ecological Restoration of Racecourse Lagoon	-	59,514	-	59,514
RERRF Funding	-	2,353,990	-	2,353,990
AGRN 1030 and AGRN 1034	-	1,000,000	-	1,000,000
Stronger Communities Fund - SCCF5A0002	-	694,144	-	694,144
Strong Start Planning Cadetship Program	-	25,000	-	25,000
Donation for TCT Routematch License	-	15,000	-	15,000
Internal Restrictions	5,631,760	-	1,758,860	3,872,900
Plant Fund (monthly)	210,244	-	94,722	115,522
Employee leave entitlement (annual)*	799,589	-	-	799,589
Tip remediation costs (annual)*	1,265,000	-	-	1,265,000
Waste Management Consultancy	8,366	-	-	8,366
InfoCouncil implementation	548	-	-	548
FAGS received in advance	3,328,277	-	1,664,139	1,664,139
Strategic development	19,736	-	-	19,736
Commitments due in two months	-	1,230,000	-	1,230,000
Graders	-	1,080,000	-	1,080,000
3 Vehicles in the process of procurement	-	150,000	-	150,000

* Calculations of additions and adjustments are typically done on an annual basis.

URALLA SHIRE COUNCIL
CONTRACTS, CONSULTANCY AND LEGAL EXPENSES
For the Quarter Ending 31 December, 2023

Consultancy and Legal Expenses	Expenditure	Budgeted
	YTM December \$000	Y/N
Port Macquarie Hastings Heritage - Heritage advisory service to USC	5	Y
Robert Carr & Associates Pty Ltd T/A - Environmental Monitoring Uralla Landfill	8	Y
BAL Lawyers - Advice on EPA Act Order and Energy hub planning agreement	6	Y
Capstone Recruitment Group Pty Ltd - Recruitment of GM	20	Y
Total	39	

Definition of a consultant:

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

Contract Detail and Purpose	Expenditure	Contract	Contract	Contract	Contract	Budgeted
	YTM December \$000	Date	Value	Start Date	Duration	Y/N
None						

Notes:

1. Contracts that were entered into during this quarter and remain incomplete are included
2. Minimum reporting threshold is \$50,000
3. Contractors on Council's Preferred Supplier list are not included
4. Contracts for employment are not required to be included

14.8 Monthly Finance Report for January 2024

Department:	Corporate & Community
Prepared By:	Manager Finance & IT
Authorised By:	Interim Executive Director Corporate & Community
Reference:	UINT/24/392

Attachments:	1. Monthly Financial Statements for January 2024 ↓ 
---------------------	--

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4. We are an independent shire and well-governed community
Strategy:	4.1. Informed and collaborative leadership in our community
	4.2. A strategic, accountable and representative Council

SUMMARY

The purpose of this report is to provide an overview of the Council's financial performance up to the reporting date, along with analytical comments on significant variances with the budget.

RECOMMENDATION

That Council receives the attached Monthly Finance Report for January 2024.

REPORT

This report provides for the information of Councillors the Income Statement and CAPEX Summary, including a breakdown by fund, for the month ending 31 January 2024.

URALLA SHIRE COUNCIL
INCOME STATEMENT & CAPEX SUMMARY
Financial Statements for the month ending January 2024

			Amt in '000
	Actuals to	Proportionate	Budget for
	January	Budget	the Year
Income from continuing operations			
Rates and annual charges (1)	7,914	7,946	7,946
User charges and fees (2)	2,742	3,412	5,981
Other revenues	367	310	781
Grants and contributions provided for operating purposes (3)	7,293	6,739	12,801
Interest and investment income (4)	735	434	744
Total income from operational activities	19,051	18,841	28,253
Expenses from continuing operations			
Employee benefits and on-costs	7,090	7,028	12,049
Materials and services (5)	3,765	4,129	7,079
Borrowing costs (6)	42	26	45
Councillor and Mayoral fees and associated expenses	76	87	150
Audit fees	-2	0	143
Other expenses	182	346	596
Net loss/(gain) from the disposal of assets	-53	0	0
Total expenses from continuing operations	11,100	11,617	20,063
Operating result prior to consideration of capital grants and depreciation	7,952	7,225	8,190
Less: Depreciation, amortisation and impairment	3,504	3,693	6,367
Operating result after depreciation	4,448	3,532	1,823
Add: Grants and contributions provided for capital purposes (7)	323	3,337	5,753
Overall result with capital grants	4,771	6,868	7,576

	Actuals to	Proportionate	Budget for
	January	Budget	the Year
Capital Expenditures (8)			
Employee benefits and on-costs	509	1,039	1,781
Materials and services	3,015	5,417	9,287
Total Capex	3,523	6,456	11,068

URALLA SHIRE COUNCIL
INCOME STATEMENT AND CAPEX BY FUND
Financial Statements for the month ending January 2024

	General Fund		McMaugh Gardens		Water Fund		Sewer Fund	
	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget
Income from continuing operations								
Rates and annual charges	6,270	6,328	-	-	628	641	1,016	976
User charges and fees	1,460	2,344	743	561	504	465	35	42
Other revenues	367	290	0	20	0	-	-	-
Grants and contributions provided for operating purposes	4,999	4,886	2,294	1,854	-	-	-	-
Interest and investment income	714	251	-	79	13	81	8	23
Total income from operational activities	13,809	14,100	3,038	2,514	1,145	1,187	1,059	1,041
Expenses from continuing operations								
Employee benefits and on-costs	4,921	4,871	1,846	1,738	185	241	138	179
Materials and services	2,427	2,660	724	629	362	536	251	305
Borrowing costs	40	23	2	3	-	-	-	-
Councillor and Mayoral fees and associated expenses	76	87	-	-	-	-	-	-
Audit fees	-	2	-	-	-	-	-	-
Other expenses	182	346	-	-	-	-	-	-
Net loss/(gain) from the disposal of assets	-	53	-	-	-	-	-	-
Total expenses from continuing operations	7,592	7,987	2,572	2,369	547	777	388	483
Operating result prior to consideration of capital grants and depreciation	6,217	6,112	466	144	598	411	671	558
Less: Depreciation, amortisation and impairment	2,749	3,027	125	135	361	290	269	241
Operating result after depreciation	3,468	3,085	340	9	237	121	402	317
Add: Grants and contributions provided for capital purposes	247	3,232	35	-	42	104	-	-
Overall result with capital grants	3,715	6,317	375	9	279	225	402	317
Capital Expenditures								
	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget	Actuals to January	Proportionate Budget
Employee benefits and on-costs	500	1,024	-	-	8	12	1	3
Materials and services	2,959	4,647	24	105	32	415	-	249
Total Capex	3,459	5,671	24	105	40	427	1	252

**Analytical Comments on Monthly Financial Statement
For the month ending 31 January 2024**

1. Rates and annual charges are charged at the beginning of the financial year on a yearly basis. The revenue reported in the monthly statement reflect the full year's revenue. The actual for the year closely align with the budgeted amount.
2. User Fees and charges
 - 2.1 Overall revenue from user fees and charges are almost at par, with the exception of funding from the Commonwealth Home Support Program (CHSP) for TCS. TCS has accumulated unspent CHSP funds over the past few years, holding them in restrictions. Recently, CHSP has changed its funding mechanism, advising service providers like TCS to use the restricted funds. Once these funds are exhausted, CHSP will release payments based on the actual services provided. Therefore, TCS is not anticipated to receive CHSP funding until the restricted funds are fully utilized. As a result, the actual user fees and charges received during the year are expected to indicate lower funding than the original budget. The shortfall in receipt of CHSP funding up to January compared to the proportionate budget is \$844k. However, the actual utilization of CHSP funds will be calculated at year-end and adjusted accordingly. The adjustment is not anticipated to affect profitability of the TCS.
 - 2.2 Revenue from cemetery operations remains below the budget, with actual revenue earned up to January amounting to \$22k, compared to the proportional budget of \$37k.
 - 2.3 In January, the performance of other waste management improved, which reduced the gap between the proportionate budget and actual performance to \$14k, as opposed to \$37k reported in November.
 - 2.4 Water Supply revenue has exhibited a slightly improved result, amounting to \$40k compared to the proportionate budget for the first half of the year.
3. Grants and contributions provided for operating purposes include \$2.25 mil special funding for Regional and Local Roads Repair Program, recorded as operating revenue. Unspent money of the program will be held under restrictions.
4. Interest and investment income from term deposits are received into the general fund throughout the year and will be distributed to the specific funds at the year-end. Therefore, during the year the general fund will reflect a higher value of interest income, while other funds will initially show lower values until the final allocation is made at the year end.
5. Materials and Services
 - 5.1 The cost of materials and services at McMaugh Gardens shows an increase primarily due to hiring of contracted staff. This increase will be balance out against employee benefits and on-costs.
 - 5.2 IWCM project and Tree Plantation Master Plan and Actual Tree Plantation Project has not started yet.

