



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

17 December 2024

Commencing at 4:00 PM



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

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7 CONFIRMATION OF MINUTES

7.1 Confirmation of Minutes Ordinary Meeting held 26 November 2024

Department: General Manager's Office

Prepared By: Executive Assistant

Authorised By: General Manager

Reference: UINT/24/20057

Attachments: 1. Minutes Ordinary Meeting 26 November 2024 [↓](#)

RECOMMENDATION

That Council adopts the minutes of the Ordinary Meeting held 26 November 2024 as a true and correct record.

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

9 WRITTEN REPORTS FROM DELEGATES

Nil

10 PUBLIC FORUM

Nil

11 MAYORAL MINUTE

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

Nil

13 REPORT OF COMMITTEES

Nil

14 REPORTS TO COUNCIL

14.1 Christmas Street Fair Evaluation Report

Department: Infrastructure & Development

Prepared By: Grants Officer

Authorised By: General Manager

Reference: UINT/24/20446

Attachments:

1. Marketing Campaign Report - Uralla Christmas Street Fair [↓](#)
2. Christmas Street Fair Evaluation Data Report [↓](#)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal: 2. We drive the economy to support prosperity

Strategy: 2.1. An attractive environment for the business sector

SUMMARY

Council received funding from the NSW Government to host the inaugural Uralla Christmas Street Fair held on Friday 22 November 2024. The event was highly successful – attracting a large audience, engaging our community, and supporting local economic activity.

As part of the project, we implemented an extensive evaluation program, with feedback sought from our major event stakeholder groups: funders / sponsors, event partners, performers and participants, as well as audiences in attendance.

RECOMMENDATION

That Council notes the information presented in this report.

REPORT

Because we deployed mix methodology for data collection, and recorded significant participant and audience feedback, we have a high degree of confidence in our evaluation findings (4% margin of error).

Headline statistics included in the report:

- Program partners: 68 Uralla Shire businesses & community groups, 35 market stall holders all from within Uralla Shire, and 27 featured performers
- Total estimated attendance of 2400 people
- 58% of event attendees were visitors to Uralla Shire, 8% were first time visitors to Uralla
- Our social media campaign was highly successful, reaching over 32,000 unique users
- Engagement with our Facebook page increased 409% compared to the prior month (which was our previously highest recorded month of activity).

CONCLUSION

Events such as this require funding to be identified and a commitment from Council over time. Council may need to consider the implications of resourcing and funding of these events into future.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Nil

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

14.2 Amendments to Fees and Charges

Department:	Infrastructure & Development
Prepared By:	Acting Manager Planning Development
Authorised By:	Director Infrastructure & Development
Reference:	UINT/24/18760

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	4.	We are an independent shire and well-governed community
	3.	We are good custodians of our environment
	1.	We have an accessible inclusive and sustainable community
Strategy:	4.3.	An efficient and effective independent local government
	3.1.	To preserve, protect and renew our beautiful natural environment
	1.4.	Access to and equity of services

SUMMARY

Each year Council is required to determine fees and charges for services it provides. The complete list of fees and charges are made up of both fees provided under the relevant Acts, and fees determined by Council.

Council has adopted its 2024/25 Fees and Charges Schedule as part of the 2024/25 budget. It has since been identified that a number of new fees should be introduced prior to the next budget setting process, and certain other existing fees amended, to cover the current costs accruing to Council, and also to ensure clarity around Planning Proposal costs.

This report proposes:

- a) the introduction of several new fees to the existing *24/25 Fees and Charges Schedule* for the following processes which are currently not charged:
 - Subdivision Works Certificates and any associated inspections.
 - Road Naming
 - Section 138 Applications
- b) the amendment of some existing fees already included in the *24/25 Fees and Charges Schedule* for the following processes:
 - Planning Proposals
 - Subdivision Certificates

These fees are required to cover the cost to Council of providing these services.

RECOMMENDATION

That Council:

1. **Endorses the recommended amendments to the 24/25 Fees and Charges Schedule for Public Exhibition for a period of 28 days.**
2. **Receives a further report following the public exhibition period subject to the receipt of submissions if any amendments are proposed.**
3. **Adopts the proposed fees if no submissions are received, and/or no changes are proposed.**

REPORT

Section 608 of the Local Government Act 1993 provides that Councils may charge and recover an approved fee for a service it provides, or for inspecting premises required to be inspected in the exercise of Council's functions.

Public notice of a Council's proposed Fees and Charges Schedule must be given in the draft Operational Plan for the year in which the fee is to be made.

Section 610F of the Act provides that if after the date the Operational Plan commences, a new fee is proposed, the Council must give further public notice for 28 days prior to adoption.

The following aspects of the report will include commentary and justification of the action (including a brief description of the work required), and a proposed fee and/or fee structure. It is noted that the subject fees and charges have been reviewed against nearby Councils and have been found to be reasonably consistent. It is noted that under each aspect of work, a brief comparison has been given with nearby Councils. This is proportionate and goes into greater detail in relation to Planning Proposals and Subdivision Works Certificates.

Subdivision Works Certificate:

Under Section 6.13 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a Subdivision Works Certificate (SWC) is required before you can carry out subdivision work in accordance with a development consent. A SWC is a certificate that operates in the same manner as construction certificate but for subdivision works.

A SWC certifies that subdivision work will be completed in accordance with specified plans and specifications will comply with any requirements in the regulations. The issuing of a subdivision works certificate does not negate the need for a construction certificate for building works. A SWC does not apply to complying development certificates and some Crown developments.

A SWC involves the following internal parties:

- Administration
- Development Planning
- Development Engineering

Council's adopted Fees and Charges Schedule does not currently include fees for a SWC or for additional inspections, if required.

In terms of comparison with nearby Council's, the following is noted:

LGA	Fee Summary
Tamworth Regional	<ul style="list-style-type: none"> • No fee indicated
Armidale Regional	<ul style="list-style-type: none"> • Similar to as proposed
Inverell Shire Council	<ul style="list-style-type: none"> • \$110.00 per lot
Walcha	<ul style="list-style-type: none"> • No fee indicated
Gunnedah Shire	<ul style="list-style-type: none"> • Minimum fee \$304.00 • \$210 per application plus \$47 per lot. • Does not include inspection fees (between \$440 and \$1,320)
Glen Innes Severn	<ul style="list-style-type: none"> • Minimum \$325 application • If creating a new road: \$709 plus \$65 per additional lot • No new road, or Strata: \$352 plus \$65 per additional lot

Proposed fee:

Name	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Subdivision Works Certificate	\$409.09	\$40.91	\$450.00	Per lot (includes up to 5 inspections)
Subdivision Works Inspection	\$357.27	\$35.73	\$393.00	Per inspection over 5 (if over 5 required)

Road Naming:

A subdivision creating a new road will generally require road naming. The authority overseeing the road is responsible for its naming. Council must endorse and ensure the road name is approved by the *Geographical Names Board*.

When naming public roads in NSW, road naming authorities must follow the:

- Roads Act 1993 (Part 10, Division 4, Section162)
- Roads Regulation 2018 (part 2, Division 1, Clause 7)
- NSW Address Policy and User Manual (6.7 Principles of Road Naming)

The process requires notification on Council's networks, along with general negotiation with the applicant, and involves the following internal parties:

- Administration
- Development & Planning

Council's adopted Fees and Charges does not currently include a fee for road naming.

Proposed fee:

Name	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Road Naming Administration and Advertising Fee	\$281.00	\$0	\$281.00	Per road

The fee is consistent with Armidale Regional Council, exceeds Gunnedah Shire Council (\$246) and is less than Tamworth Regional Council (\$300 plus \$25/road plus \$80 amendment fee).

Section 138 Application

Pursuant to Section 138 of the Roads Act 1993, approval is required for certain activities within a road reserve. This includes (but is not limited to) the following in, on or over a public road:

- Erection of structures or carrying out of work.
- Digging up or disturbance of the road surface.
- Removal or interference with a structure, work or tree.

The most common work is for driveway crossovers and drainage inlets to kerbs (usually associated with a Development Consent). This requires lodgement of an application and typically involves review of submitted documentation, and assessment against relevant standards.

It is not intended to request a fee for other Section 138 application types, such as for tree works, erection of a temporary hoarding or A-frame signage.

The process involves the following internal parties:

- Administration
- Development Engineering

Council’s adopted Fees and Charges does not currently include a fee for a driveway crossover or drainage inlet works.

Proposed fee:

Name	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Section 138 Approval (Driveway crossover and kerb inlets)	\$197.00	\$0	\$197.00	Per application

The fee is consistent with Armidale Regional Council, and less than Tamworth Regional, Gunnedah and Walcha Councils.

Planning Proposals

Making and amending local environmental plans (LEPs) requires with a Planning Proposal (PP), as set out under Division 3.4 of the *NSW Environmental Planning and Assessment Act 1979*. A PP is the process to change a development standard in the LEP. For example, a PP can propose to rezone land, change minimum lot sizes, increase or decrease the range of permissible uses for a site or change other development standards that are applicable to a site.

