



Uralla Shire Business Chamber, Public Meeting, 29 October 2020

**Report to our Community, Council
and the Hon Adam Marshall MP**

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SUMMARY

On 29th October 2020 Uralla Shire Business Chamber (USBC) held a public meeting to provide Council the opportunity to brief Uralla Community on the regulations relating to trading from home, and provide an opportunity for businesses to provide feedback to Council on how we could improve business/council relationships.

Council declined the invitation to attend, explaining that their presence could put individuals at risk of fines if individuals declared anything that they had done that was illegal. Council also requested a list of hypothetical scenarios relating to home-based businesses that could be addressed on the Council web site.

Thirteen speakers addressed the meeting on a wide range of topics including home - based businesses, delays in Development Applications, on-going requests for information, consistency in decision making, and the reputational risk to Council Actions and decisions.

Twelve key points were developed from the presentations and have been presented along with suggested solutions.

As a result of this meeting the USBC proposes to work with council and report back to our community on progress with addressing the issues raise. The USBC is looking forward to rapid and demonstrable progress.

PUBLIC MEETING 29 October 2020

INTRODUCTION

The October meeting of the Uralla Shire Business Chamber (USBC) resolved to:

- Hold a public meeting to provide Council the opportunity to brief Uralla Community on the regulations relating to trading from home, and
- Provide an opportunity for businesses to provide feedback to Council on how we could improve business/council relationships.

The meeting was held at the Uralla Showground on 29th October 2020. It was attended by approximately 140 members of our community, the Hon Adam Marshall, MP., our Mayor Michael Pearce and several councillors.

The meeting was opened by Teresa French, President USBC, who welcomed our guests, our facilitator for the night, James Treloar, and attendees, and provided safety and Covid-19 briefings. Bob Crouch, Secretary USBC, provided a background to the meeting, and outlined the structure and objectives of the meeting. Bob also drew the attendee's attention to the home-based business section of the Council web site and the provision of opportunities to provide "hypotheticals" for Council to respond to (listed in Appendix 3).

The Uralla Shire Business Chamber sincerely appreciates the efforts made by all our speakers and those who took the time to provide submissions to this meeting. It takes a lot of courage to stand up and publicly talk about personal experiences without letting emotion get in the way of the facts. Thank you.

Uralla Shire Business Chamber recognised that it does not have the capacity to check the validity of all the statements made in the submissions. However, the points drawn from the information presented are provided in good faith, many of them are supported by hard evidence and particularly by the integrity of the individuals concerned. The Chamber is also aware that the issues raised are not isolated and their collective impact on our Shire is of major concern.

It was also brought to the attention of the Chamber that many affected individuals felt that to bring issues forward publicly would have an adverse impact on future work and work opportunities in the Uralla Local Government Area or engagement by Council. Some of the speakers expressed this concern, but felt strongly enough about the issues and their concern for our community that they spoke up anyway.

Meeting Purpose

This meeting evolved from discussions at the October meeting of the Chamber following a presentation by Tara and Andrew Toomey on retailing from home.

The Uralla Shire Business Chamber aims to grow the Chamber as a key organisation that promotes and supports business in our district. To achieve this aim, we will engage with organisations that affect business in the Shire. We wish to proactively build relationships with Uralla Shire Council, community groups, local institutions and State and Commonwealth Governments to enable the Chamber to effectively advocate and lobby to support Uralla Shire businesses.

The discussion at the October meeting clearly identified a range of issues adversely impacting on small businesses within the Shire. To move towards a solution the Chamber proposed that a public meeting be held to:

- Provide Council the opportunity to brief Uralla Community on the regulations relating to trading from home, and
- Provide an opportunity for businesses to provide feedback to Council on how we could improve business/council relationships.

As there were several issues raised by Chamber Members, some of which were impacting on the members present and some of which were hearsay, the meeting was developed to focus on “getting issues on the table”. The meeting was not developed to provide solutions on the night. However, in structuring the meeting the Chamber called on speakers to end their presentation on a positive note, to suggest a way forward.

Through this report and ensuing activities, the Chamber will seek to work with Council and our State and Commonwealth Governments to address the issues raised to overcome key business constraints in Uralla Shire.

Key Points from the Presentations and Submissions

Throughout this process it was made obvious to the Chamber that there is need to manage perceptions. Several individuals approached the Chamber with information that was of real concern to them but not directly impacting on them. Despite the fact that we respect there is limited opportunity to address information of this nature, these issues create a negative perception of Council and need to be carefully managed. We need clear demonstrable progress communicated to our community.

1. The Uralla Shire Council's unique interpretation of legislation relating to home-based businesses.

In the last three months, through the interpretation of what is permissible as a home business, home industry or home occupation, Uralla Shire Council has caused at least one local business to move to a neighbouring area and several others to lose business through a reticence to continue widely advertising. Previous Council administration took the view that it was permitted for people in residential areas to sell products they make, as well as products made by others, online from home under any of these categories. A Development Application had not been required except where notifying a food business. The new interpretation deemed all home-based enterprises where people sold products they make to be permitted, but there remains a lack of clarity about whether people need to lodge a Development Application for this type of enterprise. However, the decision was made that there was no way to obtain approval for businesses selling products made by others. No option to lodge a DA. No way forward. This is NOT consistent with what other LGA's do and so people have started relocating their online businesses so that they can continue to trade, with one business already moved to a neighbouring LGA where they were permitted to do exactly what Uralla Shire Council had said was illegal.