6. The borrowing costs have escalated due to an increase in the interest rate applicable to the loan for Bridge Construction and Industrial Land Development. With the current loan balance at \$1.14 million, the rate has surged to 6.44%, considerably higher than the initially estimated interest rate of 1.86% outlined in the budget. Following a negotiations, the rate was reduced to 6.34%. The adjustment for the increased cost will be addressed through QBR53.
7. In previous years, the reconciliation for the accounting standard AASB15 was conducted at the end of the financial year. However, starting from December, we implemented a monthly reconciliation process, particularly for projects funded by capital grants. The accounting standard stipulates that revenue from capital grants should be recognized in accordance with the progress of associated capital work. Due to the change, there have been adjustments to the reported amount of capital grant revenue, resulting in a reduction in revenue from Capital Grants. The unutilised portion of advanced capital grant will continue to be recorded as liabilities in the books.
8. The progress of capital works is experiencing delays, primarily attributed to turnover within the project execution team. The initial budget allocation anticipated 30% of expenses for wages and 70% for contractors and materials in capital projects. However, actual data available up to January 2024 shows that only 15% of the total capital expenditure have been assigned to wages. The remaining 15% of the wages budget allocated to Capital Expense is expected to result in variations in operating wages by the end of the financial year.

14.9 Loans as at 31 January 2024

Department:	Corporate & Community
Prepared By:	Senior Finance Officer
Authorised By:	Interim Executive Director Corporate & Community
Reference:	UINT/24/393

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.	We are an independent shire and well-governed community
Strategy:	4.2.	A strategic, accountable and representative Council

SUMMARY

The purpose of this report is to provide Council with a reconciliation of borrowings as at the end of the reporting month.

RECOMMENDATION

That Council notes the loan position as at 31 January 2024 totalling \$1,392,395.

REPORT

This report is provided to inform Council of the reconciliation of borrowings on a monthly basis.

Uralla Shire Council
Loans at 31 January, 2024

Uralla Shire Council			
Loans at 31 January, 2024			
Loans:			
Loan no.	Purpose		Balance
165	MGH Property		\$20,763
187	Undergrounding Power and Main Street Upgrade		\$38,488
188	Paving and Power Undergrounding		\$12,607
189	Bridge Construction		\$136,027
190	Bridge construction & industrial land development		\$1,184,510
Total			\$1,392,395

CONCLUSION

I, Mustaq Ahammed, Manager Finance & IT hereby certify that the above borrowings have been made in accordance with the requirements of the *Local Government Act 1993 (the Act) (Chapter 15, Part 12 – sections 621 to 624) and the Local Government (General) Regulation 2021 (the Regulation) (Section 230)*.

14.10 Investments at 31 January 2024

Department:	Corporate & Community
Prepared By:	Senior Finance Officer
Authorised By:	Interim Executive Director Corporate & Community
Reference:	UINT/24/394

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.	We are an independent shire and well-governed community
Strategy:	4.2.	A strategic, accountable and representative Council

SUMMARY

Attached is a summary of bank accounts, term deposits, cash management accounts and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulation 2021 and Council's Investment Policy 2019.

The majority of Council's cash is externally restricted and not available for day to day operational expenditure. As per audited financial statements for the year ending 30 June 2023, the amount of unrestricted cash reported in the financial statements is \$799,000. The Council routinely updates its restriction status at the end of each quarter, and the updated restriction status is provided with the quarterly budget review statements. The latest report indicates an unrestricted cash amount of \$883,000. However, it is important to note that several restrictions are updated annually. Therefore, the quarterly updates only provide an estimate until the annual recalculations are completed and audited by the statutory auditors.

RECOMMENDATION

That Council notes the cash position as at 31 January 2024 consisting of cash and overnight funds of \$1,843,426 and term deposits of \$23,068,862 totalling \$24,912,287 of convertible funds, including restricted funds.

REPORT

Current term deposits of \$23,068,862 spread over the next twelve months will receive a range of interest from 4.48% to 5.52% with an average rate of 5.13%. Council's General Fund bank balances (listed in the attachments) have been reconciled to the bank statement as at 31 January 2024.

Key Issues

The current official cash rate as determined by the Reserve Bank of Australia (RBA) is 4.35% as at the date of this report. The timing of potential interest rate change will be guided by the incoming data and the Board's assessment of the outlook for inflation and the labour market. The change in interest rates has resulted in higher investment returns this year.

Restricted and Unrestricted Cash, Cash Equivalents and Investments

Of the amount of cash disclosed in this report, not all of the cash is available for unrestricted use by Council. The majority of the cash has been set aside to meet external restrictions, being those funds that have been provided for specific purposes such as developer contributions, government grants, loans, water supplies, sewer services and Aged Care Bonds. Additionally, a portion of the cash has been set aside to cover future commitments that Council has made relating to asset renewals, remediation works or leave provisions. As per the Department of Health's prudential guidelines, the council is advised to disclose the amount of

McMaugh Garden's bond liability in the investment report. The McMaugh Garden's bond liability status as at 31 January 2024 is follows:

Opening Balance	Bond Addition	Bond Release	Closing Balance
3,325,000	950,000	650,000	3,625,000

The schedule of cash at bank and investment is listed below:



Uralla Shire Council				
Investments at 31 January, 2024				
Cash at Bank – Operating Accounts:				
Institution		Account	Bank Statement	
National Australia Bank		Main Account	\$772,074	
National Australia Bank		Trust Account	\$31,296	
Regional Australia Bank		USC	\$26,879	
Total			\$830,249	
Business Investment (Cash Management) Account				
Institution		Interest rate	Balance	
Professional Funds		0.15% above RBA cash rate	\$1,013,176	
Total			\$1,843,426	
Term Deposits:				
Institution	Term	Interest rate	Maturity	Balance
Suncorp	8 months	5.18%	8/02/2024	514,522
National Australia Bank	11 months	4.50%	12/02/2024	1,000,000
Suncorp	10 months	4.48%	21/02/2024	500,000
National Australia Bank	11 months	4.55%	7/03/2024	500,000
Commonwealth Bank	9 months	5.52%	18/03/2024	1,000,000
Suncorp	12 months	4.56%	28/03/2024	1,000,000
Bank of Queensland	12 months	4.75%	17/04/2024	500,000
National Australia Bank	9 months	5.40%	22/04/2024	304,340
Bank of Queensland	11 months	4.95%	1/05/2024	500,000
Westpac Banking Corporation	12 months	4.76%	16/05/2024	1,000,000
National Australia Bank	12 months	4.90%	22/05/2024	1,000,000
National Australia Bank	9 months	5.20%	25/06/2024	500,000
Commonwealth Bank	10 months	4.96%	7/07/2024	1,000,000
National Australia Bank	12 months	5.40%	16/07/2024	500,000
Suncorp	12 months	5.40%	24/07/2024	500,000
Suncorp	12 months	5.21%	20/08/2024	1,000,000
Regional Australia Bank	12 Months	5.23%	21/08/2024	800,000
Westpac Banking Corporation	12 months	5.12%	29/08/2024	800,000
Westpac Banking Corporation	11 months	5.37%	30/09/2024	700,000
National Australia Bank	11 months	5.34%	8/10/2024	700,000
Regional Australia Bank	12 months	5.20%	13/10/2024	700,000
Westpac Banking Corporation	12 months	5.49%	14/11/2024	1,500,000
Westpac Banking Corporation	12 months	5.34%	4/12/2024	1,000,000
Westpac Banking Corporation	12 months	5.34%	4/12/2024	1,000,000
Bank of Queensland	12 months	5.40%	4/12/2024	500,000
Regional Australia Bank	12 months	5.40%	5/12/2024	800,000
Regional Australia Bank	12 months	5.40%	5/12/2024	750,000
Suncorp	12 months	5.22%	13/12/2024	1,000,000
Suncorp	12 months	5.22%	13/12/2024	500,000
National Australia Bank	12 months	5.15%	29/01/2025	1,000,000
Total				23,068,862

CONCLUSION

In accordance with Regulation 212 of the Local Government (General) Regulation 2021, the above report is prepared about monies not currently required for use by Council and invested in forms of investment approved by Order of the Minister.

14.11 Requests for Sponsorship & Donation - Rotary Arts Show 2024 - Elders Olympics 2024

Department:	Corporate & Community
Prepared By:	Interim Executive Director Corporate & Community
Authorised By:	General Manager
Reference:	UINT/24/2076

Attachments:	1. Donation request from Rotary for Art Exhibition 2024 ↓ 
	2. Request for Donation - 2024 Elders Olympics ↓ 

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1. We have an accessible inclusive and sustainable community
Strategy:	1.1. A growing community with an active volunteer base and participation in community events

SUMMARY

The purpose of this report is to enable Council to consider sponsorship and donation requests form Rotary Club of Uralla for the 2024 Rotary Art Show and Sale and the Combined Aboriginal Elders Group to attend the annual Elders Olympics in Kempsey on Thursday 9 May 2024.

RECOMMENDATION

That Council:

1. Offers sponsorship to the Rotary Club of Uralla in the amount \$4,000, inclusive of the \$1,000 sponsorship commitment made in the 2023/2024 budget, for the Rotary Arts Show 2024;

OR

1. Maintains the current sponsorship allocation to the Rotary Club of Uralla for the Rotary Arts Show 2024 of \$1,000.

And:

2. Donates \$300 to contribute to transport and accommodation costs to support the Combined Aboriginal Elders Group to attend the 2024 Elders Olympics in Kempsey;

OR

2. Offers to provide support to the Elders Group to identify and assist in preparing a Grant application for financial assistance towards the 2024 Elders Olympics.