It is worth reiterating that the process is of much more complexity than a Development Application, which is the assessment route for a proposal which is within the limits of the LEP.

Council’s fees and charges prescribes the following fee information:

Planning Proposal Application	
Subject to \$4,500 deposit, and at full cost to the applicant.	Last year fee At full cost to applicant

It is considered that the above fee information is vague and does not reflect the broad range and complexity of PP’s. While the fee information ensures that that the applicant is liable for full costs, it does not provide guidance as to the likely fees, or key steps. Furthermore, the fee information provides difficulty and ambiguity as it excludes milestones where fee invoices from Council would be expected.

In terms of comparison with nearby Councils, the following is noted:

LGA	Fee Summary
Tamworth Regional	<ul style="list-style-type: none"> • Minor: \$19,000.00 • Standard: \$44,999.00 • Complex: \$57,999.50
Armidale Regional	<ul style="list-style-type: none"> • Similar to as proposed – see table below
Inverell Shire Council	<ul style="list-style-type: none"> • Minor: \$7,000.00 • All others: \$16,500.00 plus \$115/hr beyond 60 hours
Walcha	<ul style="list-style-type: none"> • At cost to applicant
Gunnedah Shire	<ul style="list-style-type: none"> • Minor: \$5870.00 • Major*: \$11,155.00
Glen Innes Severn	<ul style="list-style-type: none"> • Minor: \$7,400 • Major*: \$14,400.00 • Complex: \$21,800.00

Gwydir Shire	<ul style="list-style-type: none"> • \$650 lodgement fee plus \$120/hr beyond 20 hours • Incidentals at cost
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*major is not a current term for a Planning Proposal, and may require update.

Proposed Fees:

The following fee structures are respectively recommended for ‘Minor’, ‘Standard’ and ‘Complex’ Planning Proposals. (Noting that ‘Comprehensive’ PP’s are excluded from the proposed list, as they are a Council-driven type.

It is proposed to adopt a planning proposal fee structure similar to Armidale and Tamworth.

However should Council prefer to align with another smaller Council, an alternative would be to adopt a planning proposal fee structure similar to Glen Innes Severn.

This could be determined post- exhibition subject to Council’s preference.

Planning Proposals Minor LEP Amendments				
Total overall fee for minor LEP amendments is \$14,000 plus \$180 per hour over 50 hours plus full cost of community consultation, public hearings and specialist studies if required.				
Stage	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Stage 1 - pre-lodgement	\$1,050.00	\$0.00	\$1,050.00	Per proposal
Stage 2 - lodgement	\$3,000.00	\$0.00	\$3,000.00	
Stage 3 - submission requesting gateway determination	\$5,250.00	\$0.00	\$5,250.00	
Public Notification and Community Consultation	Full Cost Recovery			
Public Hearing				Per hearing
Specialist Studies				Per study
The cost of specialist studies is to be met by the proponent for the planning proposal				

Standard Planning Proposals				
Total overall fee for Standard LEP amendments is \$32,000 plus \$180 per hour over 75 hours plus full cost of community consultation, public hearings and specialist studies if required.				
Stage	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Stage 1 - pre-lodgement	\$2,100.00	\$0.00	\$2,100.00	Per proposal
Stage 2 - lodgement	\$6,300.00		\$6,300.00	
Stage 3 - submission requesting gateway determination	\$14,700.00		\$14,700.00	

Stage 4 - implement gateway determination and make LEP amendment	\$10,500.00		\$10,500.00	
Public Notification and Community Consultation	Full Cost Recovery			
Public Hearing				Per hearing
Specialist Studies				Per study
The cost of specialist studies is to be met by the proponent for the planning proposal.				

Complex Planning Proposals				
Total overall fee for all Complex LEP amendments is \$46,000 plus \$180 per hour over 90 hours plus full cost of community consultation, public hearings and specialist studies if required.				
Stage	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Stage 1 - pre-lodgement	\$4,200.00	\$0.00	\$4,200.00	Per proposal
Stage 2 - lodgement	\$10,500.00		\$10,500.00	
Stage 3 - submission requesting gateway determination	\$18,900.00		\$18,900.00	
Stage 4 - implement gateway determination and make LEP amendment	\$14,700.00		\$14,700.00	
Public Notification and Community Consultation	Full Cost Recovery			
Public Hearing				Per hearing
Specialist Studies				Per study
The cost of specialist studies is to be met by the proponent for the planning proposal.				

Subdivision Certificate

Justification:

A Subdivision Certificate (SC) authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919. When issued, a SC is taken to be part of the development consent that authorised the carrying out of the subdivision.

A SC is similar to an Occupation Certificate for a building, in that it is typically issued towards the end of the development process, at a time when works are complete or substantially complete. An Occupation Certificate certifies that a building is ready for Occupation whereas a SC certifies that new lots are ready to be registered.

The process requires lodgement of an application and assessment of the plan of subdivision against either the related Development Consent or exempt development criteria. From an internal perspective, this includes ensuring:

- Relevant services have been provided or arranged.
- Works have been completed to Council's satisfaction (e.g. mains extensions, road works)
- Relevant title documents meet the intent of conditions of consent.

The stage follows a Subdivision Works Certificate approval and is the opportunity to ensure that the SWC has been complied with, to Council’s satisfaction.

A SC involves the following internal parties:

- Administration
- Development Planning
- Development Engineering

Councils current fee is as follows:

Name	Fee (GST Excl)	GST	Fee (GST Incl)	Unit
Subdivision Certificate / Title Plan Processing Fee	\$189.50	\$0	\$189.50	Per application

Proposed Fee:

Name	Fee (GST Incl)	Unit
Subdivision Certificate / Title Plan Processing Fee - Units, Occupancies or Lots - 2-10	\$500 + \$90 per unit/lot	Per certificate
Subdivision Certificate / Title Plan Processing Fee - Units, Occupancies or Lots - > 10	\$1,100 + \$90 per unit/lot	

The fee exceeds Glen Innes Severn (\$225 total fee), Inverell (\$150 plus \$55 /lot plus \$55/per 88b instrument plus \$100 inspection fee), Gunnedah (\$171.50 up to 5 lots, \$163.00 plus \$10 per lot over 5 lots) (Tamworth (\$250/lot plus \$25/lot plus \$150 per 88b instrument) but is consistent with Armidale Regional Council.

CONCLUSION

The additional and amended fees will ensure that appropriate cost recovery will occur in relation to the processing of several development-related applications and processes, and where relevant, ambiguity is reduced.

COUNCIL IMPLICATIONS

Community Engagement/Communication

The proposed amendments will be exhibited for 28 days.

Policy and Regulation

Local Government Act 1993
Environmental Planning and Assessment Act (1979)

Financial/Long Term Financial Plan

The proposed new fees will generate revenue to cover the cost of providing the relevant services.

Asset Management/Asset Management Strategy

N/A

Workforce/Workforce Management Strategy

N/A

Legal and Risk Management

Local Government Act 1993

Environmental Planning and Assessment Act (1979)

Performance Measures

Works and processes are prioritised within resources and other commitments to minimise delays for applicants.

Project Management

N/A

14.3 Keeping of Animals Policy

Department:	Infrastructure & Development
Prepared By:	Acting Manager Planning Development
Authorised By:	Director Infrastructure & Development
Reference:	UINT/24/18611

Attachments:	1. Draft Policy (Amended) ↓
	2. Submissions (Redacted) ↓
	3. Summary of Submissions and Officer Response ↓
	4. Draft Policy April 2024 ↓

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	3. We are good custodians of our environment
	4. We are an independent shire and well-governed community
Strategy:	3.2. Maintain a healthy balance between development and the environment
	4.2. A strategic, accountable and representative Council

SUMMARY

The Draft Keeping of Animals Policy (Urban Areas) was presented to Council 23 April 2024, where it was resolved as follows:

1. ***Endorses the Draft Policy - Keeping of Animals Policy (Urban Areas) for Public Exhibition for a period of 28 days for the purposes of receiving public submissions, subject to the following amendments:***
 - a) ***Page 5, Clause 6.5: Delete ‘Construction of kennel facilities must comply with the Building Code of Australia’.***
 - b) ***Insert into Part 4 ‘Statement’’: Any animal housing structures shall be structurally adequate and comply with Building Code of Australia if required.***
 - c) ***Delete all references to Schedule 2 of the Local Government (General) Regulation 2021 references in the draft Policy where it relates to specific animals/birds, noting that these provisions apply as noted in Clause 5 on Page 2 of the draft Policy.***
2. ***Notify the following groups of the revised policy and the opportunity to provide feedback upon commencement of Public Exhibition:***
 - ***Uralla & Bundarra Pony Clubs;***
 - ***New England Exhibition of Poultry Association;***
 - ***Uralla & Bundarra Showground Land Managers; and***
 - ***Any other group likely to be impacted by the Draft Policy.***
3. ***Receives a further report following the public exhibition period subject to the receipt of submissions and/or if the draft policy is proposed to be amended.***
4. ***Authorises the adoption of the Draft Policy - Keeping of Animals (Urban Areas) if no submissions are received, and no changes are made.***

The Draft Policy was exhibited for an initial period of 28 days (including through Council’s Facebook page) and was further extended until 30 June 2024. Additionally, key and identifiable community groups were notified of the Draft Policy, as per the resolution.