Suggested Solution:

That Council adopt a policy that provides the strategic guidance lacking in this area.

2. Delay of Development Applications, Construction Certificates, Occupation Certificates and the approval of plans due to repeated requests for additional information on material supplied.

Delays in council processes due to requests for additional information are a major issue with developers. Most individuals understand the need for council staff to clarify issues on applications, however they do not understand why once one lot of questions are answered another group of questions are asked on the original application. Questions for additional information or points of clarification should be asked at the one time, not as a series of requests. One example used was the need to modify building plans to provide additional

information. Each time the plans had to be redrawn increasing the time for approval and the cost of plan preparation. Such experiences are common.

Suggested Solution: Council review plans and other documents submitted once and without undue delay and provide one request in writing for additional information if required.

3. Reputational risk discouraging developers.

Uralla Shire Council has proven more difficult for professional development firms to deal with compared to neighbouring Local Government Areas. So difficult in fact that engineers and surveyors are either adding premiums to cost estimates or declining to work in the Shire at all. In the worst-case scenario reported, a major town planning, surveying and engineering firm reported actively discouraging potential developers from buying land in Uralla Shire due to the difficulty of dealing with Uralla Shire Council.

Suggested Solution: The solution to reputational risk relates closely to the collective of other points raised. By addressing repeated requests for different information, by building constructive relationships in pre-lodgement discussions, by applying discretionary decisions consistently according to State and Local Policies, by adequately recording advice given, and by expressing a we-are-here-to-help-you attitude, reputational risk will be considerably reduced.

4. False and misleading interpretations of the outcomes of Pre-lodgement Discussions leading to delays in approvals and costs to amend.

Pre-lodgement discussions are a key component of preparing applications for development. Builders and developers report that when dealing with Uralla Shire Council they cannot rely on advice provided in pre-lodgement discussions.

Suggested Solution: Council establish a policy that council staff must confirm in writing (letter, email, or statement of advice) all advice given to potential applicants. This advice be signed by the client and council and attached to the relevant file for future reference.

5. Discretionary decision making not applied consistently leading to inequity and inconsistency in advice and rulings, sometimes contrary to legislative requirements and contrary to procedures and interpretation in neighbouring Local Government Areas.

Within the planning and approval process in Uralla Shire there are several reported instances of inconsistencies in information required on plans, conditions imposed in development approval, information required during Development Application assessment

Suggested Solution:

- a. Only qualified staff should give advice
- b. That Council prepare and present to the community “frequently asked questions” that provide information regarding requirements and timelines for approval.
- c. A written record be kept of all advice provided with copies provided to the client.
- d. In 2021-22 an internal audit (not an internal review) be conducted of consistency of advice.

6. Advice from previous council staff now deemed wrong and, in some cases, now deemed unlawful, resulting in developers and businesses making decisions that have cost (and in some cases are costing them) them a lot of money to address.

In undertaking development individuals rely heavily on advice from council staff. The legislation regarding approvals, exemptions etc is relatively complex and subject to local interpretation. Much of this advice is asked for and given in good faith, with neither the questions nor answers being recorded. When staff change, interpretations change. This results in individuals who believe they are undertaking a development or operating a business lawfully, fulfilling all the requirement asked of them by council, to now be developing or operating a business illegally due to the different interpretation by new staff. In some instances, the changes have resulted in substantially increased costs associated with a development and in businesses having to change their mode of operation, move to a neighbouring LGA or lodge retrospective development applications to comply.

Council staff appear to not be prepared to listen to individuals or recognise Council’s potential liabilities or cost to the individual where conflicting advice is given.

Suggested Solution:

- a. That council prepare a policy on the provision of written advice to all clients within 1 business day of giving the verbal advice. Advise clients they are not to act on advice given until in writing.
- b. Council take a more facilitatory and conciliatory path

7. Lack of in-house capability to certify road and water plans.

Developers have been told to engage a third party to certify road and water plans. Apparently due to council's limited capacity in this area.

Suggested Solution:

Suitably qualified staff should be employed to raise council's capacity and enable appropriate certification.

8. Difficulties in getting timely inspections increasing costs and delaying development

The council-engaged building inspector is only available for inspections on one day per week (Wednesday). This is a most unsatisfactory arrangement delaying and adding costs to development in Uralla. Speakers suggest a minimum of three days per week is required.

Suggested Solution: Undertake a review and analyses of inspections including a cost benefit assessment of Uralla Shire Council undertaking health and building inspections compared to private certifiers/inspectors.

9. Constraints with Uralla Shire Water delivery infrastructure not being able to deliver sufficient pressure and volume to meet requirements for development.

Recent proposals to construct multi dwelling complexes have found the capacity of Uralla's water supply infrastructure is not sufficient to meet minimum requirements for development.

Suggested Solution: Undertake a survey of water pressure and volume throughout Uralla and Bundarra water supply systems to identify deficiencies. Prioritise infrastructure renewal to address deficiencies, applying for commonwealth and/or State assistance.

10. Need for a bay at the landfill to accommodate tipping trailers and small trucks.

Many builders have small tipping trucks or tipping trailer to take building waste to the landfill. There is no provision to utilise the tipping capacity and the small trucks or trailers have to be unloaded by hand.

Suggested Solution: Provision be made for a bay to accommodate tipping trailers and one-ton utilities.

11. A fair and equitable procurement process.

Concern has been expressed by a local (Armidale) engineering firm that they were not being advised of potential tender opportunities and did not feel that they were getting a fair go during the tender assessment process.