REPORT**ROTARY ARTS SHOW**

Council has received a request from the Rotary Club of Uralla to provide sponsorship for the 2024 Rotary Art Show and Sale (copy attached)

In the minutes of the Finance Advisory Committee meeting held 10 May 2022 the committee recommended that the Community Grants and Contributions for the Rotary Art Show be scaled back over three years as follows: 2022-2023 - \$2,000, 2023-2024- \$1,000 and 2024-2025 -\$Nil.

The adopted Operational plan and supporting budget for 2023/2024 has therefore allocated \$1,000 as sponsorship and support for the Art Show.

Rotary did not request the budgeted donation amount for the 2022-2023 Art Show as they were successful in obtaining a Grant to assist with the running of the event. Rotary are requesting that the amount of \$2,000 that was to be donated in 2022-2023 be donated to this year's Art Show 2023-2024.

Council is not able to retrospectively apply funding allocations from previous budgets. Should Council seek to increase the sponsorship amount to \$4,000 as requested it will need to undertake a budget review to source the additional \$3,000.

Elders Olympics

Council have received a request for sponsorship from the Combined Aboriginal Elders Group who wish to attend the annual Elders Olympics in Kempsey on Thursday 9 May 2024 (Copy attached). The request does not specify an amount but notes that a donation would assist with costs towards transport to the event and accommodation for the group.

Council has not previously sponsored this event however staff understand that in previous years individually Councillors have provided financial support from personal finances. Similarly in previous years Council has supported the group by assisting them with identifying and applying for grants directly.

Sponsorship for the Elders Olympics has not been considered as part of Community Grants and Donations program for 2023/2024. There is however a general allocation of \$1,000 in the program from which Council has already committed \$200 in support of the Spaces Make Lace November 2023 Event and \$200 as a bronze sponsor for the Uralla Central School end of year awards program. Accordingly \$600 is available for further allocation.

CONCLUSION

The attached sponsorship requests have not been included in the 2023/2024 Community Grants and Donation program. An allocation has been made for the Rotary Arts Show in the amount \$1,000. There has been no allocation for the Combined Aboriginal Elders Group however there is a balance of \$600 in the program fund allocation should Council wish to provide a financial contribution to support participation in the event.

A resolution is required to amend the Community Donation and Grant program budget allocation.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Community gather to such events as a draw card for community support and being part of a charitable function.

Policy and Regulation

Local Government Act 1993

Local Government Regulations (General) 2005

Sponsorship Policy 2013

Financial/Long Term Financial Plan

The requested amount will not have a material impact on long term finances however fund allocation beyond the budget amount will result in an overspend for the Community Grants and Donation budget.

Asset Management/Asset Management Strategy

Nil

Workforce/Workforce Management Strategy

Implementing Council resolution will have minimal impact on staff resourcing however the current process for seeking to amend the Community Grants and Donation program allocation to address adhoc requests throughout the year through individual reports to Council is a time intensive exercise.

It is suggested that Council consider extending a delegation to the General Manager to allocate minor sponsorship and donations throughout the year against prescribed criteria (set by Council), and that a report come to Council every 6 months with details of requests that have been considered and sponsorship/donations paid or rejected.

Legal and Risk Management

Nil

Performance Measures

Nil

Project Management

Interim Executive Director Corporate & Community



ABN 80 744 891 823
District 9660
PO Box 57, URALLA, NSW 2358

To the General Manager Uralla Shire Council

Hello Toni,

This year The Rotary Club of Uralla will be hosting our 45th Annual Art Exhibition and Sale , this event is held in March each year and receives entries from artists from several states in Australia and many of the schools in our shire, last year we had over 300 entries from artists and around 200 entries from school children, the event will commence with an opening night on Friday March 15th and run through to Saturday March 23rd.

Apart from bringing hundreds of not only artists but members of the public to the event, school children from many of our shires school will attend on the Thursday to look at the Exhibition and be spoken to by our guest / featured artist who will judge and award prizes and certificates to some of the outstand paintings, there is also a major award, The Helen Phillips memorial trophy, this will be awarded for the most outstanding young artist judged by our guest artist. Helen Phillips was an Artist and a Rotarian and also was a founding member of the original committee that started this event, Helen past away 3 years ago and this award was a memorial from her family to recognize the work that she did.

As you would be aware The Rotary Club of Uralla hosts many events and all money raised is returned to the community in the form of projects and donations.

Uralla Shire Council has been a financial supporter of our event for many years, last year we were fortunate to receive a State Government Grant and advised the council that we would not be asking for financial support even though an amount of \$2000.00 was originally earmarked for us, we are hoping that not only will the council support our event this year but give consideration to giving us the amount that we would have received last year.

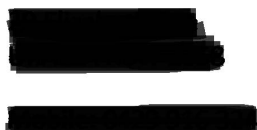
We do have a sponsor board which in previous years has listed Uralla Council as a major sponsor as well as indicating same in our program and in the radio interviews that we do.

Looking forward to a positive response.

artshow@urallyrotary.org.au

John Buckingham and Bev Stubberfield

Co-Chairpersons of The Rotary Club of Uralla Art Committee

**Donation for the Aboriginal Elders Olympics 2024**

To whom it may concern,

My name is Pam Meehan and I am writing to you on behalf of the Combined Aboriginal Elders Group. We will be attending the Aboriginal Elders Olympics at Kempsey in 2024, which is held every year, somewhere in NSW. In our Region the Group is represented by The Elders from Uralla, Armidale and Walcha.

I am writing to you to ask if you are able to help us with a donation to assist us with the costs to cover Transport to the venue where we will be staying and travelling to the grounds where we will be competing at, also for Accommodation and partially for our meals.

The donations that is received, will help the group's costings as mentioned, otherwise people may not be able to attend the Olympics due to the higher costs involved.

The donations we have received in the past have been appreciated as it has helped with our transport, accommodation and meals.

The group from our area enjoys attending these Olympics. We enjoy the time together, we enjoy competing with the other groups that attend and we know it helps with our well-being.

We look forward to hearing from you at your earliest convenience and any donations would be greatly appreciated. If you require any other information please do not hesitate to contact me on my mobile number.

Yours sincerely

A handwritten signature in cursive script that reads "P. Meehan".

Pamela Meehan

Please see the details below for your donation to go into.

Members Number: 764541

Account Type: S3

Account Name: Aboriginal Elders

14.12 Proposed Licence of the RSL Memorial Hall to Uralla Neighbourhood Centre.

Department:	Corporate & Community
Prepared By:	Interim Executive Director Corporate & Community
Authorised By:	General Manager
Reference:	UINT/24/2270

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	1.	We have an accessible inclusive and sustainable community
Strategy:	1.1.	A growing community with an active volunteer base and participation in community events
	1.4.	Access to and equity of services

SUMMARY

The RSL Memorial Hall has been occupied and managed by Uralla Neighbourhood Centre Incorporated (UNC Inc) for over 15 years.

Whilst formal tenure has been acknowledged, and even renewed over time, the tenure arrangements have not been formally documented.

This report recommends that Council considers undertaking a review of the use and management of the property with a view to determining the long term management arrangements. This process will take some time.

As an interim arrangement it is recommended that the occupation and management of the premises by Unc Inc be formalised by way of a licence agreement for a term of up to 2 years.

RECOMMENDATION

- 1. That Council licenses the occupation of part Lot 67 in DP881705 being the RSL Memorial Hall to the Uralla Neighbourhood Centre Incorporated for a period of 2 years for the purposes of managing the facility and delivering community support services to residents and families in the Uralla Shire area; and**
- 2. The General Manager executes the licence under delegated authority.**

REPORT

Council is the registered proprietor of Lot 67 in DP881705 being the RSL Memorial Hall located at 27 Salisbury Street Uralla.

In 2007 Council resolved (RES: 539/07):

That Council delegate the operation and management of the Uralla Memorial Hall to the Uralla Neighbourhood Centre for a period of 2 years, with the option of a three year extension with negotiable rent, for a rental in the first year of \$7,500 per year and the second year of \$8,000 per year.

It is understood that the Uralla Neighbourhood Centre Incorporated (UNC Inc) commenced the arrangement in December 2007 and that the occupation has continued on these terms since. It is not apparent that a formal lease or management agreement was executed to support the arrangement.

Records indicate that the land is classified as operational land. The main effect of land classification is to restrict the alienation and use of the land. "Operational" land has no special restrictions other than those that may have specifically applied on transfer to Council, as such the provisions of section 47 of the Local Government Act 1933 (pertaining to community land management) do not apply. Council is at liberty to deal with the land including the creation of lease or licence interests.

In response to a Notice of Motion at the February 2022 Ordinary meeting Council resolved as follows:

16-1 NOTICE OF MOTION – URALLA NEIGHBOURHOOD CENTRE

MOTION Moved: Cr Crouch /Seconded: Cr Toomey

That Council:

- 1. Continue to lease the RSL Memorial Hall to the Uralla Neighbourhood Centre for two years (Feb 2022 to Feb 2024) at the current rent of \$8,000 per year, paid quarterly in advance.*
- 2. That the Uralla Neighbourhood Centre benefit from all hire charges associated with the use of the Returned Services Memorial Hall, including council functions.*
- 3. Insert the fee in the 2021/22 fees and charges.*
- 4. Remove the sentence "Rental fees for new leases or licences on Council properties negotiated during the year will be based on valuation advice and other relevant factors, such as community benefit." Page 16 of 48, from the fees and charges*
- 5. Place the revised fees and charges on public exhibition for 28 days. If no submissions are received council adopt the revised fees and charges.*

For: Mayor Bell, Crs Bower, Burrows, Crouch, McMullen, O'Connor, Petrov, Toomey

Against: Nil Absent: Cr Doran 27.02/22 CARRIED

It was not possible to action point 1 of the above resolution as there was no lease agreement to renew. Notwithstanding this, the UNC Inc has remained in occupation of the premises since 2022 as a continuation of the original (undocumented) arrangements consistent with the intent of the resolution.