A total of 16 (sixteen) written submissions were made in response to exhibition of the Draft Policy. As such, this report has been prepared in response to the submissions. It is noted that the previous version presented to Council on 23 April 2024 was based on an evolutionary update of the current Policy (2010). Following Council feedback and a review of submissions, it was determined that the policy was not fit for purpose and required a holistic and substantial revision to better respond to the needs of the Shire. A review of the policies of several other Councils including Tenterfield, Byron, Liverpool Plains, Lake Macquarie, Maitland City, Muswellbrook Councils was also undertaken in order to develop a best practice approach.

While this report responds to the submissions made as per the above detailed resolution, the amended policy has been significantly revised.

RECOMMENDATION*

That Council:

1. Adopts the Draft Policy - Keeping of Animals Policy (Urban Areas) (2024); and
2. Notes submissions received in response to consultation.

**Note that an alternative recommendation has been provided at the end of the report*

REPORT

SUBMISSIONS

Submissions in relation to the policy as exhibited from April to June 2024 are attached to this report and are grouped into *General* and *Animal Specific* themes. A summary is as follows:

Table 1: Summary of Submission Themes

General Matters	Animal-Specific Matters
Definition of Urban Areas	Goats
Biosecurity	Dogs
Website information	(including hunting dogs, rural-work dogs and breeders)
Grammar	Cats
Impact on economy & community	Pigeons
Enforcement issues	Poultry
Impact on existing animals	Bees
Unfair frequency of policy review	Birds
Conflict with Companion Animals Act 1998	
Appropriateness for school(s) to be affected by policy	

Please refer to the attached documents for:

- Review of the submissions in detail, together with the Officer's response and commentary; and
- Redacted submissions.

REFERRALS:

Internal – The draft revised policy has been reviewed by Manager Governance and Service Centre, who has provided support, subject to non-material amendments which have now been incorporated.

External – The draft revised policy has been referred to Northern Tablelands Local Land Service 4 December 2024. At the time of finalisation of this report, no response has been provided. Notwithstanding, the proposal is responsive to referral comments provided by Andrew Biddle (Team Leader, Animal Biosecurity and Welfare). In particular, the policy now refers to obligations under *NSW Biosecurity Act 2015* and *Biosecurity (National Livestock Identification System) Regulation 2017*.

DRAFT POLICY: KEY AMENDMENTS

The changes to the policy are extensive. For this reason, a tabled comparison is not considered practical. Changes proposed include:

- Expressed identification of the land zonings to which the policy would apply. Note that land zoned R5 (large lot residential) remains excluded.
- Improved clarity around the hierarchy and interaction with other polices, such as the *Companion Animals Act 1998*, *Local Government (General) Regulation 2021*, *NSW Biosecurity Act 2015* and *Biosecurity (National Livestock Identification System) Regulation 2017*.
- Inclusion of a clear and legible tabled format (Table 1 of Policy) to succinctly identify the number of animals, distance from enclosures to dwellings and the like and any additional requirements.
- Inclusion of added flexibility, through expressly setting out a framework and consideration/assessment criteria for applying for further animals.
- Inclusion of clearer information regarding the issue of orders.

A summary of key animal specific changes has been included (refer below). It is noted that for each animal, specified additional requirements have been included, which are intended to capture the relevant requirements, but avoid duplication of associated legislation and ensure brevity and user-friendliness. For this reason, it is recommended to review the revised policy in full.

Where a new species has been included, details have been omitted as the table below is intended for summary comparison purposes only. In the context of the policy, additional species have been included for completeness, however by their unique nature, this is not considered itself to warrant further exhibition. An alternative recommendation has been provided to support Council’s decision, however it is the officers view that the revised policy is responsive to the submissions received, and for this reason, further notification is not an inherent requirement.

Table 2: Summary of Species-specific changes

Dogs	<p>No change to area & number requirements</p> <p>New provision for Attack-trained dogs.</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Comply with requirements of the <i>Companion Animals Act 1998</i> including registration and control of dogs. • Ensure fencing is adequate. In addition, attack-trained dogs shall be held in an urban area only where appropriate fencing is provided to prevent escape. • Prevent persistent, excessive or offensive noise. • The area in which the dogs are housed is to be maintained in a hygienic condition to: <ul style="list-style-type: none"> a) Limit the spread of disease; and b) Minimise offensive odour.
Cats	<p>No change to number requirements</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Comply with requirements of <i>Companion Animals Act 1998</i> including registration and control of cats. • Prevent persistent, excessive noise. • Owners are encouraged to contain their cats during the hours of darkness to prevent attacks on native fauna.
Poultry	<p>Increased number allowance for all poultry</p> <p>No material change to setback requirements.</p> <p>Allowances for roosters and male species generally, subject to Council’s discretion.</p>

	<p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Prevent escape of poultry (a poultry yard is recommended). • Keep poultry yards clean, free of rats and mice, and free from offensive odours. • Prevent persistent, excessive noise. • Roosters are prohibited unless housed in a soundproof enclosure or with similar noise control method, to the satisfaction of Council. • Comply with the <i>Biosecurity Act 2015 (NSW)</i> and <i>Biosecurity (National Livestock Identification System) Regulation 2017</i>, including holding a PIC.
Pigeons	<p>Reduced allowance for pigeons</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Do not use open lofts. • Keep lofts/cages clean, and free of rats and mice. • Lofts shall be erected away from fences and buildings, to facilitate cleaning. • Keep pigeons free of lice. • Clean up and correctly dispose of manure daily. • Ensure pigeons allowed to fly free do not repeatedly cause damage to, or interfere with the enjoyment of, other property or premises. • Comply with the <i>Biosecurity Act 2015 (NSW)</i> and <i>Biosecurity (National Livestock Identification System) Regulation 2017</i>, including holding a PIC.
Birds	<p>Introduction of setback requirements and maximum numbers</p> <p>Separation of birds into different categories</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Use cages and aviaries of appropriate size. • Keep cages and aviaries clean, and free of rats and mice. • Prevent persistent, excessive noise. • Hold National Parks and Wildlife permit (if required).
Rabbits	Not previously included
Ferrets	
Pet rats, mice and guinea pigs	
Sheep and goats etc (including deer and camelids)	<p>No change to number requirements</p> <p>Inclusion of new setback requirements.</p> <p>Inclusion of allowances for uncastrated male species.</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> • Do not slaughter at premises where animals are kept • Ensure fencing is adequate. • Prevent persistent, excessive noise. • Neighbouring trees/shrubs are protected. • The keeping of uncastrated male species (e.g. Rams, Bucks and or Billy Goats) is not permitted, except with the prior written approval of Council. • Comply with the <i>Biosecurity Act 2015 (NSW)</i> and <i>Biosecurity (National Livestock Identification System) Regulation 2017</i>, including holding a PIC.
Pigs	<p>No change to number requirements</p> <p>Introduction of setback to dwelling requirement.</p>

	<p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> Do not keep in a place/manner that may pollute water likely to be used by a person for drinking/domestic purposes or in a dairy. Do not deposit dung in a place/manner that may pollute water likely to be used by a person for drinking/domestic purposes. Do not slaughter at premises where animals are kept. Comply with the <i>Biosecurity Act 2015 (NSW)</i> and <i>Biosecurity (National Livestock Identification System) Regulation 2017</i>, including holding a PIC.
Horses and Cattle	<p>No change to area requirements.</p> <p>Maintained prohibition for uncastrated male species.</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> Ensure fencing is adequate. Do not slaughter at premises where animals are kept. Neighbouring trees/shrubs are to be protected. The area must be kept free of offensive odour/flies and rodents. Comply with the <i>Biosecurity Act 2015 (NSW)</i> and <i>Biosecurity (National Livestock Identification System) Regulation 2017</i>, including holding a PIC.
Reptiles	Not previously included
Fish, aquarium and pond	
Bees	<p>Increased allowances, to promote survival.</p> <p>Provision of a minimum area, for keeping of keeping of bees, in response to allowance for increased number of hives</p> <p><u>Specified additional requirements:</u></p> <ul style="list-style-type: none"> Beehives must be registered with the NSW Department of Primary Industries. For keepers of European honey bees (<i>Apis mellifera</i>), be registered with NSW Government and comply with the Australian Honey Bee Industry Biosecurity Code of Practice. Registration details must be prominently displayed on hive ware. Must not cause a nuisance or safety hazard to neighbouring premises. Strongly recommend that hobbyists engage with local beekeepers club/ association to learn disease management and husbandry. The keeping of bees on a lot less than 1500m² is prohibited, except with the prior written approval of Council.

The flexibility of the policy would be secured through Part 2.3, which is considered to be responsive to community needs while still providing a clear framework for situations where existing animals may be considered. To facilitate this aspect of the policy, Council would create an approved form for any application.