Suggested Solution:

- (a) That council include advertisements of requests for tenders and quotations on a number of platforms including Tenderlink, Facebook and Uralla Wordsworth.
- (b) That council develop a policy to support local suppliers by allowing a percentage leeway for local content to recognise the added benefit to the local economy.

12. Rowers Row and Steerers Steer.

The point was made that responsibilities for policy and operational decisions are clearly delineated within the Local Government Act, 1993. There appears to be some confusion within Uralla Shire Council as to this division. There is need for councillors, staff and our community to work together to deliver on community aspirations. Local Government was designed to keep Local Government decisions local.

Suggested Solution:

- (a) Councillors need to provide clear direction via policies that address specific issues.
- (b) Seek out the councils we admire (believe are doing a good job) in a particular area of activity. Develop a collegiate relationship to mirror their strengths to build Uralla Shire

Conclusion: Where to From Here

Uralla Shire Council Customer Services Charter makes a customer service promise.

Uralla Shire Council promises to provide a customer friendly organisation committed to providing service excellence to our community. We are a solutions-focussed organisation, that projects a positive attitude and a committed can-do approach.

We will work to understand and respond to the needs of our customers both now and into the future and provide opportunities for community engagement. We will continuously strive to improve our service by proactively welcoming suggestions and seeking feedback from the community and actively measuring and communicating our performance against these comments.

<https://www.uralla.nsw.gov.au/files/assets/public/hptrim/corporate-management-policy-policy-register-council-policies-2012-to/charter-customer-service-charter-currentcharters.pdf>

The Uralla Shire Business chamber sincerely hopes the comments and constructive ideas contained in this report will be accepted and acted on in the context of this promise.

The presentations made to the meeting identified twelve key points that our business community asked be raised with Uralla Shire Council. These are expanded on and explained in more detail in the presentations (Appendix 1) and the submissions (Appendix 2).

From these points and the solutions proposed by our speakers, the Chamber has developed “suggested solutions”, listed under each point.

To progress these “suggested solutions” or similar actions the Chamber proposes the following actions:

1. The Chamber make a presentation to Council on the outcomes of the meeting focussing on the identified issues.
2. The Chamber executive discuss these issues with Council to clarify the needs expressed by our community and where possible seek resolution.
3. The Chamber report back monthly to our community on progress with addressing these issue
4. Within six months the Chamber report back to our community on progress in addressing their concerns via another public meeting.
5. The Chamber put our Councillors on notice that our community expects considerable, rapid and demonstrable progress in addressing the issues identified.



APPENDIX 1: Presentations

TARA TOOMEY

Andrew and I have been writing to Council's General Manager and planning staff, as well as to our local Member Adam Marshall, and 5 other government ministers who have a role to play in this area, for around 3 months now. We have been talking with the Department of Planning both in the regional office and in their Sydney office, and have also been in regular contact with a senior advisor at the Small Business Commission. It is fair to say they are concerned. We are aware that the Department of Planning have a policy group working on this issue but they have acknowledged that it will take time. It has, however, already taken too much time to address this issue. I do not agree that it is overly complex. Following conversations with a New England based planning consultant, we developed a solution in the form of an amended wording for the Uralla LEP 2012. We have shared our proposal with Adam, the Dept of Planning and the Small Business Commission, as well as with the 3 Councillors who have been actively concerned about resolving this matter. We believe it is sound, well considered and offers the protection at a State legislated level for home based businesses and for neighbourhood amenity, that is currently absent.

In the meantime, Seasons of New England has been forced to relocate to Armidale so that we could continue to trade and develop the modest online platform selling New England products that we rely on utterly to survive – and to deliver the Expo. We were incredibly grateful for the supportive conversations we had with Armidale Regional Council, where we have been able to secure the written support needed to conduct the business we were unable to conduct in Uralla. As grateful as we are, we do hope this is temporary relocation of our online business, and we are committed to delivering the Expo at the Uralla Showground on 27th March 2021.

At a meeting yesterday with the General Manager Kate Jessep, Mr Seymour and Mr Clarkson, Andrew and I were advised that Uralla Shire Council's position on selling goods online that we do not produce ourselves - so the goods we sell through the Seasons of New England website - was still prohibited in the Uralla Shire at a residential address. We had been advised on 7th August that Hampers are deemed to be a product we don't make, so these had also been prohibited and this had triggered our forced relocation to Armidale. Recent comments from Council indicate this may have changed in relation to hampers, and we hope to have a written response soon.

Edit – on the Friday morning following this meeting we received advice that only food premises could pack hampers that included food, so we could still not pack hampers at our home address. We had advised staff that we only included packaged food, so this response was bewildering to say the least. We were pleased to hear that Council staff agree that people can sell products online that they produced at their home address, without needing Council consent. This does not apply to food or skin penetration products where consent is required for good reason, but it was a major step forward. We asked about this advice appearing on Council's website and were told the advice was already there. After the meeting a further examination of the website failed to find it, but we hope this is addressed soon. We were also advised that a Home Based Enterprise Regulation Procedure was being developed as an internal document to guide staff. The focus on regulation continues to cause concern, when what we all need is a facilitating and supportive approach from our Council during the pandemic and the looming recession.

When it comes to the election in Sept 2021, unless Adam can help it happen sooner, I would encourage you to remember the names of the 3 Councillors who have actively tried to resolve this – Bob Crouch, Robert Bell and Tom O'Connor.

LONE PETROV

Firstly, may I say that the absence of the General Manager speaks volumes as to their concern for the present situation.