Future tenure arrangements

It is recognised that the UNC Inc have provided a valued community support service from the RSL Memorial Hall since 2007. During their tenure, and with Councils support, the UNC Inc have managed the facility and improved the levels of service at the facility. It is understood that Council supports the continued primary use of the RSL Memorial Hall as a facility to delivery community support services.

Should Council seek for the RSL Memorial Hall to continue to be used for this purpose it would be appropriate to undertake an Expression of Interest process to assess and select a service provider (Lessee) that offers the best proposal for both the management of the facility and service delivery.

Considerations for Council would include

- a determination of the primary use of the asset (currently used for the delivery of community support services)
- assessment of the asset management requirements and the Lessee/Lessor responsibilities for asset management
- Rent having regard to current rent values and the extent of subsidisation for the delivery of community support services
- Lease provisions that ensure the delivery of agreed community support service outcomes from the premises.

It is recommended that Council formalise the current occupation by way of an exclusive licence to UNC Inc for a period of 2 years. During this term Council can undertake the work required to complete an asset management plan for the premises and undertake an EOI for the future management and tenure of the facility.

It is recommended that the licence agreement include provision for:

Licensor	Uralla Shire Council (ABN 55 868 272 018)
Licensee	Uralla Neighbourhood Centre Incorporated (ABN)
Property	Lot 67 in DP881705
Permitted use	Occupation of the premises for the purposes of managing and maintaining the facility and for the delivery of community support services
Restriction on use	The Licensee may not assign or sub licence the premises without the express written consent of the Licensor
Rent	\$8,000 p.a (excl GST)
Rent Review	CPI increase on the anniversary of the commencement of the licence
Outgoings	Licensee will be responsible for the payment of all utilities including water, electricity and other services Licensor will be responsible for rates
Insurance	Licensee to provide and keep current for the term of the licence : Public Liability in the amount \$20Million dollars per individual claim and noting Uralla Shire Council as an interested party Workers Compensation Insurance Contents insurance for the replacement value of all equipment necessary for the continued delivery of services. Licensor Property Insurance
Conditions of Use	Conditions of use will include but not be limited to: <ul style="list-style-type: none"> • Licensee will at the licensees expense keep the premises , equipment , fittings and installations in good repair, maintained, clean and tidy • Not do anything that might endanger the property or anything on the property • Comply with council requirements concerning noise and other matters potentially impacting on local residents • Comply with all laws, regulations and requirements of authorities in connection with the use of the premises. • Promptly report to the licensor any matter that would impact on the structural integrity of the premises.

CONCLUSION

The UNC Inc has occupied the property under an undocumented arrangement for over 15 years during which time they have provided a valued community support service to Uralla Shire residents and families.

It is recommended that Council review the use and management of the property with a view to determining the longer term management arrangements.

The process to review future operation will take some time. In the interim it is recommended that Council formalises the current occupation by UNC Inc by way of a two year licence agreement.

COUNCIL IMPLICATIONS**Community Engagement/Communication**

Staff have liaised with UNC Inc to advise of the recommendation to formalise the current tenure under a licence agreement

Policy and Regulation

Local Government Act 1993

Financial/Long Term Financial Plan

The current recommendation will not have any material impact on the Long Term Finances of Council.

Asset Management/Asset Management Strategy

Leasing and licencing agreements with appropriate terms and conditions are an effective asset management tool

Workforce/Workforce Management Strategy

The recommendation does not impact materially on workforce resources

Legal and Risk Management

Leasing/Licensing the operation of facilities to facility managers serves to transfer day to day operational risk.

Conversely there is a risk that a property is mismanaged, and deterioration accelerated, due to mismanagement by the licensee. In this instance the occupier has demonstrated a strong commitment to ensuring the premises are well maintained and the risk is considered to be low.

Performance Measures





Formalisation of a Licence agreement on agreed terms to UNC Inc

Project Management

Asset Manager

14.13 Grace Munro Aged Care Centre - leasing matters

Department:	Corporate & Community
Prepared By:	Interim Executive Director Corporate & Community
Authorised By:	General Manager
Reference:	UINT/24/1843

Attachments:	1. Proposal for access to Lot 24/DP753646 - Location - Bundarra ↓ 
	2. DRAFT terms of sub lease for part lot 24 DP 753646 ↓ 
	3. Proposed Extensions to the GMACC - 2024 ↓  

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4. We are an independent shire and well-governed community
Strategy:	4.3. An efficient and effective independent local government

SUMMARY

Transport for NSW (TfNSW) has requested tenure of part of Lot 24 in DP753646 being the land occupied under lease by the Grace Munro Aged Care facility in Bundarra.

TfNSW requires the land for access to the Bundarra Bridge to perform maintenance and repairs (Lone Pine Walkway Replacement Project).

The lessee (Grace Munro Aged Care Centre Ltd “GMACC”) is agreeable in principle to the proposed tenure.

The term of the current lease to GMACC has expired and the lease continues on a month to month basis. Notwithstanding this, the lease includes provision for the subletting of the land but only with Councils written consent.

In raising the TfNSW request with the Chairman of the GMACC, the Chairman noted the status of the current lease and requested that Council consider granting a long term lease of the land to the GMACC.

The Chairman also noted that it required Council’s formal endorsement of its application for a Federal Grant to undertake an extension of the facility to create more room for activities adjacent to the current dining room

This report seeks endorsement from Council to provide the GMACC with:

- Consent to the subletting of the land to TfNSW for the purposes detailed on this report; and
- Approval and support for the Grant application to extend the facility.

The report also seeks direction from Council for staff to enter into negotiations with the GMACC for the grant of a long term lease of the land to GMACC with a report to come back to Council on the proposed terms and conditions.

RECOMMENDATION

1. That Council provides written consent to Grace Munro Aged Care Centre limited for the grant of a sub-lease of part lot 24 in DP753646 to Traffic for New South Wales for the purposes of providing access for the Lone Pine Walkway Replacement Project.

2. That Council provides a letter of support to Grace Munro Aged Care Centre limited for a grant of \$460,000 for the proposed extension of the facility on the condition that Grace Munro Aged Care Centre limited will be responsible for the future maintenance and renewal costs of the extension and will indemnify Council for any damage to the existing building arising from construction work associated with the extension.
3. That a report be brought back to the May 2024 Ordinary meeting on proposed terms and conditions of a long term lease of the facility to Grace Munro Aged Care Centre limited

REPORT

Council is the registered proprietor of Lot 24 in DP753646 being 2 Thunderbolts Way Bundarra. The whole of the land is leased to the GMACC for the purposes of conducting a residential aged care facility.

The current lease was granted on 1 October 2015 for a period of 3 years with an option to renew for a further three years. The option term expired in October 2021 and the lease now continues on a month to month basis.

TfNSW propose maintenance and repair work to Lone Pine Bridge over the course of 2024.

To facilitate the work TfNSW Transport for New South Wales (TfNSW) seeks a lease over the required total area that is sought for access – approx. 2,180m² (attachment 1) , under the terms and conditions contained in the TfNSW standard lease agreement (attachment 2) . The rental proposed for the lease period is \$2,000, which amount will be paid to GMACC.

The land is classified as Community Land. Leasing the land to TfNSW is not inconsistent with the provisions of section 46 of the *Local Government Act 1993* pertaining to “Leases, licences and other estates in respect of community land—generally” or 47C sublease of community land.

Given that the whole of the land is leased to GMACC, the public notice and exhibition provision contained at section 47 of the *Local Government Act 1993* do not apply to the proposed sub lease. Notwithstanding this should the matter proceed a Public Notices will be advertised on Council website and through social media.

TfNSW advise that the proposed work will take up to 12 months. TfNSW have also advised that the impact of the road works on the GMACC will be:

Hours of operation:

Monday to Friday: 7:00AM to 6:00PM

Saturday: 8:00AM to 1:00PM

Sundays: No work

Public Holidays: No work

Noise and dust impact to the residents would be minimal.

The following measures will be implemented on site to reduce construction noise:

Noisy Activities will be carried out during normal construction hours where possible

Consultation with affected residents.

As an aside Council staff have also noted with TfNSW that there have been pedestrian and traffic safety issues raised by the local community which may need to be considered as part of the work. The Project engineer has been put in contact with the Director Infrastructure and planning to discuss the issues.

It is recommended that Council provide written consent to GMACC for the sub lease of part lot 24 in DP753646 to TfNSW for the purposes of undertaking the Lone Pine Walkway Replacement Project.

LEASE RENEWAL

Council has leased Lot 24 in DP 753646 to the Grace Munro Aged Care Centre Ltd since 2015 at a base rental of \$35,000 p.a. The option to renew was exercised in 2018 and a new lease issued for the period 01/10/20218

to 30/09/2021. The lease has continued on the same terms and conditions on a month to month basis since the expiry in 2021.