CONCLUSION

As amended, the Draft Keeping of Animals Policy (2024) has been thoroughly revised, and now provides flexibility together with clearer requirements for the keeping of animals in urban areas. Additionally, the Policy has been amended for general housekeeping and to ensure that it meets relevant legislation which has been implemented or updated since the existing policy was adopted.

ALTERNATIVE RECOMMENDATION*

That Council:

1. *Endorses the revised Draft Policy - Keeping of Animals Policy (Urban Areas) (2024) for Public Exhibition for a period of 28 days for the purposes of receiving further public submissions.*
2. *Receives a further report following the public exhibition period subject to the receipt of submissions and/or if the draft policy is proposed to be amended.*
3. *Authorises the adoption of the Draft Policy - Keeping of Animals (Urban Areas) (2024) if:*
 - a) *No submissions are received; or*
 - b) *No new submission themes/matters are raised, to the satisfaction of the General Manager; or*
 - c) *If no amendments to the policy are required to be made.*

COUNCIL IMPLICATIONS

Community Engagement/Communication

The Draft Policy has been amended in response to previous notification, which exceeded 28 days.

Policy and Regulation

The Policy is consistent with the Local Government Act 1993.

Financial/Long Term Financial Plan

No financial impacts. Enforcement will be undertaken within existing resources.

Asset Management/Asset Management Strategy

Nil

Workforce/Workforce Management Strategy

Enforcement will be undertaken within existing resources.

Legal and Risk Management

The proposed Policy supports State legislation including the Local Government Act 1993 and the Companion Animals Act 1998.

Performance Measures

Customer requests and Complaints in respect of the policy provisions will be investigated and documented in accordance with Council's governance and customer charter provisions.

Project Management

Not applicable.

14.4 EnergyCo New England REZ) Community Reference group

Department: Infrastructure & Development**Prepared By:** Planning Officer Strategic**Authorised By:** General Manager**Reference:** UINT/24/20328

Attachments: 1. NE REZ CRG terms of reference [↓](#)

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

4.3. An efficient and effective independent local government

4.2. A strategic, accountable and representative Council

SUMMARY

EnergyCo have established a community reference group for the New England Renewable Energy Zone (REZ) network infrastructure project. Uralla Shire Council is offered a standing position on the reference group.

RECOMMENDATION

That Council nominate a Councillor as its representative to EnergyCo's New England Renewable Energy Zone transmission project community reference group.

REPORT

1. EnergyCo's New England Renewable Energy Zone (REZ) network infrastructure project is classified as Critical State Significant Infrastructure, designed to build transmission lines connecting solar and wind farms in New England to the electricity grid. The project Environmental Impact Statement (EIS) is being developed for lodgement in late 2025.
2. To facilitate community engagement, two community reference groups have been established: one for REZ communities and another for areas between the REZ and Bayswater.
3. These groups serve as forums for discussions between EnergyCo, the community, and key stakeholders about the project and broader REZ-related issues.
4. EnergyCo has reserved a standing position for all Councils within the REZ on these reference groups and has invited Uralla Shire Council to nominate a representative. The intention is that the position is taken up by an elected representative (rather than an officer). Participation is optional, but the reference group is one of the formal means by which Council can provide feedback to the project.
5. The groups are independently chaired, and the first meeting is scheduled for late January.

CONCLUSION

Council is invited to nominate a representative to ensure Uralla's interests are considered in the REZ project's development.

14.5 Community Engagement Strategy

Department: Infrastructure & Development**Prepared By:** Planning Officer Strategic**Authorised By:** General Manager**Reference:** UINT/24/19885

Attachments: 1. DRAFT Community Engagement Strategy & CPP 2024 [↓](#)

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 Council4.1. Informed and collaborative leadership in our community

SUMMARY

This report outlines updates to the Community Engagement Strategy (CES) and Community Participation Plan (CPP) as required under the *Local Government Act 1993* and *Environmental Planning and Assessment Act 1979*. Key changes include:

- Integrating the CPP into the CES to create a unified framework.
- Simplifying language and expanding engagement tools
- Updating criteria for public notification and referral of Development Applications (DAs).

The revisions align Council processes with statutory requirements and improve the clarity and accessibility of the existing Strategy.

RECOMMENDATION

That Council endorses the revised Community Engagement Strategy for public exhibition for a period of 36 days.

REPORT

Under Section 402A of the *Local Government Act 1993*, Council is required to develop and implement a strategy for community engagement when creating plans, policies, and programs, and for determining activities. The Community Engagement Strategy ('the Strategy') must be reviewed every four years, within three months of an election.

Uralla is entering a period where frequent community input will be needed for projects like the Integrated Water Cycle Management project, the Local Housing Strategy, and a review of the Community Strategic Plan.

It is acknowledged that our approach to community engagement may evolve as Council collaborates with community development specialists, particularly through the *Striking a New Deal* initiative, which supports our response to the rapid growth of renewable energy development in the Shire.

To ensure we meet statutory obligations, it is recommended that Council adopts the revised Community Engagement Strategy and Community Participation Plan ('CPP'). This revision enhances the existing framework considerably – particularly the CPP - by simplifying language, reducing ambiguity, and streamlining decision-making processes.

Community Engagement Strategy

Council’s existing Strategy was adopted in 2017 (resolution 12.02/15) and was due for review in 2022. A light revision was drafted in 2022 (but not tabled) forms the basis of the 2024 review. An overview of the update is provided in Table 1 below.

Table 1: Community Engagement Strategy - Comparison of Existing and Revised Content

ASPECT	EXISTING	REVISED
INTEGRATION OF DOCUMENTS	Standalone document.	Includes the CPP as an appendix for a unified engagement framework.
ENGAGEMENT LEVELS	Breaks down each IAP2 level with strategies described in each category: Inform, Consult, Collaborate, Empower (IAP2 principles)	More accessible presentation of IAP2 levels with examples in each category and a stand-alone section on methods of engagement.
LANGUAGE SIMPLIFICATION	Example: <i>Engagement will be undertaken where there is an opportunity to influence outcomes.</i>	Revised: <i>We will engage when the community can influence decisions.</i>
FEEDBACK AND EVALUATION	Limited mention of feedback: <i>Council will consider community input in decision-making.</i>	Detailed process: <i>Council will provide feedback to explain how input was used and evaluate engagement effectiveness.</i>
ENGAGEMENT TOOLS	Listed general tools like newsletters, media, and events.	Added digital tools (social media, interactive videos), expanded traditional tools (listening posts, targeted mail).

Engagement Matrix

The Engagement Matrix is an operational part of the Strategy, frequently used by Council officers to guide when and how engagement should occur.

It has been updated for clarity and with more modern engagement tools (Table 2). Additionally, some instructions have been recoded. For example, social media posts will be required more frequently, media releases will be used less often. These changes reflect the evolving role of communication channels in public engagement.

Table 2: Engagement Matrix - Comparison of Existing and Revised Content

ASPECT	EXISTING ENGAGEMENT MATRIX	REVISED ENGAGEMENT MATRIX
CATEGORISATION OF PROJECTS	Projects categorised into: <ul style="list-style-type: none"> • Shire-wide / High Impact • Shire-wide / Low Impact • Locality-based / High Impact • Locality-based / Low Impact. 	Categories remain unchanged, retaining the same structure for alignment with project types.
“INFORM” TOOLS	Included tools like newsletters, Council website, newspaper ads, media releases, and letterbox drops.	Adds: <ul style="list-style-type: none"> • Social Media: Increased emphasis on platforms to extend communication reach. • Council Newsletter: foreshadows establishment of Council email newsletter
“CONSULT” TOOLS	Tools included public exhibitions, forums, surveys, and site meetings.	Adds:

“COLLABORATE” TOOLS	Methods focused on reference groups, large stakeholder meetings, and advisory committees.	<ul style="list-style-type: none"> • Listening Posts: Councillors and staff host informal discussions at local venues. <p>Adds:</p> <ul style="list-style-type: none"> • Co-design Workshops: Collaborative planning with stakeholders. • Focus Groups • Reference Groups • Advisory Committees
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Community Participation Plan

The CPP forms part of the Community Engagement Strategy and is a requirement under the *Environmental Planning and Assessment Act 1979* (EP&A Act). It must meet the minimum community participation standards outlined in Schedule 1 of the Act.

The CPP specifies when and how the public will be informed or consulted on planning matters and the circumstances under which Council becomes directly involved in planning decisions.

It provides clear guidelines for public notification and participation in Council’s planning functions, including Development Applications (DAs) and Strategic Planning documents. It also details how decision-makers will explain their decisions and demonstrate how community views were considered.

The 2024 revision introduces substantial changes to improve the accessibility and utility of the CPP. It adopts a more flexible, merit-based approach to determining which applications require notification, moving away from rigid prescriptions, particularly for DAs where notification is not mandated.