I am aware that our General Manager, being new, is finding her way but wouldn't attending a public meeting be a good means of hearing the communities grievances?

I think when there is an opportunity to address issues that have very clearly become seriously concerning to a large number of residents, then, as an employee in a senior position in the Public Sector, you would go out of your way to listen and work with that community to resolve these issues.

I don't fall into the category of small business, I am just an extremely concerned resident of this shire who sees the issues raised tonight the tip of the iceberg.

I have been a resident for almost 40 years and in that time have seen this council deteriorate from a open, supportive and encouraging entity to one that is insular and unavailable to the residents.

I personally, when attempting to deal with issues, have experienced repeatedly unreturned phone calls, emails and letters not even acknowledged, let alone answered.

I know for a fact, having spoken to many people, that this is common.

As a town we have fought tooth and nail to maintain this shire in its own right, avoiding the negative influence of amalgamation with a shire that has itself gone into administration. My fear is that the behaviour we are presently experiencing is leading this council and councillors in a similar direction.

The sad thing about the outcome of administration is that it wont resolve our issues as it is only the councillors who are removed and they are only a very small part of the problem.

I have utmost confidence in a number of our councillors who have the good of our town at heart and work hard to bring about change but sadly are often denigrated for asking the hard questions.

I believe we have seen this clearly demonstrated by the appalling treatment of one of our councillors who owns a small home run business, causing much stress and loss of income to both her and her family.

To my knowledge no other home business has been threatened with closure as she has. This councillor is also the driving force behind the "Season's of New England" which brings thousands to our town for this event. In 2019 a month before the event council put in place obstacles that threatened this event taking place.

What proactive council would do that?

I hope this evening that the changes that have occurred in Uralla in regard to home based businesses are not only clarified but also explained as to why these changes needed to occur in the first place – as the saying goes - "if it's not broken don't fix it."

Government at all levels is encouraging and supporting small home based businesses.

Shouldn't our council be doing the same?

I also hope that this evening that the frustration felt by many of our tradespeople when attempting to deal with council will be listened to and noted.

We have been asked to end with a positive suggestion.

We need to support each other and work together, prepared to work for the betterment of Uralla as a whole, rather than wielding power you may think you have and be entitled to

use, which only creates a toxic environment.

We have a brilliant, thriving little town, supportive of one another, attracting people to come and enjoy the ambience of what we have to offer. This has only been achieved by hard work and a wonderful community spirit.

We need our council to be onboard with this community.

BELINDA BAKER

Good Evening James, Adam Marshall MP, President of the Business Chamber, those involved in the organisation of the meeting and the opportunity to be heard tonight and the many rate payers here,

We subdivided some land in Uralla and sought advice on the subdivision prior to it taking place. We sought this advice from a then employee of the Council, who was the town planner. We had a number of meetings with this employee and during these meetings we asked about the rates on the blocks. She informed us that there would be no change to the rates should we go ahead with the subdivision, as the blocks remained physically adjoining and in the same names. Unfortunately, this was not the case and we were not aware until after the completion of the subdivision when we received rates notices for each of the blocks, increasing our rates substantially.

We were informed following our enquiries into the rate change that after three years we are able to amalgamate our blocks for rating purposes, but the cost to us over the three-year period changed from being \$6971.16 to \$30569.25.

We have tried extremely hard to work with Council employees. We want the Uralla Shire Council to acknowledge the information we were given and that our rates should have remained unchanged as a result of being given this information. Without the advice we received we would not have proceeded with our subdivision as we did, we would have subdivided off each block as it was to be sold. Our actions were a direct result of information being given to us by a Council employee whom we trusted to give us advice, which we understand to have been accurate.

We have met with council employees and have addressed the councillors at a council meeting, where we received support from councillors, however this was all to no avail. We were incredibly disappointed to have been given a date to meet with our new General Manager only to be phoned days before to be informed that if we had no further information the General Manager was no longer interested in meeting with us to hear our complaint.

Mark and I are very happy to discuss detail further should this be required, but we did not want to dwell on the past tonight but to provide a solution and hopefully move forward.

Our understanding is that tonight is about offering council fair and reasonable solutions to end disputes and resolve any issues, which Mark and I are keen to do. We understand that rates are paid to enhance our town and we are also keen for this, but we feel it should be done fairly and in a way that also allows our town to prosper. We ask that the advice we were given, which we feel can be proven through our actions taken, be upheld and that our rate payments be adjusted accordingly for rate payments made over the three years following our subdivision. Please back our town and the people that live here because we together can make Uralla prosper. The people of this town have the will to do so. Thank you very much for hearing us out tonight.

BRUCE McMULLEN

Mr Treloar, Mr Marshall, Chamber members and guests.

My name is Bruce McMullen and I am delighted to observe that the Business Chamber is exercising its right to express concern about a perceived inequity.

Thank you for this opportunity to speak and raise with you a couple of perceived problems, and offer for your consideration, constructive suggestions to address them.

So, what am I trying to say here:

- There are many in the community who perceive that council defined rules and regulations are not being applied equally. We need help to fix it.
- We need to address all the council related negative perceptions, get the good news out there and **all** work toward growing our vibrant and unique shire.

I hope I am speaking to business people, tradies, employers, employees, and decision makers who share a common belief in the application of a fairness and common sense – **a fair go**.