Similarly to McMaugh Gardens the Residential Aged Care facility operates at full capacity and is considered an invaluable service to the local community.

The Chairman of GMACC has requested that Council consider a renewal of the lease on a longer term basis (suggested up to 30 years) noting that a lease of community land exceeding 21 years must be referred to the Minister for consent (section 47(5) *Local Government Act 1993*).

The provision of long term tenure would allow the GMACC to confidently plan and implement the strategic direction of the centre including the ability to apply for Federal and State Government Grant funding.

A long term lease would also allow Council to negotiate the responsibility for ongoing management of the asset, particularly in light of the proposed extension.

It is recommended that Council enter in to negotiations with the GMACC for the future leasing of the facility and that a report be brought back to council on the recommended lease options.

Grant Application

GMACC has made a submission for a Federal Grant for \$460,000 with a proposal to build an extension to the current facility to provide residents with additional space to separate the dining area from living area.

To facilitate GMACC meeting the grant application deadline staff have provide in principal support subject to formal endorsement by Council.

The GMACC chair advises that proposed extension will add to the efficiency and safety of the centre and will improve the quality of life for residents. A copy of the proposed extension plan is attached.

The extension of a facility under lease can pose some challenges to asset maintenance and repairs as well as insurance cover. It is recommended that, should Council resolve to support the grant application, it be conditional upon GMACC accepting full responsibility for the cost of construction and ongoing costs of maintenance and repairs to the proposed extension. It is further recommended that consent be conditional upon GMACC indemnifying Council for the cost of any damage that may be incurred as a consequence of the proposed building work.

CONCLUSION

This report brings a number of matters affecting the Grace Munro Aged Care facility to Council for consideration.

The GMACC provides an invaluable service to the Bundarra community and it is considered that the recommendation serve to continue the historic support Council has extended to the GMACC operation.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Executive officers have met with the Chair of GMACC and discussed the issues raised in this report. The Chair advises that he has kept the Board abreast of issues and discussion

Policy and Regulation

Local government Act 1993

Financial/Long Term Financial Plan

The recommendations do not present any financial implications to Council. A report will be brought back to Council detailing the financial impact of any further grant of lease

Asset Management/Asset Management Strategy

The lease currently provides for the lessee, at the lessees expense, to maintain all improvements on the property

Workforce/Workforce Management Strategy

Not applicable to this report

Legal and Risk Management

The following risks are identified:

- Risk of environmental and/or cultural damage to the leased property by TfNSW (or its contractors) as a consequence of it occupation of the land, resulting in the necessity to remediate the land, interruption to GMACC operations and potential harm to Council reputation as a good custodians of public land. Treatment/Control – the proposed lease agreement provides for the TfNSW to resinate the land to its conditions at the commencement for the lease. The proposed lease term makes allowance for project delays or time overruns and extends insurance cover for Public Liability claims
- Risk of construction work adversely impacting on the existing structure resulting in additional repair work/cost and interrupting service delivery at GMACC. Treatment / control - A condition of any consent will be to ensure that GMACC are using approved and experienced contractors with appropriate insurance cover in place.
- Risk that the expanded facility will increase Council's asset management obligations and expense in the long term. Treatment/Control – the proposed lease renewal will ensure that ongoing asset maintenance obligation are managed

Performance Measures

Written contest to the sub lease issued to GMACC Board

Formal letter of support for Grant application issued to GMACC Board



Report brought back to Council with details of a proposed long term lease

Project Management

Manager Governance & Service Centre

Manager Assets





PROPERTY LEASE SKETCH 2417

DRAWN: 22/01/2024


SUBJECT:
SKETCH SHOWING LAND TO BE LEASED AT BUNDARRA FROM **URALLA SHIRE COUNCIL** OVER LOT 24 DP753646


LOCALITY: BUNDARRA

LGA: URALLA

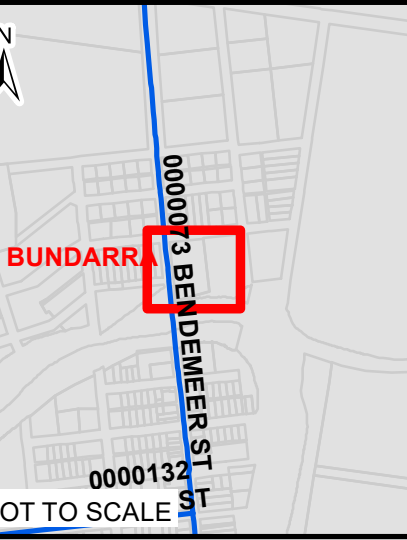
GLA FILE NO: SF2022/154352

Legend

 PROPERTY BOUNDARY

 PROPOSED LEASE AREA

Lengths are in metres
Dimensions are approximate only



BUNDARRA

000073 BENDEMEER ST

0000132

NOT TO SCALE

LEASE BOUNDARIES & AREA RECOMMENDED BY:
Harshith Gudibande
Project Engineer
Survey File:23034-63.dwg

SIGNED: Harshith Gudibande

DATE: 23/01/2024

PIMS Copyright NSW For TfNSW use only

Accuracy Disclaimer
Areas,Boundaries,Dimensions and positions of improvements in relation to the boundaries are subject to final survey.



Transport
for NSW

**Transport for NSW Lease Agreement Form
Land required for site compound.**

**AGREEMENT FOR LEASE OF LAND TO
TRANSPORT FOR NSW**

AGREEMENT made the day of Two Thousand and

BETWEEN, (hereinafter called the 'Landlord') **AND**
TRANSPORT FOR NSW.

WITNESSETH that the Landlord authorises Transport for NSW to take the land in the Schedule 1 hereto for the term of year with an option of an extension on a month to month basis. The Lease payment is based on an annual rental of exclusive of GST to be paid in advance for the purpose identified in Schedule 2 hereto and subject to the following conditions:-

- (i) Transport for NSW agrees to pay the rent and the initial rental payment will be representing ... year rental in advance. Any payment made in advance need not be adjusted on termination of this lease.
- (ii) The commencement date of the lease is to be 14 days from the date of a written request from Transport for NSW to the landlord to commence the lease.
- (iii) The lease is subject to Transport for NSW obtaining environmental approval to use the land for the Project.
- (iv) If the property is required for a further term, on a month to month basis both parties agree to extend the term of the lease on the same terms and conditions contained herein; rent payment for the further term will be paid monthly in advance at per month.
- (v) A 'Pre-Construction Land Condition Assessment Report' in accordance with Transport for NSW Environment Protection Specification G36 is to be conducted by the Transport for NSW Contractor and copy submitted to the Landlord prior to commencement of the lease.
- (vi) No material is to be left permanently on the land without agreement with the Landlord and the prior obtaining of all required approvals (development application from the Local Council). All approvals are to be obtained by Transport for NSW.
- (vii) The Landlord to pay all rates and taxes in respect of the land. Transport for NSW will be responsible for all service charges for services connected to the leased area.
- (viii) If registered for GST the Landlord to supply Transport for NSW with a tax invoice prior to payment of rental.
- (ix) Transport for NSW indemnifies the Landlord during the term of this lease from all claims, demands, actions, proceedings, losses and damages of every kind whether in tort or otherwise resulting from any accident, damage or injury occurring on the leased land which may arise in connection with it or its agents occupation of the land except

Transport for NSW

76 Victoria Street, Grafton NSW 2460 | PO Box 576, Grafton NSW 2460

P (02) 6604 9361 | W transport.nsw.gov.au | ABN 18 804 239 602

OFFICIAL

where such accident damage or injury is caused or contributed to by any negligence or wilful default on the part of the Landlord or the Landlord's employees.

- (x) Transport for NSW and its contractors must comply with all laws in respect of the use or occupancy of the land
- (xi) Transport for NSW and its contractors and/or employees and agents occupy and use the land at their own risk
- (xii) this Lease may be terminated on one month's written notice from Transport for NSW. Any payments made in advance will not need to be adjusted
- (xiii) if the property subject to the lease is sold with settlement occurring during the term of this lease the landlord is to advise Transport for NSW in writing
- (xiv) at the expiry of the lease Transport for NSW shall surrender up to the landlord the land in a clean and tidy condition and reinstate it to a similar or better condition which existed prior to commencement of the lease (or as otherwise agreed in condition vi)
- (xv) prior to handing back the land, Transport for NSW must conduct a 'Post Construction Land Condition Assessment Report' in accordance with Transport for NSW Environment Protection Specification G36 and provide a copy to the Landlord

TRANSPORT FOR NSW

SCHEDULE 1:

**PART OF LOT IN DEPOSITED PLAN BEING PART OF THE PROPERTY AT
.....SHOWN BY RED HATCHING ON THE ATTACHED SKETCH,
BEING THE AREA TO BE LEASED.**

SCHEDULE 2:

The leased land will be utilised for an access track.

SIGNED by the Landlord:
(.....)

In the presence of:
Witness

Transport for NSW Representative

Signature.....

Name.....

Position.....

Transport for NSW

76 Victoria Street, Grafton NSW 2460 | PO Box 576, Grafton NSW 2460

P (02) 6604 9361 | W transport.nsw.gov.au | ABN 18 804 239 602

OFFICIAL

Date.....