Previously, a single objection triggered Council review; however, under the revised CPP, three or more objections will now be required for referral to Council. This aligns with the proposed amendments to the General Manager’s Instrument of Delegation, also the subject of a report to this meeting. A quantitative measure, such as the number of objections, has been chosen over a qualitative one, such as unresolved submissions, to remove ambiguity in decision-making processes.

It is also noted that Council may still call for any application to be reported to Council for decision notwithstanding the number of submissions.

These changes are supported by clearer guidance on submission requirements, ensuring that community feedback is relevant, constructive, and focused on valid planning issues. The changes to the CPP are summarised in Table 3 below:

Table 3: Community Participation Plan - Comparison of Existing and Revised Content

ASPECT	EXISTING CPP	REVISED CPP
INTEGRATION OF DOCUMENTS	CPP was a standalone document.	Integrated into the Community Engagement Strategy as an appendix, aligning planning participation with broader engagement efforts.
PLANNING SUBMISSION PROCESS	Submissions required name, address, and details of objections, but lacked detail on what constituted valid issues.	Provides guidance on relevant planning issues under Section 4.15 of the EP&A Act (e.g., privacy, noise, overshadowing).
STATE SIGNIFICANT DEVELOPMENT (SSD)	No specific mention of State Significant Development processes	New section addressing SSD: <ul style="list-style-type: none"> • Explains Council’s limited role in assessing SSDs.

		<ul style="list-style-type: none"> • Commits Council to assist and facilitate community input on SSD proposals.
NOTIFICATION	<p>Requires notification where impact is considered <i>detrimental</i>.</p> <p>Prescribes specific criteria for instances where notification is not required e.g., <i>“ancillary structures ...which are sited 1m from any boundary, sited behind or in-line with the existing building line and comply with council’s building setbacks”</i></p> <p>Silent as to when a DA might be advertised more broadly</p>	<p>Requires notification where DA’s may <i>affect</i> adjoining land amenity.</p> <p>Increases council discretion and removes specific criteria.</p> <p>Provides new guidance on when a DA will be advertised more broadly.</p>
NOTIFICATION PERIODS	<p>“Public exhibition for DAs will occur for a minimum of 14 days.”</p>	<p>Clarifies timing and methods for DA advertising, and adds statutory timeframes for different types of applications e.g., designated development</p>
REFERRAL TO COUNCIL	<p>“Development applications that have had a written objection submitted will be referred to Council for determination.”</p>	<p>Increases threshold for Council referral and provides clear criteria for instances where delegated authority will not be used:</p> <ul style="list-style-type: none"> • Applications with three (3) or more written objections. • Applications valued over \$2 million. • Subdivisions creating five or more additional lots. • Applications subject to Division 8.2 review under the EP&A Act.
PRIVACY	<p>Privacy was briefly addressed in submission processes</p>	<p>New guidance on the status of submissions under the <i>Government Information (Public Access) Act 2009</i>.</p>
SPEAKING COUNCIL MEETINGS	<p>AT No guidance on public participation at Council meetings</p>	<p>New section outlines opportunity to speak at Public Forum</p>

CONCLUSION

The revised Community Engagement Strategy and Community Participation Plan meet statutory requirements and streamline engagement processes. Adoption following appropriate exhibition and consultation will support upcoming projects and strengthen the framework for community participation.

14.6 Request - Renaming of Emu Crossing Bridge

Department:	Infrastructure & Development
Prepared By:	Group Manager Infrastructure Services
Authorised By:	Director Infrastructure & Development
Reference:	UINT/24/15825

Attachments:	1. Email - Request to Rename Emu Crossing Bridge - Received 12 September 2024 ↓
	2. Email - Geographical Names Board (GNB) - Renaming of Emu Crossing Bridge ↓
	3. Geographical Names Board (GNB) - Place Naming Policy - 2019 ↓
	4. Email Response from TfNSW ↓

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2. We drive the economy to support prosperity
	4. We are an independent shire and well-governed community
Strategy:	2.3. Communities that are well serviced with essential infrastructure
	4.1. Informed and collaborative leadership in our community
	4.3. An efficient and effective independent local government

SUMMARY

The purpose of this report is for Council to consider a request for the renaming of the “Emu Crossing Bridge”.

RECOMMENDATION**That Council:**

- 1. Notes the recent request to rename Emu Crossing Bridge.**
- 2. Notes the Policy Guidelines set out in Section 9.3 and 7 of the Geographical Name Board’s Place Naming Policy 2019 which advised against the formal naming of infrastructure after a living person, or a deceased person within 12 months of their passing.**
- 3. Determines whether to initiate or not initiate community consultation to change the name of the Emu Crossing Bridge**
- 4. Advises the requester of its determination.**

BACKGROUND:

The bridge was opened in 2015.

At that time there were three proposals from the community re the naming of the bridge:

1. QUT Nursing faculty recommending the name “Nurse May Yarrowick Bridge”.
2. Anaiwan Local Land Council recommending the name “Nurse May Yarrowick Bridge”.
3. Bundarra Bridge Committee (Chair Dr Robert Crouch) recommending the name “Emu Crossing Bridge”.

The grounds for requests 1 and 2 were that it was appropriate to honour May Yarrowick, considered to be the first Indigenous person to be qualified as a practising nurse in Australia. May graduated from Sydney's Crowne Street Hospital in 1905. May was born in the Bundarra Region, and later returned as the region's much respected midwife for many years. Her photo is immortalised on the wall at the Bundarra aged care facility. Locally she is now universally referred to as Aunty May. Aunty May is deceased and interred at the Bundarra Cemetery.

The grounds of the request in 3 was that the area on which the bridge was located had been known as "Emu Crossing Creek" since settlement.

Council resolved to proceed with Option 3, naming the Bridge - "Emu Crossing Bridge" in 2015.

REPORT

On 12 September 2024, Council received a letter from Mr Tim Bower (Attachment 1) requesting Council consider and support his proposal to rename the Emu Crossing Bridge in honour of the retiring Councillor and Deputy Mayor, Mr Bob Crouch.

An email was sent to the Geographical Names Board (GNB) on 19 September 2024 seeking confirmation of their Policy regarding the naming/renaming of bridges in honour of a living person (Attachment 2).

The response from the Geographical Names Board Secretariat, advised that as the "location" is a Bridge, it is a matter for Transport for NSW (TfNSW). However, the Board also confirmed it is **not** advised to name a place after a living person until they have been deceased for at least 12 months. The Policy's justification is that *"using the name of a living person is unacceptable (nationally and internationally) as it may lead to favouritism and/or inappropriate naming. There are examples where people commemorated have later proven to be of poor character or otherwise thought to be unworthy."* Refer to Section 7 of GNB's Place Naming Policy 2019 (Attachment 3).

GNB also state that *"another key principle is that place names are meant to be enduring, and that "changes are discouraged unless the change has been deemed to be either in the public interest or for safety reasons. Changing well established names can lead to address or location confusion, especially to electronic navigation services." (Sec 9.3. NSW Place Name Policy)".*

Following this advice from GNB, an email was sent to Tracey Niddrie, TfNSW's Associate Community & Safety Partner for the New England region on 20 September 2024 requesting confirmation of TfNSW's Policy regarding the naming/renaming of bridges in honour of a living person.

Tracey responded on 22 November 2024 citing a response from TfNSW's Senior Manager for Bridges (NSW). They noted that there are some inconsistencies in the cross-over of responsibilities between USC, TfNSW and GNB and that needs to be reviewed. But notwithstanding that, "They (USC) should follow the names board requirements". Essentially, TfNSW's advice is that as the 'final' approver of a name change (Refer to Section 11.3 – Bridge Naming of Attachment 3), Council should comply with GNB's Place Naming Policy 2019 (Attachment 3). A copy of the email trail and written response from Tracey Niddrie of TfNSW is attached for reference (Attachment 4).

FOR FUTURE CONSIDERATION

If a Change of Name is still proposed there are some issues to consider. TfNSW is responsible for the naming of bridges and other structures on freeways. Local councils are responsible for initiating the naming of bridges on local, regional and state roads (other than freeways). **TfNSW however are the approval body these proposals.** The GNB does not name bridges, however, it encourages all bridge naming to follow the guidelines as set out in their policy. The naming of bridges and other structures on roads does not have a formal legislative basis. However, the same GNB procedures for road naming applies to bridges and other road infrastructure.

14.7 Council Provision of In Kind Support to NE Drum Runners

Department:	Infrastructure & Development
Prepared By:	Director Infrastructure & Development
Authorised By:	General Manager
Reference:	UINT/24/19430

Attachments: 1. ABHA Certificate of Currency 2025 [↓](#)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.	We drive the economy to support prosperity
	4.	We are an independent shire and well-governed community
	1.	We have an accessible inclusive and sustainable community
Strategy:	2.1.	An attractive environment for the business sector
	4.3.	An efficient and effective independent local government
	1.1.	A growing community with an active volunteer base and participation in community events
	1.2.	A safe, active and healthy shire

SUMMARY

Council has been approached by the New England Drum Runners (NEDR), a newly formed not-for-profit barrel racing club based at Bundarra, to provide in-kind support to its planned events.