I am aware that council staff used the Macquarie Dictionary to source a definition of “*retail*” in terms of zoning regulations. I am aware they sought two legal opinions as to the interpretation of the term “*retail*” and that their interpretation was deemed appropriate. I am also aware that the council has the right to interpret the term **at their discretion**. Okay, perhaps within the letter of the law, the decision council staff are sticking to is correct. Sorry to use this, but does it pass the pub test? Why is ours the only shire around that chooses to apply extra conditions to one business model and not others. There is a need for consistency here. Control of such business activities is delegated to councils, but it is a state government responsibility to ensure that the term is universally interpreted and equitably applied. I would therefore make the following recommendation:

- **that this chamber appeal to Mr Marshall to find a way, with urgency, to ensure that a universally applicable set of definitions, as they relate to this issue, is written into the legislation so that perceptions of bullying and a lack of a fair go may be allayed.**

An issue that should involve the whole business and employment component of a happy life in the Uralla Shire is **growth** and **job creation**. I believe we should be promoting our Shire as a great place to live, work and play. I see ads on TV extoling the virtues of other shires. They are trying to grow, to attract people by creating jobs – it is obviously part of a policy or strategic plan. Does our council have a plan to attract business, create jobs, grow? Have a look at our recently adopted Local Strategic Planning Statement.

With the recent announcements of the New England as a renewable energy hub, and with several solar and wind projects being touted in our back yard and just over the fence, I believe we should be on the front foot and working with locals to find out what opportunities exist for furthering job creation for the long term – perhaps industries that service and supply these renewable energy projects. So how do we tap into this new opportunity for the long term? As a collaborative group of business owners who strive to make a quid, perhaps you could investigate and advise council how better to get the image of a progressive Uralla Shire to its ratepayers, and to the wider state-wide, national or international communities where the big tourist and investment dollars are waiting to find a good place to reside? I would also recommend that this business chamber approach council to contribute to the Local Strategic Planning Statement by including business growth and job creation strategies. I am sure that in

these times of job creation, we would garner significant support from our local member for such an initiative.

Many are very dissatisfied with the lack of community consultation and engagement. Although there is significant anecdotal evidence to the contrary, I am sure that no one has an agenda to be obstructionist or isolated from the community they work for, and I am sure no one has said that the role of the staff is not to give advice, merely to enforce the regulations. I know, however that these perceptions are out there and I am sure that we would all be happier if such perceptions were put to bed!

So, more openness, collaboration and consultation **to and from** council would go a long way to overcoming the currently perceived lack of support for its community. To this end, I would recommend that this chamber:

- Approach council to establish a 355 committee to explore local solutions to problems that restrict our growth as a tourist destination, lovely place to live and most importantly at this time of increasing unemployment, work and incorporate the strategies into the Local Strategic Plan.

GREG SELBY

Good evening. I own a small drafting business in Uralla Shire, I've come with some questions. I will look for answers in due course.

I've been in the Shire for only 9 years. I came from the Southern Highlands originally.

Where my Issues are: My customers are having concerns with the amount of time getting Das through Council. Now the reasons I don't know but I can only assume the lack of staff actually taking control of them.

The other issues I have are the inconsistencies with my drawings and what I see on the portal with other people's drawings and the amount of time they come back. What they actually ask for is not necessarily things that have to be there, but that is something I am still taking up with council. What is is doing is slowing down the whole process. The whole ideas is to get the drawings done and submitted to Council, get on with the job and project happens.

At the moment it is just delay, delay, delay and that is not helping the community at all..

Personal frustrations are probably high with a lot of people, anyone who is doing building development and I would like to see that side all sorted out and consistency with what everybody has to submit. There is legislation that says what has to go in a set of plans. Some people have to put it in others don't.

That is pretty much my grief. I think you will find other people speaking on building and construction.

DAVID AYRE

Thank you very much for letting me talk here today. I am a local builder. I own a small building business in Uralla and the Uralla Storage Complex. I have lived in Uralla for 60 years. Over the last 40 years I have done a fair bit of building in Uralla from my own homes to other people houses. I am just following on from what Steve had to say. I had a meeting with the Council back in July, with the general manager and we discussed the same problems Steve is talking about, certification and dealing with Council staff. Ring council staff and they say they will get back to you and you never hear from them.

There is a certifier that is only here one day per week. If there are inspections to done you have to get everything done on a Wednesday Morning. This lady comes up from Tamworth which means she could be going to Bundarra, Invergowrie, anywhere out there. You never know what time she is going to come, so you make an appointment on the Monday, Linda will get back to you and say "Yes, she will let you know when she is going to be onsite". You get a ring ten minutes before hand. When you are running a small business, you can't be waiting around all day for her to turn up, so 9 times out of 10 she looks at the job by herself, just goes through it then lets you know what is wrong and what is right.

I guess you really need a certifier 2-3 days a week. If you could get someone Monday, Wednesday, Friday people would have a chance to organise. If you have footings and it is going to rain what do you? Let them fill up with water? We all have the same problem.

Dealing with the Planning Department. I've had a couple of dealings with them buying or selling houses and blocks of land. It is always the council that holds everything up all the time.

And the other thing I have is the Recycling Centre. It is closed on a Wednesday so you can't go out there at all. Most people today have tipping trailers. If you go out there with builder's rubbish, they charge you for it and then you have to manhandle it into the skip. There is no way you can tip it. I mentioned that to the mayor before but nothing happened.

That is about all I have to say. Thank you very much.

SEAN DOODSON

I'm Sean Doodson. I'm one of the Directors of New England Surveying and Engineering in Armidale. I'm also a resident of Kentucky. We are one of the larger local land development consultant agencies. We cover aspects of surveying, engineering, town planning, project management, subdivision and infrastructure projects. We do projects at all local Government areas locally and further afield: Walcha, Armidale, the former Guyra Council, Inverell, Tenterfield.