In the presence of:.....
Witness

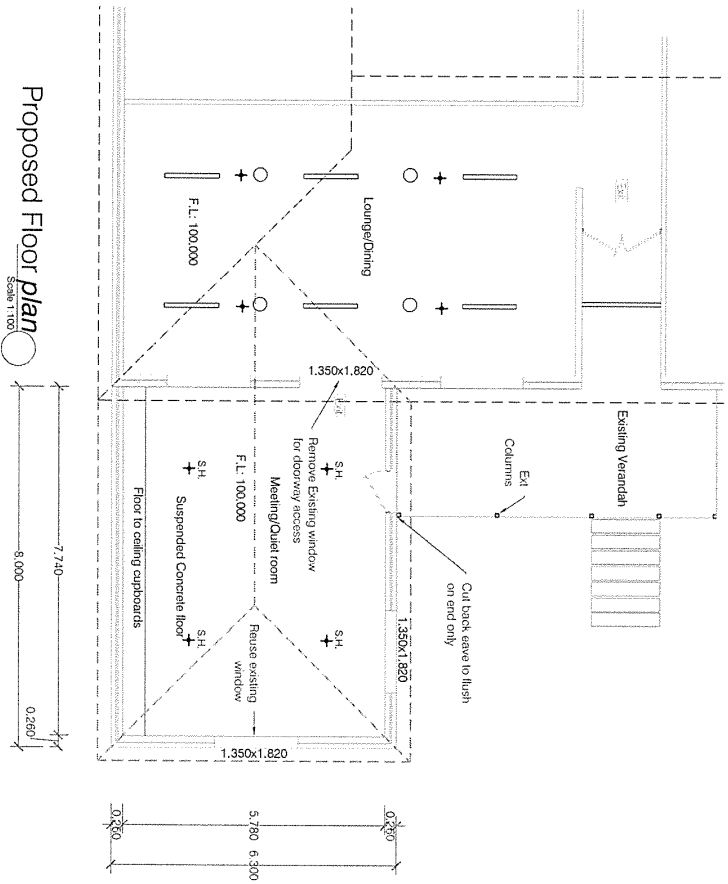
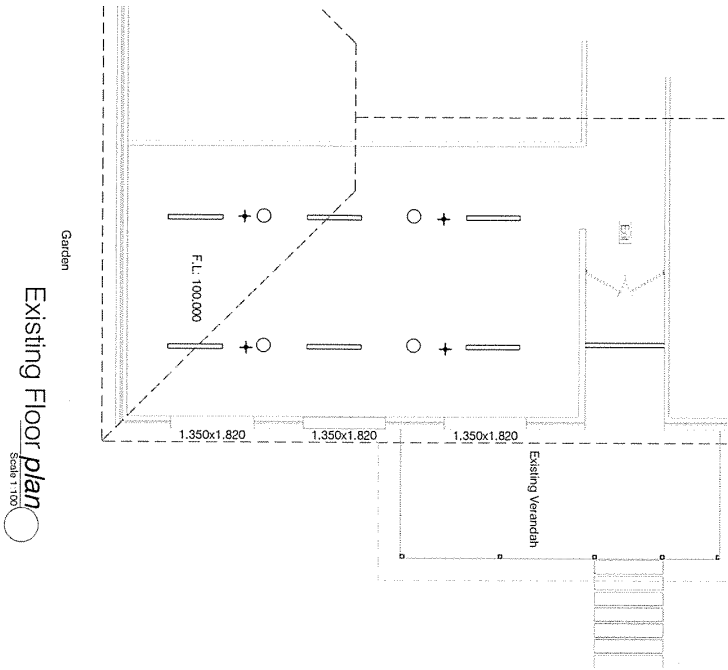
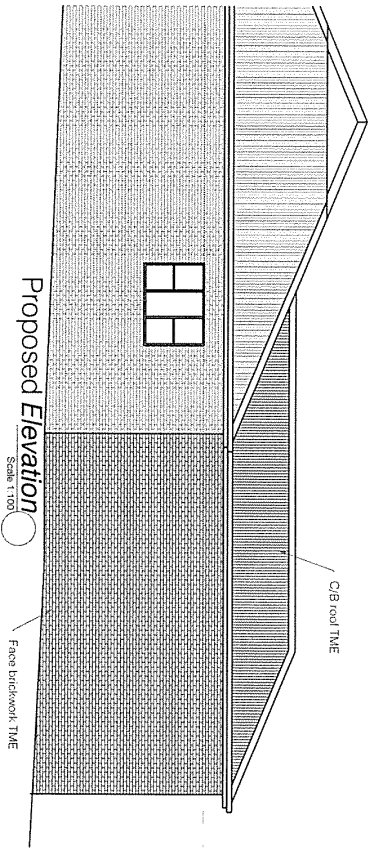
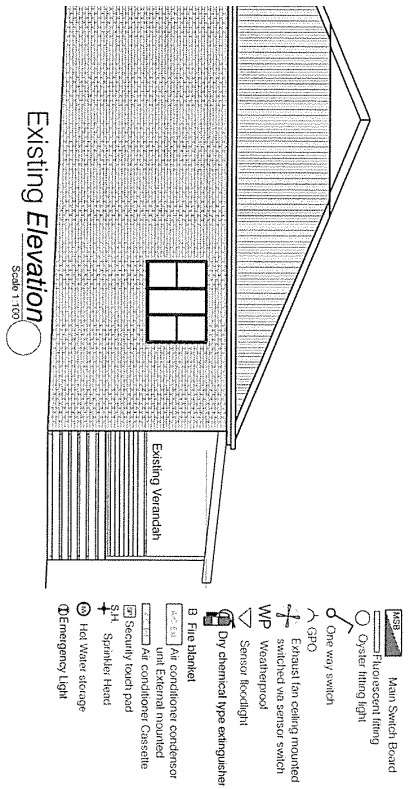
DRAFT

Transport for NSW

76 Victoria Street, Grafton NSW 2460 | PO Box 576, Grafton NSW 2460

P (02) 6604 9361 | **W** transport.nsw.gov.au | ABN 18 804 239 602

OFFICIAL



DOMINICO blue

4326 Bundarra Rd INVERELL NSW 2360

0412748923 f 0267214424

Project:
Proposed Extensions to
Grace Munro Aged Care Facility
Bundarra NSW 2360

Client:	Area:	Sheet No
USC	New: 50.4m2	1 of 1
Authority:		Scale
1:150		1:100
		Date
		12/1/21

**GrantConnect**

The GrantConnect Helpdesk will be unavailable between the period of 21 December 2023 - 2 January 2024 (inclusive).

The GrantConnect Helpdesk will recommence at 9:00am (AEDT) Wednesday 3rd January 2024.

[Home](#) [Current Grant Opportunity View - GO6593](#) [Grant Opportunity Documents - GO6593](#)
[Current Grant Opportunity View - GO6593](#)

Current Grant Opportunity View - GO6593

Aged Care Capital Assistance Program Thin Markets, Multiple Streams

Contact Details

Health Grants Team

Email Address:

Grant.ATM@Health.gov.au

Grant Opportunity Documents

GO ID: GO6593

Agency: Department of Health and Aged Care

Close Date & Time: 12-Jan-2024 2:00 pm (ACT Local Time)

[Show close time for other time zones](#)

Internal Reference ID: P4533

Primary Category: 101001 - Aged Care

Publish Date: 13-Nov-2023

Location: ACT, NSW, VIC, SA, WA, QLD, NT, TAS

Selection Process: Open Competitive

Description: The Aged Care Capital Assistance Program (the program) provides aged care infrastructure grants aimed at maintaining or increasing access to quality aged care services in thin market settings for people:

- from First Nations communities
- living in regional, rural, and remote areas
- who are homeless, or at risk of becoming homeless
- with other complex and diverse needs, including dementia.

This grant opportunity will provide grant funding for infrastructure projects across four funding streams which are primarily focussed on maintaining or improving access to quality aged care services in small rural towns, remote and very remote communities and will also support specific groups of older Australians, including people who are homeless or at risk of homelessness and First Nations communities.

Each stream has specified objectives and outcomes that need to be considered when applying.

For this grant opportunity up to a combined **\$135 million** is available across the four Streams, comprising:

- **\$95 million** combined across both:
 - Stream 1 – Staff Accommodation, and
 - Stream 2 – Upgrades, Expansions or New Builds.

- **\$30 million** in Stream 3 – Specialised Homeless
- **\$10 million** in Stream 4 – NATSIFAC Minor Projects and Equipment.

To view the grant opportunity documents, please select the red "***Grant Opportunity Documents***" button on the left-hand side.

Eligibility: We cannot consider your application if you do not satisfy all the eligibility criteria.

We cannot provide a grant if you receive funding from another government source for the same purpose/activity (other than as a co-contribution).

To be eligible you **must be** an Australian Government approved aged care provider and one of the entity types listed in Section 4.1 of the Grant Opportunity Guidelines: *Who is eligible to apply for a grant*.

An approved aged care provider is an organisation that has been approved by the Aged Care Quality and Safety Commission to deliver Australian Government subsidised home, residential or flexible care services to eligible older Australians. For the purposes of this grant opportunity, an approved aged care provider also includes providers operating under the Commonwealth Home Support Programme (CHSP) and the National Aboriginal and Torres Strait Islander Flexible Aged Care (NATSIFAC) Program.