The specific form of the requested in-kind support is the periodic use of Council's water truck for the purpose of dust suppression at the club's nine (9) planned events between January and December 2025.

If Council was to endorse the request Council's regular operational resource would operate the truck on the occasions requested as a volunteer member of the organisation and would be covered by the organisation's insurance.

This report recommends that Council favourably consider the request.

RECOMMENDATION

That Council resolves to provide the requested in kind support in the form of periodic access and use of Council's water truck for New England Drum Runner events in Bundarra during the 2025 calendar year on the basis that:

- a) Council's truck operator resource becomes a volunteer member of the New England Drum Runners;
- b) The New England Drum Runners accepts Council's truck operator resource as a volunteer member; and
- c) The New England Drum Runners Association maintains its Public Liability insurance coverage of \$20,000,000 for the period of the 2025 calendar year.

REPORT

The New England Drum Runners are a horse barrel racing group which is an affiliate of the Australian Barrel Horse Association (ABHA). The New England Drum Runners has requested that Council consider whether it is able to provide in-kind support to a series of Bundarra based events which will be managed by the NEDR during the 2025 calendar year.

The Australian Barrel Horse Association holds insurance coverage for Public Liability claims (refer to Attachment 1).

Council currently provides “in-kind” support to several other existing worthy activations and local events including, for example, schools-based sporting and swimming activities, the annual Seasons of New England and Thunderbolts Festival, the most recent Winter Solstice and Uralla Christmas celebrations, and the annual Fairy Festival.

The principles Council has considered when previously deciding to provide or not to provide such support can generally be described as follows: to what extent will the activation support or sustain healthy outcomes (sport-focussed events for example); build community connections; build local business; or increase local amenity; social celebration; or increased social amenity.

A secondary but important consideration is also the extent to which the activation or event is actually driven by, and organised by, the community itself.

In this instance it is recommended that the proposed in-kind support would enable the New England Drum Runners to deliver, under their own resources and effort, a series of events in Bundarra which meet or substantially progress many of the social and societal principles sought by Council and its community.

CONCLUSION

This report recommends that Council approve the provision of the limited in-kind Council support requested by the New England Drum Runners.

COUNCIL IMPLICATIONS

Community Engagement/Communication

The recommendation would provide a substantive signal of increased engagement between the Bundarra community and its Council.

Policy and Regulation

Nil.

Financial/Long Term Financial Plan

Nil for staff, inconsequential for plant.

Asset Management/Asset Management Strategy

Nil.

Workforce/Workforce Management Strategy

A single Council resource acting in the capacity of a volunteer to the New England Drum Runners Association.

Legal and Risk Management

Controlled. Refer to the risk requirements as listed in the recommendation.

Performance Measures

Nil.

Project Management

Director Infrastructure and Development.

14.8 Loans as at 30 November 2024

Department:	Corporate & Community
Prepared By:	Senior Finance Officer
Authorised By:	Director Corporate & Community
Reference:	UINT/24/20376

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 Council with a reconciliation of borrowings as at the end of the reporting month.

RECOMMENDATION

That Council notes that the total loan position as of 30 November 2024 is \$1,245,918.

REPORT

This report is provided to inform Council of the reconciliation of borrowings on a monthly basis. A reconciliation of borrowings for the month of November confirmed that the loan position as of 30 November 2024 is \$1,245,918.

The table below has been modified to provide details of interest applied and instalments paid since the last report.

Uralla Shire Council Loans at 30 Nov, 2024

Loan no.	Purpose	Balance as at 31 July 2024	Interest Applied	Instalment Paid	Balance as at 30 Nov 2024
165	MGH Property	15,089	103	751	14,441
187	Undergrounding Power and Main Street Upgrade	17,907	146	-	18,053
188	Paving and Power Undergrounding	8,383	64	548	7,899
189	Bridge Construction	120,752	914	2,650	119,015
190	Bridge construction & industrial land development	1,111,010	-	24,500	1,086,510
	Total	1,273,140	1,227	28,450	1,245,918

CONCLUSION

I, Rasel Siddique, Acting 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)*.

14.9 Investments as at 30 November 2024

Department:	Corporate & Community
Prepared By:	Senior Finance Officer
Authorised By:	Director Corporate & Community
Reference:	UINT/24/20375

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 contains a summary of bank accounts, term deposits, cash management accounts and investments in structured credit instruments. The investments have been made in accordance with Section 625 of Local Government Act 1993, Regulation 212 of the NSW Local Government (General) Regulations 2021, and Council's Investment Policy 2019.

RECOMMENDATION

That Council notes the cash position as of 30 November 2024 consisting of:

- cash and overnight funds of \$2,247,830;
- term deposits of \$24,350,000;
- total convertible funds of \$26,597,830 (\$2,247,830 + \$24,350,000) (including restricted funds).

REPORT

Current term deposits of \$24,350,000 spread over the next twelve months will receive interest rates ranging from 4.90% to 5.45%, with an average rate of 5.18%. Council's General Fund bank balances (refer to the Schedule of Cash at bank and Term deposits below) have been reconciled to the bank statement as of 30 November 2024.

An additional table has been added to this report to provide movement of term deposits with different banks.

KEY ISSUES**Official cash rate**

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 changes will be guided by the incoming data and the RBA Board's assessment of the outlook for inflation and the labour market. The changes in interest rates have resulted in higher investment returns this year.

McMaugh Gardens - Bond Liability

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.

McMaugh Garden's Bond liability status as of 30 November 2024 is shown below:

Opening Balance as at 31/10/2024	Bond Addition	Bond Release	Closing Balance as at 30/11/2024
4,100,275		275	4,100,000

Restricted and Unrestricted Cash, Cash Equivalents, and Investments

Of the amount of cash disclosed in this report, not all the cash is available for unrestricted use by Council. Most 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.

Most of the Council's cash is externally restricted and not available for day-to-day operational expenditure. As per unaudited financial statements for the year ending 30 June 2024, the amount of unrestricted cash reported in the audited financial statements is \$1,878,692. Council updates its restriction status at the end of each quarter, and the updated restriction status is provided with the quarterly budget review statements.

Uralla Shire Council**Operating/Business/Investments accounts as at 30 November, 2024**

Institution	Account	Closing Balance 30 November 2024
National Australia Bank	Main Account	\$417,469
National Australia Bank	Trust Account	\$31,296
Regional Australia Bank	Cash Account	\$27,758
Professional Funds (0.15% above RBA cash rate)	Cash Account	\$1,771,307
Total Cash and Overnight Funds		\$2,247,830
Term Deposits	Investments	24,350,000
Total funds available as at 30 November, 2024		\$26,597,830

Movement of Term Deposit Investments by Bank

	S&P Rating	Allowable Investment Limit %	Max Investment Allowed	Opening Investments 01/11/24	Movement during the Month	Closing Investments 30/11/24	% of Actual Investment
a Bank	AA-	30%	7,305,000	7,300,000	-	7,300,000	30%
Bank of Queensland	A-2	30%	7,305,000	3,000,000	- 500,000	2,500,000	10%
Westpac Banking Corporation	A-1+	30%	7,305,000	6,000,000	- 800,000	5,200,000	21%
Commonwealth Bank	A-1+	30%	7,305,000	-	-	-	0%
Regional Australia Bank	A-2	30%	7,305,000	4,050,000	2,300,000	6,350,000	26%
Suncorp	A-1	30%	7,305,000	4,000,000	- 1,000,000	3,000,000	12%
Total				24,350,000	-	24,350,000	100%

List of Term Deposits as at 30 November, 2024

Name of the Bank	Term	Interest rate	Maturity	Investment Amount
Regional Australia Bank	12 months	4.95%	04/10/2025	700,000
National Australia Bank	7 months	5.05%	28/04/2025	500,000
National Australia Bank	12 months	4.90%	03/10/2025	500,000
National Australia Bank	6 months	5.05%	07/04/2025	700,000
Westpac Banking Corporation	5 months	5.00%	17/03/2025	700,000
Westpac Banking Corporation	12 months	5.19%	14/11/2025	1,500,000
Bank of Queensland	12 months	5.40%	04/12/2024	500,000
Westpac Banking Corporation	12 months	5.34%	04/12/2024	1,000,000
Westpac Banking Corporation	12 months	5.34%	04/12/2024	1,000,000
Regional Australia Bank	12 months	5.40%	05/12/2024	800,000
Regional Australia Bank	12 months	5.40%	05/12/2024	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	6 months	5.15%	23/12/2024	500,000
Suncorp	10 months	5.05%	13/01/2025	1,000,000
National Australia Bank	12 months	5.15%	29/01/2025	1,000,000
Suncorp	12 months	5.10%	07/02/2025	500,000
National Australia Bank	12 months	5.15%	11/02/2025	1,000,000
National Australia Bank	8 months	5.30%	13/03/2025	500,000
Bank of Queensland	9 months	5.30%	04/04/2025	1,000,000
National Australia Bank	11 months	5.15%	17/04/2025	1,000,000
National Australia Bank	10 months	5.30%	23/05/2025	500,000
Regional Australia Bank	9 months	5.02%	30/05/2025	800,000
Westpac Banking Corporation	11 months	5.27%	02/06/2025	1,000,000
Bank of Queensland	11 months	5.28%	02/06/2025	1,000,000
National Australia Bank	12 months	5.45%	02/07/2025	500,000
National Australia Bank	12 months	5.45%	04/07/2025	600,000
Regional Australia Bank	11 months	5.05%	22/07/2025	500,000
Regional Australia Bank	11 months	5.05%	22/07/2025	1,000,000
Regional Australia Bank	12 Months	5.00%	21/08/2025	800,000
Regional Australia Bank	12 months	5.00%	28/08/2025	1,000,000
Total				24,350,000

CONCLUSION

I, Rasel Siddique, Acting Manager – Finance & IT, hereby certify that the above investments have been made in accordance with the Section 212 of the Local Government (General) Regulation 2021, and section 625 of the Local Government Act 1993, and Council's investment policy.