We generally have a good working relationship with a lot of these other councils. Not only do we deal with them from an applicant point of view but as a contractor for engineering design and surveying services. It has got to the point with Uralla where we basically turn clients away and refuse to have dealings with Uralla Council. In fact we deem it a commercial risk from our point of view. We can't quote enough for the aggravation, the sleepless nights and the stress.

I guess as a direct comparison I am currently working on 5 developments in Walcha, Zero in Uralla. In the past we did about 3-4 subdivisions per year in Uralla Shire. Previously, as a lot of you would know, Council had a practical and pragmatic approach to development: as do a lot of small councils. There was not necessarily a policy or Regulation that covered everything, but as a consultant or developer you knew where you stood and there was consistency and the staff were all approachable and open to sitting down and discussing solutions. Under the current management there is little or no discussion, or one sided discussion at best.

Pre lodgement advice cannot be relied upon. There are inconsistencies between development consents. Two different subdivisions will have conflicting conditions for no apparent reason.

It has basically reached the point in our office when we get a cold caller, we often have investors from out of town, investors from Sydney or Brisbane, ringing about a property they have seen on line, we basically have to disclose to them that we're hesitant to do any development work in Uralla. Then they want to know the reason why and the conversation usually ends up with them looking at properties in Tamworth and other areas instead, and they go elsewhere.

Probably one of the main problems we have had in the past is the lack of an engineering code and other comprehensive policies. The Armidale code, after much protest on our behalf, has been adopted on an ad-hoc basis, but I have seen it misquoted several times. There is a general lack of knowledge around the code they are citing.

Probably the major concern is their general attitude: they appear to view themselves first and foremost as regulators, the development police. Customer service and community focussed outcomes appear to be a low priority. This is not a good state of affairs for a small town, particularly one with as much potential and opportunity as Uralla.

The uncertainty and increased cost of development is basically turning away investment and uncertainty leads to a higher risk and unfortunately with property prices in Uralla you cannot justify the red tape and the time frames council puts developers through.

Council appears to lack inhouse capability. This is another issue we have come across in engineering. They seem to lack the inhouse capability to certify engineering plans, and we are talking about road plans, council's bread and butter, building and designing roads. They insist that we get a third party to check plans on their behalf. Water is the same. We have trouble getting basic information about water mains. They don't seem to have records at hand and then to get a basic sketch costs \$39.00, which no other council in the area charges.

I'm going to skip through a few items here and jump to the constructive suggestion.

The culture of the organisation needs to change from regulatory to customer service, community focus. The reason when the General Manager and the lack of change in attitude proves that the task cannot be entrusted to a bureaucratic body with vested interests. The change must be driven by councillors and there needs to be review and consequences.

We suggest commissioning an independent survey of ratepayers and the business community to ascertain the degree of public dissatisfaction or support for the incumbent GM, Directors and senior staff, and provide options to resolve serious issues.

Just to finish I will say Uralla is a great town and is doing well considering all the setbacks in the last twelve months. This demonstrates the resilience of the local business community. We have a great opportunity to leverage the momentum off the back of the renewables projects we have on our doorstep.

To make sure these opportunities are realised council has to stop being a road block and be an enabler.

Susan Armstead

Uralla Shire Council 25 August Council Business paper

“It is Council’s commitment to the community to continuously improve its communication and to seek opportunities to inform, request feedback, and involve the community in its decision making through consultation. Providing the public with accurate and timely information, seeking public feedback and participation, and working directly with the public to address concerns are the key steps in Council’s strategy for robust community engagement.”

This forum is timely in regard to the Council’s stated commitment. Thank you to the Uralla Shire Business Chamber for initiating it.

I moved to Uralla in 2014 because of work. Approaching retirement, I sold the coast home to remain in what I thought was a vibrant community which supported innovation, with a can-do attitude in the face of severe adversity, the drought, fires, and COVID 19. A community where difference and robust views are celebrated, a community that isn’t waiting for the powers-that-be to tell them what to do but one driving innovation at small and large scale.

We are not snapping back to the old – business has changed, consumers have changed. On line retail is not new which is significant for rural and regional NSW as the Buy from the Bush movement clearly demonstrates. It is particularly significant for women’s financial independence and the security of their families as like it or not, it is women who remain substantively at home with domestic and childcare responsibilities. Who would dispute a woman’s right to access financial independence? The capacity for economic growth driven by a small community, money remaining in that community and supporting local employment has been clearly shown through the COVID 19 emergency. It does take a village. We are the village to support each other.

There is no easily accessed published reports indicating any home-based business in the shire was negatively impacting upon their neighbour’s amenity or offering a service that negatively impacted on Uralla retail shop fronts. It is unclear what led to Council’s decision and subsequent uncertainty for home-based businesses.

None of Council’s published business papers and minutes from 5 May to 28 July this year record the new definition of retail adopted by Council until provided by the General Manager in her report tabled to Council on 25 August (found at p 385).

- When did Council debate the issue between 5 May and 28 July 2020 before moving the relevant decision?
- If the matter was not tabled, debated, moved and properly documented for accountability and transparency by Council on what date was the matter delegated to the General Manager?