You **must** also meet the additional eligibility requirements for the Stream you are applying for listed in Section 4.1.1: *Additional eligibility requirements* of the Grant Opportunity Guidelines.

Total Amount Available (AUD): \$135,000,000.00

**Instructions for Application
Submission:**

Submit the completed application form and all necessary attachments by the closing date and time via the Online Application Form document located via the "*Grant Opportunity Documents*" button on the left-hand side.

You should keep a copy of your application and any supporting documents. You will receive an automated email notification acknowledging the receipt of the submission which includes your Submission Reference ID. Retain this ID if you wish to query your application. If you do not receive an automated email notification within 48 hours of submission, please email Grant.ATM@health.gov.au

Other Instructions: Note the 2MB limit per attachment in the application form. Multiple files/documents should be scanned into a single document. Compressed or zip files are not accepted. File names must be unique and not include foreign characters.

Addenda Available: [View Addenda](#)

[Return to top](#)



With the exception of the Commonwealth Coat of Arms, this site is licensed under a [Creative Commons Attribution 3.0 licence](#) (CC BY 3.0 AU). The Department of Finance is not responsible for GrantConnect content sourced elsewhere.

Exceptional circumstances will be considered on their merits and in accordance with probity principles.

Applicants seeking to submit a late application will be required to submit a late application request via email to Grant.ATM@health.gov.au with "Late Application Request – GO6593 in the subject line.

The request should include an explanation of the circumstances that prevented the application being submitted prior to the closing time. Where appropriate, supporting evidence can be provided to verify the claim of exceptional circumstances.

The assessment committee Chair or their appointed representative will determine whether a late application will be accepted. Once the outcome is determined, the department will advise the applicant if their request is accepted or declined.

1.6 How can I withdraw an application I have already submitted?

Please send an email to Grant.ATM@health.gov.au and include the following information:

- Brief reason for the withdrawal
- Name of your organisation
- Receipt number (located on your confirmation of submission email received from GrantConnect)
- Name of the grant opportunity and GO ID 6593 (e.g. GO1234).

Please ensure the email is sent from the authorised contact listed on the application form.

2. Funding Questions

2.1 How much can I apply for?

Please refer to Section 3 of the Grant Opportunity Guidelines as this outlines the amount available for this grant opportunity.

2.2 What if I do not spend all the funding?

The department identifies the reason for under-expenditure of grant funds before determining how it is managed. Under-expenditure is managed under the terms of the grant agreement and options include varying the agreement, reducing, or withholding payments or recovering the underspend as a debt.

2.3 What can the grant funding be used for?

Please refer to the Grant Opportunity Guidelines, as listed on [GrantConnect](#), specifically Section 5: *What the grant money can be used for*.

2.4 Can the grant funding be used to undertake activities on leased property?

Yes. Approval must be obtained from the property owner and submitted as part of your application. The approval can be a letter providing in principle support to construct/refurbish the property, noting a long-term lease agreement covering at least the designated use period will be required.

2.5 What can't I use the grant funding for?

Please refer to the Grant Opportunity Guidelines, as listed on [GrantConnect](#), specifically Section 5.3 *What the grant money cannot be used for*.

14.14 Register Resolutions Actions Status as at 22 February 2024

Department: General Manager's Office**Prepared By:** Executive Assistant**Authorised By:** General Manager**Reference:** UINT/24/1656

Attachments: 1. Resolution Actions Status Report [!\[\]\(e474458956c9a37fbf9586ddb60a7fa1_img.jpg\) !\[\]\(4d1d3f2547aeece54bb6babd23f4121b_img.jpg\)](#)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**Goal:** 4. We are an independent shire and well-governed community**Strategy:** 4.1. Informed and collaborative leadership in our community

SUMMARY

The purpose of this report is to provide Council with the Resolution Action Status updates.

RECOMMENDATION

That Council notes the Resolution Actions Status Report as at 22 February 2024.

REPORT

Following every council meeting, the resolutions of Council which require action are compiled. This document is referred to as the Resolutions Action Status Report.

The purpose of the Resolutions Action Status Report is to enable Council to monitor progress of resolutions until they are actioned.

Once resolutions have been completed they are removed automatically from the report.

CONCLUSION

The Resolutions Action Status Report is presented to Council at each Ordinary Meeting.

REGISTER RESOLUTION ACTIONS STATUS REPORT					Printed: 22 February 2024 2:18 PM
MEETING DATE	ITEM NO.	SUBJECT	MOTION	COMMENTS	
Council 23/11/2015	14.1	Bergen Road Land Acquisition and Exchange for Road Works	RESOLUTION 01.11/15 Moved: Cr K Ward Seconded: Cr L Cooper That the Council approve for the exchange of land associated with the reconstruction of Bergen Road and authorise the General Manager to complete all documentation. Unanimous	18 Jul 2023 Transferred from old system., Notice of road closure gazetted. Plan of subdivision - in progress as at Dec 2015, Solicitor contact numerous time for update - awaiting update. 06 Sep 2023 Publication of Government Gazette in Feb 2023. Solicitor following up with Surveyor for signatures, will then proceed to Deed for sign off. 11 Sep 2023 Solicitor has made contact with Surveyor - Deed of Settlement expected to progress end of September 2023 if planned meeting goes to plan. 18 Oct 2023 Contact has been made with the Solicitor - awaiting update. 13 Dec 2023 A face to face meeting in January 2024 has been requested with APJ from the GM to review what the hold up continues to be in closing this matter. 16 Jan 2024 Meeting held with solicitors resulting in , - finalising of the land registration requires signatures - GM following up on Walcha Council to support progress;; - Surveyor can then prepare for Council's signature for registration with Land Registry Services 21 Feb 2024 Solicitor is now to update the Plans in preparation for execution by USC and by owner, Once the documents are executed solicitor can lodge them with the LRS for registration and thereafter proceed with the dedication of public road to the public. This action item can now be closed.	

REGISTER RESOLUTION ACTIONS STATUS REPORT				Printed: 22 February 2024 2:18 PM
Council 25/07/2016	14.1b	Gazetting of Land Acquired for approaches to new Emu Crossing Bridge-2	<p>RESOLUTION 18.07/16-2</p> <p>Moved: Cr F Geldof Seconded: Cr R Crouch</p> <p>2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993.</p> <p><u>Unanimous</u></p>	<p>18 Jul 2023</p> <p>Transferred from old system.</p> <p>18 Jul 2023</p> <p>Being progressed by Council's solicitor., MDP meeting with solicitor for update 21/6/2023.</p> <p>06 Sep 2023</p> <p>Solicitor advised contact made with Office of Local Government (OLG) with no movement since May 2023. Solicitor promise to follow up - awaiting further updates.</p> <p>18 Oct 2023</p> <p>Contact has been made with the Solicitor - continue to await updates.</p> <p>22 Nov 2023</p> <p>Solicitors continue to press for closure on item. Awaiting to hear further</p> <p>13 Dec 2023</p> <p>A face to face meeting in January 2024 has been requested with APJ from the GM to review what the hold-up continues to be in closing this matter.</p> <p>16 Jan 2024</p> <p>Meeting held with solicitor resulting in: , - copy of Council's original report given to solicitor , - solicitor to follow up with OLG</p> <p>21 Feb 2024</p> <p>Solicitor is now moving forward on the following items: , 1. Order updated title searches- executed 19/2/2024. , 2. Order an updated Aboriginal Land Claim search of the Crown Land- executed 19/2/2024. , 3. Order an updated Native Title Search of the Crown Lands- executed 19/2/2024. , 4. Order an extension of the DPIE – Crown Lands "no objection to receive PANs letter in relation to the Crown Land. - executed 20/2/2024.. This action can now be closed.</p>
			CARRIED 9/0	

REGISTER RESOLUTION ACTIONS STATUS REPORT

Printed: 22 February 2024 2:18 PM

Council 22/03/2022	15.12c	15.12 PROPOSED CHANGES TO REVENUE POLICY FOR SEWER AND TRADE WASTE CHARGE	<p>RESOLUTION 24.03/22-3</p> <p>Moved: Deputy Mayor Robert Crouch Seconded: Cr Leanne Doran</p> <p>3) Advise potentially effected businesses and individuals of council's intent and the need under the NSW Governments Guidelines to apply for permission to discharge trade waste to the Council sewerage system.</p> <p>4) Advise businesses or individuals of the standard discharge factor, from the Department of Water that council intends to apply to their business and provide them with an opportunity to apply options to ameliorate trade waste, and justify an alternate discharge factor</p> <p>5) Following consideration of the applications and requests to modify, council apply these changes retrospectively to the Water and Sewerage Charges Notices issued in December 2021 and reissue those notices.</p> <p>6) Develop a Trade Waste Policy based on the Model Policy for Discharge of Trade Waste to the Sewerage System.</p> <p>For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p>Against: Nil</p>	<p>10 Aug 2023</p> <p>18/7/2023 Work ongoing on identification of relevant discharge factors is still ongoing, delayed due to resourcing constraints. Officers are currently finalising the work to ensure that the notification requirements can be complied with prior to the charges being imposed including checking the types of businesses and applicable discharge factors. It is anticipated letters will be issued to businesses in the next 2 months after which the program can be implemented.</p> <p>10 Aug 2023</p> <p>Point 6 - Draft Policy prepared by Staff. Staff have reviewed Rates & Water Charge items to build final report 16/6/2023</p> <p>10 Aug 2023</p> <p>Modified discharge factors applied following review of business types against NSW Trade Waste Guidelines (Item 5) and these applied on Water & Sewer rate notices.</p> <p>18 Oct 2023</p> <p>Discharge factors sorted for the handful of outstanding non-residential premises. New trade waste policy needs further drafting work.</p> <p>21 Feb 2024</p> <p>Trade Waste will be addressed in the upcoming budget process.</p>
-----------------------	--------	--	--	---