14.10 Monthly Finance Report for November 2024

Department:	Corporate & Community
Prepared By:	Corporate Accountant
Authorised By:	Director Corporate & Community
Reference:	UINT/24/18108

Attachments:	1. Monthly Financials-November 2024 ↓
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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 November 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 October 2024.

14.11 Debt Recovery Update

Department:	Corporate & Community
Prepared By:	Corporate Accountant
Authorised By:	Director Corporate & Community

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

At the Ordinary meeting of 25 June 2024, it was noted as part of the budget review process that outstanding rates had been increasing. As of 1 July 2024, there was a balance of \$1,354,550 in outstanding rates.

Debt recovery initiatives were subsequently implemented and the total amount of outstanding rates as of 30 November 2024 was \$818,002 (a reduction of \$523,150).

This report provides an update on the actions taken by officers to recover the outstanding debts to date following the review of Council's current debt recovery process.

RECOMMENDATION

That Council notes the debt recovery update report.

REPORT**Historical background:**

Historically, a debt collection agency was engaged to assist with debt recovery for the Council. However, during the COVID lockdowns, debt recovery processes were paused by many Councils, including Uralla Shire Council (USC).

In June 2024 it was identified that rate arrears had increased significantly over the past few years. As a result, Council initiated the debt recovery process in accordance with the USC Debt Recovery Policy 2020 (the Policy). The process involves a reminder letter to ratepayers with outstanding debt, with a follow-up reminder letter 14 days later if required. Any ratepayers with a debt greater than \$1,000 are then referred to a debt recovery agency.

Outcome of Reminder Letters:

The first reminder letter was sent on 16 July 2024 to 498 property owners with outstanding rates exceeding \$100. A second reminder was issued on 8 August 2024 to 309 property owners with outstanding rates over \$100 as of 31 July 2024.

Since follow-up efforts began in July 2024 the council has recovered \$523,150. Additionally, 29 payment arrangements totalling \$117,253 have been finalised. By 30 November 2024, arrears from the 2023-24 period had decreased to \$818,002 (refer Table below: Movements of Arrear Rates as of 30 November 2024).

Movement of arrear rates as of 30 November 2024

Outstanding Range (Amount)	Number of Owners	Number of Properties	Arrear as of			Rate
			30 Jun 2024	Payment Received	Added Legal Fees	Arrear as of 30 Nov 2024
\$100,000 and above	1	12	102,224	-	-	102,224
Between \$50,000 and \$99,999	-	-	-	-	-	-
Between \$20,000 and \$49,999	2	3	63,859	2,366	-	61,493
Between \$10,000 and \$19,999	21	24	366,545	89,770	5,732	271,042
Between \$5,000 and \$9,999	24	25	331,941	143,696	6,210	182,036
Between \$1,000 and \$4,999	70	77	391,684	214,341	1,457	175,886
Between \$500 and \$999	26	31	63,652	44,990	-	18,663
Between \$100 and \$499	17	17	34,643	27,986	-	6,657
	161	189	1,354,550	523,150	13,398	818,002

Next Steps in the Debt Recovery Process:

Council has engaged SR Law, an authorised Local Government debt collection agency with significant experience in regional local government, to assist with the next phase of the debt recovery process. Debt recovery will be in accordance with Council's current 2020 Debt Recovery and Hardship Policies, and will take into consideration the impact of financial stress on the wellbeing of the relevant Uralla shire ratepayers.

SR Law will review each ratepayer cohort (referred to as 'Outstanding Range' in the above table) and recommend an appropriate debt recovery approach based on the cohort size, duration of the arrears, number of properties involved per ratepayer, and the cost to service the debt recovery. Recommendations may range from a Letter of Demand to a letter offering a payment plan.

Ratepayers with payment plans (29 ratepayers, or 18% of the total group, with a combined debt of \$117,253 outstanding), will continue to be managed by the Finance team. It is noted that as of 30 November 2024 \$35,800 has been received through payment plan instalments.

Council is also undertaking a review of the current Debt Recovery and Hardship Policies in accordance with best practice for small regional Councils and with the assistance of SR Law.

The draft revised policies are to be presented at the March 2025 Audit and Risk Improvement Committee (ARIC) prior to a final report to Council in March 2025.

CONCLUSION

In partnership with SR Law, Council will adopt a case management approach towards debt recovery of rate arrears. SR Law has commenced the legal phase of debt recovery, on behalf of Council. The wellbeing of ratepayers will be factored into the debt recovery process with information provided about financial counselling and other available support services. Regular reporting to Council on debt recovery progress will continue.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Community consultation of the revised Debt Recovery Policy and Hardship Policy will take place in April 2024. There will be ongoing positive and supportive communication with ratepayers who have outstanding rates from both Council employees and SR Law.

Policy and Regulation

- Uralla Shire Council Debt Recovery Policy 2020
- Local Government Act 1993
- Local Government Regulations (General) 2005
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards.

Financial/Long Term Financial Plan

There is a negative impact on cash flow management when outstanding debts are not collected on time.

Workforce/Workforce Management Strategy

Education for Council employees, especially the Finance and Customer Support teams, of the new policies and procedures for debt recovery and hardship will be required before implemented.

Legal and Risk Management

There was an issue of incorrect contact details for ratepayers due to address changes of owners without advice to Council. This risk was managed through phone calls, emails, and other forms of research to establish correct contact details and updates to the council database.

14.12 s355 Committees

Department:	Infrastructure & Development
Prepared By:	Director Infrastructure & Development
Authorised By:	General Manager
Reference:	UINT/24/17413

Attachments:	1. Submission on Future of UTEC ↓
	2. Terms of Reference - Bundarra School of Arts Hall and Community Consultative s355 Committee ↓
	3. Terms of Reference - Uralla Township and Environs Committee (UTECE) ↓

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's previously appointed s355 committees, being the Bundarra School of Arts Committee and the Uralla Township and Environs Committee, have both automatically ceased their respective terms of appointment as a natural consequence of the recent local government elections.

This report recommends that Council awaits the outcomes and learnings of the current 'Striking a New Deal' (SaND) Project prior to reconsidering the respective committee Terms of Reference and the reestablishment of either of the committees at a future time.

RECOMMENDATION

That Council receives a future report regarding the replacement need and potential terms of reference for the Bundarra School of Arts and Uralla Township and Environs Committee following the completion and analysis of the current Striking a New Deal Project.

REPORT

Council, utilising section 355 of the Local Government Act previously appointed two advisory committees which have now reached their natural end of term three months after the most recent local government election.

Council issued differing Terms of Reference to each committee at the time of appointment to achieve appropriate points of focus for each committee. The different objectives for each committee reflected the different needs of the two communities represented at that time.

Generally, however, both committees were intended to play a key role in providing advice to Council; largely strategic advice in the case of UTECE, and more operationally focussed advice in terms of the Bundarra committee. Both committees during their terms provided Council with a demonstrable example of planned and proactive engagement with the community. Some members of both committees admitted to suffering a sense of frustration at times with their lack of impact (refer to attached copies of feedback from the most recent UTECE Committee members).

Several issues have limited the opportunity for the committees to realise their full potential impact and value on Council's decision making and priority setting. A principal limiting factor which impacted the committees was an ongoing difficulty in recruiting and then maintaining the appropriate membership numbers. This issue itself naturally limited the range of views which were consequently raised and debated.

Prior to considering the reestablishment of the committees, this report recommends that Council await the learnings and outcomes of the impending Striking a New Deal (SaND) Project. This facilitated project will work with Council to increase the capacity of the wider community to engage effectively regarding their vision, expectations and priorities. It is anticipated it will help establish how, when, to what level, and on which issues the community wishes to be consulted.

This information should be expected to provide a detailed insight into the potential future role of s335 committees and the most appropriate and enabling Terms of Reference for those committees.

CONCLUSION

Council's s355 committees have been naturally disbanded. This report recommends Council await the learnings of the SaND Project before considering the reestablishment of any s355 committees or the settlement of their attending Terms of Reference.