- If it was delegated, where is this recorded and what Council policies were used to guide the decision?
- Can Council show through any business papers, set of minutes or other documentation that the decision or policy was made by Council before Council staff enacted the new definition of retail?
- If no delegation occurred, who was the decision maker and under what circumstances did that person make the decision?
- When will the legal advice supporting the decision be tabled?
- Why wasn't community consultation included in the four workshops on 22 September 2020, 29 September 2020, 6 October 2020, and 13 October 2020 addressing the matter? See below.
 - Strategy 4.1.2 *Engage with the community effectively and use community input to inform decision making*
 - Activity 4.1.2.1 *Incorporate inclusive community consultation and stakeholder engagement in Council decision making*

In keeping with the Council's goal 4.1 *A strong, accountable and representative Council* my constructive suggestions to this forum come in question format.

1. The General Manger's 25 August report to Council states - *"An examination of why retail is currently not permitted in certain zones would enable Council to consider how the current permitted activities, compared to those not permitted, create controls to maintain amenity."*

What examination of the matter occurred before the adoption by Council on October 27 of the internal procedure document to guide staff in the interpretation of statutory instruments and regulation of home-based enterprises and how was the community informed of such an examination so as to provide input per the Council's strategy 4.1.2 *Engage with the community effectively and use community input to inform decision making?*

Discretionary decision making does not give clear direction or certainty for establishing new businesses. Discretion can change depending on who is in the seat. Discretion is a dangerous tool to wield when legal advice only describes what is 'possible'. Anything is possible.

I ask the Uralla Shire Business Chamber to pursue certainty for innovation.

2. In the spirit of developing a broad vision for New England economic activity to benefit all, will the Uralla Shire Business Chamber inform its colleague chambers of the Macquarie Dictionary definition of retail so that small businesses across the region will not find themselves subject to potential legal action should other Shire Councils adopt the same model?

3. When will the Chamber establish regular workshops for new home-based businesses so they will understand Uralla Shire Council has established a discretionary model of approval for potential economic development which is not published on its website and how they can navigate the possibilities of discretionary powers?

Jayson Ketley
Subject: Letter

I want to bring your attention to a number of multi-dwelling development proposals that are currently being considered in our Local Government Area.

Jayson & Samantha Ketley - Propose to develop four three-bedroom town houses at 8 Hunter Place.

Daniel Brown - Proposal of eight by two to three-bedroom units in 7 Plane Avenue.

Myles Doran - Proposal of six town houses at 48 Maitland Street

Matt & Leigh Campbell - Proposal of three two-bedroom units at 60 Hill Street.

It has been advised by council that water pressure/volume available in existing council water infrastructure is not sufficient to fight fires in future multi-unit developments. It is council's proposal that each developer provide facilities to upgrade this capacity to fight fires at a large cost to each developer. The most basic infrastructure to meet the development application requirement is a 50,000L water tank, that must be above ground, and two high-pressure diesel pumps. This exceeds \$60,000 per development to install with ongoing costs for servicing as well as land space consumed by this infrastructure and some of the above developments will require redesign to cater for this extra requirement.

It is our view that this cost should not be at the cost to the developer. Surely this is a service that should be provided by the council as a one-off cost to government, allowing fewer budget challenges to the developer and greater affordability, more efficient land use as well as encouraging future growth. This newly developed policy has already halted at least two of these proposals from commencing construction.

We are looking to work with Council for an immediate and cost-effective resolution to enable these developments to progress to construction phase. We suggest that Council seek prices to upgrade this basic essential service to provide affordable future development of our town and enable future developers a simplified DA process.

RICHARD CROFT

Good evening, my name is Richard Croft, I have a farm out on the Salisbury Plain where I am partially retired while ever my daughter stops asking me to do jobs.

My attitude to the issues with Council boils down to a couple of things I have experienced in other councils, including the dreaded Armidale Council, to a small degree Tamworth Council and also Moree Council where I was told I shouldn't even bother to go there.

So, in the case of all of them, and some of them were multi-million dollar plans (a couple of them became fact) we went to the council before we started and said right, this is what we want to do. One of them was a very large bulk grain service at Moree which unfortunately we had to sell because we didn't have enough capital to keep it going to the level it is. It has now been sold by the Broadbank Group to Manildra Grain where it will be a major business on the inland rail.

The other one was a property development in Armidale. The bank said if the interest rates go above 13% we will have to pull out. We just laughed. When they got to 13% we got out quick. They went o 19%. So, there are ways and means.

The other one we did was in Uralla, we did two in Uralla. One is where Pursehouse is, we ran a similar business there for many years. We also built the bulk shed you go past at the tip. Every time I go there, I cry. I cannot believe someone could leave such a mess. It is unbelievable and for the sake of this council get in there and make them clean it up. I have no right to do that, you have.

Because that business has a fully functional weighbridge which we were using as a service to anybody who came in. We were charging a fee, a standard sort of thing. In that business we were turning over bulk fertilizer and bagged fertilizer that we bought in from elsewhere as no one in Uralla makes fertilizer. Some of it came from across the world as all fertilizer does but we brought it up here, all the way from Victoria to start with then eventually form Newcastle when they opened up there.

That was a great service so far as I am concerned. We were supplying fertilizer on farm. It was costing people about \$30.00 per tonne to put it out. WE brought in competition and got it down to \$19 per ton. That started as a little business sitting in the main street of Uralla. Having ideas has been one of my faults. I can't help getting an idea and wanting to do something with it.

So for all of you I am going to say this to the council, and it will be three lines:

Can't is not a goal

How is a goal

What can we do, is an action

If council follows those three lines I'm sure the sort of problems I have heard here tonight will be covered.