CARRIED 9/0

REGISTER RESOLUTION ACTIONS STATUS REPORT				Printed: 22 February 2024 2:18 PM
Council 13/12/2022	14.3	Waste Management - Long Term	<p>RESOLUTION 38.12/22</p> <p>Moved: Cr Tom O'Connor Seconded: Cr Tim Bower</p> <ol style="list-style-type: none"> That Council commit to the development of a long-term waste management strategy, estimated cost of \$100,000, covering all aspects of Council's waste management business including the potential implications emanating from the NSW government strategy on Waste and Sustainable materials. That Council fund the development of the management strategy in 2022/23, from unbudgeted additional revenue of approximately \$100,000, received from the sale of scrap metals. That Council enter into discussions with Walcha Council for a joint arrangement in the development of a waste management strategy for each Local Government Area. That Council proceed to tender to purchase two waste collection trucks subject to the following: <ol style="list-style-type: none"> to be resourced by loan funding; and a report be presented to Council to approve the loan for the purchase of the two waste collection trucks once the purchase price is known; and Council approve an extension to the existing contract for waste collection services until the new waste collection trucks are procured and that as a budget adjustment is required that separate report be presented to Council as soon as possible. That Council apply for funding under the 'Landfill Consolidation and Environmental Improvements Program Round 1' for construction of the new Bundarra waste transfer station subject to clarification of co-funding requirements (if any). 	<p>16 Jan 2023</p> <p>Brief for a waste strategy is under development. Preliminary discussion held with Walcha Council and meeting scheduled start of February to discuss each Council's waste issues. Specification and procurement documents for waste collection trucks being developed.</p> <p>22 Mar 2023</p> <p>Preparation of a consultant's brief for a Waste Strategy is ongoing. Discussions were held with Walcha and Armidale Regional Council on 2/2/2023 to discuss regional waste issues. A draft Waste Strategy for Walcha Council is currently under review. The Request for Tender for 2 waste collection trucks was released on 22/3/2023 and closes on 14/4/2023. .</p> <p>19 Apr 2023</p> <p>Consultant's brief for a waste strategy is ongoing. Evaluation of tenders for the purchase of the trucks is ongoing, a report to be submitted to Manager Environment and Waste in May 2023.</p> <p>20 Jun 2023</p> <p>Consultant brief is being prepared.</p> <p>22 Jun 2023</p> <p>RFQ completed, finalising on an addendum on background information. Invitation to quote being send out on 26/6/2023</p> <p>18 Jul 2023</p> <p>RFQ for a Long-term Waste Strategy and Master Plan for Uralla Landfill placed on tenderlink on 27/6/2023, closing 31/7/2023.</p> <p>07 Aug 2023</p> <p>RFQ for Waste Strategy closed on 31/7/2023, four submissions received within the tender period are currently being evaluated.</p> <p>14 Sep 2023</p> <p>Due diligence is now underway before award of contract to the successful Consultant. This will be concluded by end of September 2023.</p> <p>16 Oct 2023</p>

REGISTER RESOLUTION ACTIONS STATUS REPORT				Printed: 22 February 2024 2:18 PM
		<p>For: Crs Robert Bell, Robert Crouch, Tim Bower, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p>Against: Nil</p> <p>Absent: Crs Sarah Burrows</p> <p style="text-align: right;">CARRIED 8/0</p>	<p>Meeting with Consultant to clarify some areas 16 October 2023 as advised by AMEW. Working towards a completion date of March 2024.</p> <p>07 Feb 2024</p> <p>Consultant is aiming mid-late March submission of first draft for:, 1. The Uralla Landfill Master plan, 2. The Residual Waste Options Assessment</p>	
Council 25/07/2023	15.1	Waste trucks and options for kerbside waste collection	<p>RESOLUTION 19.07/23</p> <p>Moved: Cr Tom O'Connor</p> <p>Seconded: Cr Sarah Burrows</p> <p>That Council,</p> <ul style="list-style-type: none"> i. Award a contract to Superior Pak for up to \$500,000 for the purchase of one waste collection truck; and ii. Authorises the General Manager to initiate a loan for up to \$500,000 to fund the purchase of one truck for in-house waste collection from the preferred bidder; and iii. Continues outsourcing kerbside waste collection services through a private contractor until the arrival of the new waste truck; and iv. Further considers this matter when the long term waste strategy and a Master Plan for Uralla Landfill is ready. <p>For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor and Tara Toomey</p> <p>Against: Crs Bruce McMullen and Lone Petrov</p> <p style="text-align: right;">CARRIED 7/2</p>	<p>07 Aug 2023</p> <p>Purchase order of \$496,761.10 has been submitted for a new side loader waste truck, Superior Pak planning to visit Council for a meeting to confirm the technical specs.</p> <p>14 Sep 2023</p> <p>Meeting has been schedule for Thursday 21/9/2023 to discuss the specs with the supplier.</p> <p>16 Oct 2023</p> <p>AMEW advised Truck has been ordered, arrival expected March 2024.</p> <p>11 Dec 2023</p> <p>Further to the initial advise of receiving the Truck in March 2024, I have been advised by the Asset manager that the Truck will arrive in April 2024.</p> <p>22 February 2024</p> <p>The supplier has maintained communication with Council officers on the expected delivery timeframe which is now pushed out to mid-year. A separate report will be presented to Council on a proposed extension to the current waste services contract. This action item can now be closed.</p>

REGISTER RESOLUTION ACTIONS STATUS REPORT				Printed: 22 February 2024 2:18 PM
Council 25/07/2023	14.1	Status of Groundwater Drilling - July 2023	<p>RESOLUTION 07.07/23</p> <p>Moved: Cr Tom O'Connor Seconded: Cr Lone Petrov</p> <p>That Council notes the report and awaits completion of longer duration pump testing of TB05 and TB07 and the water security options component of Integrated Water Cycle Management Strategy before determining a position on groundwater drilling to enable consideration of all water augmentation options.</p> <p>For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p>Against: Nil</p> <p>CARRIED 9/0</p>	<p>07 Aug 2023</p> <p>Groundwater consultant and drilling contractor advised of Council resolution to proceed with TB05 & TB07. Driller to advise dates for site works.</p> <p>18 Oct 2023</p> <p>Drilling tentatively scheduled in late November subject to confirmation with drilling contractor and hydrogeologist.</p> <p>14 Feb 2024</p> <p>Council provides a monthly report to the Department. This resolution takes up from 42.11/22 now close, with the following update:, The current report advises that Impax Drilling has been commissioned to develop the two bores (5 and 7) to test for yield and quality of water. The bores will be capped upon finished (expected 30 March) and the information will be an input to the IWCM.(The IWCM is expected to be commenced in March under a separate funding deed)</p>
Council 22/08/2023	14.3	Unmarked Graves Memorial for Bundarra Cemetery	<p>RESOLUTION 12.08/23</p> <ol style="list-style-type: none"> That Council install the proposed memorial up to the value of \$2,000 subject to the endorsement of the Local Aboriginal Lands Council. That a letter be written to Ms Gray thanking her for her initiative. 	<p>19 Sep 2023</p> <p>AEDID has been endeavouring to reach the ALC but without any success, and will continue to follow up. At the same time, work is continuing on the design of the memorial plaque.</p> <p>15 Feb 2024</p> <p>EDID meeting the CEO Local Aboriginal Land Council, Greg Livermore on 20 February 2024 at the Bundarra Cemetery to discuss.</p>

REGISTER RESOLUTION ACTIONS STATUS REPORT

Printed: 22 February 2024 2:18 PM

Council 19/12/2023	13.1	Minutes Bundarra School of Arts Hall and Community Consultative s355 Committee from 22 November 2023	22 Feb 2024
RESOLUTION 07.12/23			
Moved: Cr Leanne Doran			
Seconded: Cr Sarah Burrows			
That Council			
1. Receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 22 November 2023 noting:			Completed
<p>☐ Amendment is required for item 4.1 - The Committee does not wish to purchase new chairs and trestle tables at this time; and</p>			Completed
2. Receives a further report on proposed works and entrance signage; and			Entry signage is being developed into a Shire package with Council supporting Rotary.
3. Writes to relevant telecommunication providers regarding future mobile phone coverage for the Bundarra area.			Council has met with Telstra Regional Managers to impart the importance of the coverage in Bundarra and other areas.
			This action item can now be closed.
For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey			
Against: Nil			
CARRIED 9/0			

15 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

15.1 McMaugh Gardens Residential Aged Care Facility Business Review - Appointment of Consultant

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

16 COMMUNICATION OF COUNCIL DECISION**17 CONCLUSION OF MEETING**