COUNCIL IMPLICATIONS

Community Engagement/Communication

Council is empowered to appoint committees under s355 of the NSW Local Government Act.

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

14.13 Council Instrument of Delegation - General Manager

Department:	Corporate & Community
Prepared By:	Manager Governance and Service Centre
Authorised By:	Director Corporate & Community
Reference:	UINT/24/19888

Attachments:	1. Delegations of General Manager 2024 ↓
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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

A governing body of council may delegate certain functions to the General Manager. Such delegations must be made by a council resolution (Chapter 12 Part 3 ss 377-381 of the *Local Government Act 1993* ('LG Act')).

The General Manager has delegations from the previous Council term which need to be reviewed and renewed (s 380 of the LG Act).

A review of the form and content of the delegation has been undertaken to make the delegations consistent with the proposed Community Engagement Strategy, and to address potential risks to Council arising from the language used in the current delegations to the General Manager.

The proposed changes to the current delegations to the General Manager are at clause 6 of schedule 1, which deals with the assessment and determination of a Development Application ('DA') under the *Environmental Planning and Assessment Act 1979* ('EPA Act'). These proposed changes are summarised below:

- 3(a) – It is proposed to change this provision so that a DA will be referred to Council for determination if three (3) or more written submissions objecting to the development subject of the DA are received during the public exhibition period.
- 3(d) – It is proposed to delete this clause. The current wording requires that non-compliance with any control of Council requires that the DA be referred to Council for determination.
- 3(e) - This clause has been amended to remove the requirement for modification applications (made under s 4.55 of the EPA Act) to be referred to Council for determination.

The purpose of this report is to present the revised instrument of delegation to Council for endorsement.

RECOMMENDATION

Any previous delegation to the General Manager be revoked and Council delegate to the General Manager the "Instrument of Delegation - General Manager" attached to this report.

REPORT

The General Manager has delegations from the previous Council term which need to be reviewed and

renewed (s 380 of the LG Act). The proposed instrument of delegations is based upon the current delegations to the General Manager.

Delegations and authorisations are the mechanism by which the Council enables its officers to act on its behalf by transferring responsibility for decision making through the organisation. They enable Council to carry out its functions and to be accountable for the decisions and actions taken on its behalf under specific legislative and policy provisions. The underlying principle is that those tasked with the responsibility to carry out a function should have the corresponding authority to carry it out.

Council's general power to delegate its functions is contained within Section 377 of the LG Act. Section 377 also expressly exempts specific functions from being delegated. The instrument of delegation outlines the range of decisions and/or exercise of powers and functions available to the General Manager.

Only the General Manager can sub-delegate a function to council officers. It is important therefore to ensure that the delegation made to the General Manager covers all the legislative and regulatory functions tasked to officers of the Council. Failure to properly delegate all functions to the General Manager can nullify any instrument of sub delegation and potentially render as void decisions or actions of Council, which exposes Council to risk.

The Council's current delegation to the General Manager has been amended over time. Clause 6 of schedule 1 provides restrictions on the determination of a DA. It is proposed to amend the current instrument of delegation at clause 6(3) of schedule 1 as set out below:

1. 6 (3)(a) – This has been changed so that a DA will be referred to Council for determination if three (3) or more written submissions objecting to the development subject of the DA are received during the public exhibition period.
2. 6 (3)(d) – This clause is proposed to be deleted on the basis that the current wording would require that any non-compliance with any control of Council requires that the DA be referred to Council for determination.
3. 6 (3)(e) - This clause has been amended to remove the requirement for modification applications (made under s 4.55 of the EPA Act) to be referred to Council for determination.

The reason for the proposed amendment is to align the delegations to the General Manager with the proposed Community Engagement Strategy. It will reduce any potential for ambiguity in the written instrument of delegations. Further, it will reduce the volume of planning applications which are required to be referred to Council for determination.

In the recent decision of *Filetron Pty Ltd v Innovate Partners Pty Ltd atf Banton Family Trust 2 and Goulburn Mulwaree Council* [2024] NSWCA 41 NSW ('Filetron'), the Court of Appeal held that a DA determined under delegation by a Council officer was invalid on the basis that the DA was required to be referred to Council for determination. This issue arose due to ambiguity around the circumstances in which a DA was required to be referred to Council for determination.

Revision to clause 6 (3)(a) of schedule 1

The current delegation at clause 6 (3)(a) of schedule 1 requires that a DA be referred to Council for determination if 'the DA comprises one or more of the following elements ... Public interest (any submission opposing the development received during the public exhibition period)'. "Public interest" is not defined in the instrument of delegations. This exposes Council to risk as the normal meaning of "public interest" is very broad and captures a wide range of matters.

To reduce ambiguity around this condition on the delegation to the General Manager, it is proposed to amend this referral requirement to three (3) or more submissions by way of objection. It is recommended

that a numerical control on the delegations be imposed, rather than any qualitative or subjective requirement, for example having a requirement that any 'unresolved submission' means that the DA needs to be referred to Council for determination.

Deletion of clause 6 (3)(d) of schedule 1

The current delegation at clause 6 (3)(d) of schedule 1 requires that a DA be referred to Council for determination if 'the DA comprises one or more of the following elements ... Non-compliance with the relevant prescribed planning controls or a proposal involving a qualitative planning matter that cannot be resolved by conditions of consent'.

The proposed deletion of clause 6 (3)(d) is to provide greater flexibility to the assessing and determining delegate in circumstances where a DA may not strictly comply with Council's development controls.

Section 4.15(3A)(b) of the EPA Act requires that if a DA does not comply with the standards set out in its development control plan, the consent authority [Council] is to be flexible in applying those provisions and allow reasonable solutions that achieve the objects of those standards for dealing with that aspect of the development.

The current delegations require for example, that DA which proposes a minor variation to Council's setback requirements be referred to Council for determination. Having to refer all minor variations to Council's controls will delay development which is otherwise approvable and adds additional matters to Council's agenda for its ordinary meeting. This reduces Council's overall efficiency when assessing DAs.

In addition, the current wording refers to 'qualitative planning matter', the meaning of this phrase is ambiguous and lacks clarity as to what would be considered to be a 'qualitative planning matter'. This ambiguity exposes Council to risk if an objector were to challenge what would be considered to be a 'qualitative planning matter' in any appeal filed with the Land and Environment Court.

Revision to clause 6 (3)(e) of schedule 1

The current delegation at clause 6 (3)(d) of schedule 1 requires that a modification application under s 96 [now s 4.55] of the EPA Act, other than a modification application made under s 96(1) [now s 4.55(1)] to correct a minor error, or misdescription or miscalculation, be referred to Council for determination.

A consent authority does not have the power to approve a modification application unless the development subject of the modification application is 'substantially the same' as development approved in the original grant of consent. This means that any amendment to a DA is not going to result in approval of a DA which is radically different from a DA previously determined by Council.

The proposed removal of this referral requirement will improve efficiency in the determination of modification applications and reduce the workload for Council at its ordinary meetings.

The Council's endorsement of the proposed amendments to the instrument of delegation does not fetter its authority to call up an application for its consideration and determination. Further, it does not restrict the General Manager from seeking further direction from Council concerning any of the delegated functions relating to the assessment and determination of a DA.

CONCLUSION

The instrument of delegation for the General Manager is a critical delegation for the organisation.

The current instrument of delegation has been reviewed and updated to align with current policy in order to optimise the efficient and effective management of Council's operations and to reduce its risk in light of

the Court of Appeal's recent decision on instruments of delegation in *Filetron*.

COUNCIL IMPLICATIONS

Community Engagement/Communication

The amendment to the delegations aligns with the proposed amendment to the Community Engagement Strategy.

Policy and Regulation

A review of the General Manager's delegation falls within the good governance framework. Section 377 of the Act allows Council to delegate to the General Manager other than those items specified in the section.

Financial/Long Term Financial Plan

The administration and implementation of Council's delegations is the responsibility of the governance program utilising existing resources.

Asset Management/Asset Management Strategy

Not applicable

Workforce/Workforce Management Strategy

Delegations are attached to positions within the organisation and provide clarity for the relevant staff member.

Legal and Risk Management

Corporate Governance – the delegation complies with legislative requirements. This risk is assessed as *low*.

Project Management

Manager Governance and Service Centre

14.14 Register Resolutions Actions Status as at 11 December 2024

Department:	General Manager's Office
Prepared By:	Executive Assistant
Authorised By:	General Manager
Reference:	UINT/24/20058

Attachments:	1. Resolutions Actions Status Report for 17 December 2024 Ordinary Meeting ↓
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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 11 December 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.

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 Grace Munro Aged Care Centre limited - update on lease proposal

This matter is considered to be confidential under Section 10A(2) - c, d(i) and 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 person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

15.2 New England Weeds Authority Update Report

This matter is considered to be confidential under Section 10A(2) - a and f 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 personnel matters concerning particular individuals (other than councillors) and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

16 COMMUNICATION OF COUNCIL DECISION

17 CONCLUSION OF MEETING