I am here tonight on behalf of NSW Farmers. I have to say there are some issues we have discussed with council about zoning issues. I think I will leave that as we have had a reply from the Acting General Manager. I didn't know we had two General Managers, but we will let that lie. I've spoken to the Mayor about it and we will see how that rides. What we saw in a proposal has some bad holes in it. It would have altered zoning in many areas around Uralla and enabled all sorts of odd operations going on in what is prime agricultural land.

Anyway, three lines, that's it, thank you

SUSAN SMITH

My name is Susan Smith and as the operator of a home-based industry, being a maker, a grower, a craftsperson, and a primary producer, I have followed closely the ongoing saga with USC in relation to the definition of “**retail**” and the right to sell from home. Like many others, I am confused.... not sure whether I can have a garage sale, sell a cow on line, or even negotiate sales over the phone.

It seems the USC staff have chosen to adopt a strictly literal, narrow interpretation of the legislation. Whilst such a narrow interpretation of the definition of “retail” may suggest that *retail from home* is probably not permitted as part of a *home-based business, home industry or home occupation*, those empowered to interpret legislation – usually the judiciary – have and do exercise discretion to interpret the law more broadly, in the context of its purpose and the society in which it operates.

In terms of societal context the harsh reality is that economic and social conditions and retail practices are changing rapidly and the current legislation fails to acknowledge these changes. On the back of a record drought and devastating bushfires, a COVID pandemic and a recession, the need for many people to operate business from home goes without saying – **just to have a job!** In the majority of cases, such operations, including selling from home, has no impact on the amenity of the area – that is, the ways, the features, the facilities, or the services of the area. In a recent letter to a Uralla business person, our state member of parliament, Mr. Adam Marshall, stated, and I quote:

“ultimately it is at council’s discretion how to enforce what they perceived as breaches of planning law – they are not obliged to take compliance or enforcement action”

I would ask the question: Does that mean that the staff make the determination, or is that the role of the elected councillors?

Does it also mean that given that discretion, council staff can pick and choose **who** and **when** they target? I think not! As things stand we have a unique situation in Uralla – in fact we are probably the only shire in Australia where we have council staff with questionable legal knowledge and expertise who have assumed the right to override one of the most fundamental principles of the rule of law – that is: **equality under the law**.

The application of their interpretation has not been universal. It has been applied to just one individual rather than all offenders. That is not **equality**. On the face of it, one might be excused for thinking that discrimination, victimisation, personal vendettas may involved. Such is not our call. We have courts and anti-discrimination boards to deal with such issues. Where we as ratepayers become involved is when our council funds are directed to paying hefty consultancy and legal fees. Such money could be better spend.

As a constructive way forward I make the following recommendations:

1. ***Urge Adam Marshall, Member for Northern Tablelands, to raise, once again, with the Minister for Planning, the Honourable Rob Stokes, MP, immediate need to amend the legislation so that it is relevant to changing societal needs, specifically the metamorphosis of retail practice.***

Such legislation must take into account the difficulties many people are facing in trying to have a job, to make ends meet and trying to avoid dragging on the welfare dollar. It must not be seen as yet another money-grabbing opportunity for local government.

2. ***Until such time as the NSW Parliament amends the legislation to ensure its relevance to the changing nature of retail, and clarifies the definition – removing any room for interpretation by***

local government employees with limited legal expertise, that the USC exercise their discretion and not exercise compliance and enforcement action.

Failure to do this simply creates an environment favouring undercover, black-market operations, and the stifling of incentive, for which we don't want our town, our shire, to become infamous.

NICOLA WILKINS

It was with great concern and disbelief that I read an email from Tara and Andrew Toomey informing us of Uralla Council proposal to ban small businesses operating from home premises.

I would like to formally express my concern with the stand that has been taken by the Director of Planning, supposedly serving the Uralla Shire. From what was a small, home based cottage industry, I have grown a successful storefront business on the main street of Uralla, I know how hard it is to start a small business.

In the present circumstances I cannot think of a more disruptive and damaging blow to so many people already trying to cope in this time of Covid-19 and all the uncertainty and anxiety it plagues us with. Do these employees of the Uralla people not have the insight to realise the outcome if indeed they succeed with this insane and unfair regulation? Have they really thought it through? – I doubt it.

Thousands of people have worked and made a living by working from home. Tara and Andrew are an example of people who have built a successful home based business and are committed to their community.

The time and energy needed to organise the Seasons of New England Festival is proof enough of the commitment Tara and Andrew have for their community. The positive flow on for the local businesses on this weekend is huge. Now this short sighted group who really should know better, plan to come in and destroy it all.

In the August Uralla Council monthly newsletter Mayor Michael Pearce wrote.

‘We are committed to creating a unique environment which offers an excellent quality of life and economic opportunities for the community’.

Those words don’t give us any confidence in the present climate, they come across as lip service and nothing more.

I would encourage the Director of Planning and the others behind this proposal to take a good hard look at why they believe this to be of benefit to the community of Uralla Shire. They may just find it stems from a personal vendetta.

Can this country support thousands more on social security. I doubt it but this is the outcome if Uralla Council’s succeeds.

I am to believe the people involved are employed by council and therefore paid by the rate payers of the Uralla shire.

What are they thinking?

Yours in exasperation

Nicola Wilkins

Uralla Wool Room

DAVID MAILLER

Thank you for the opportunity to speak tonight. I'm a blow in. My wife and I came up here in 2008, liked the look of the place. There is a whole lot going on here with the benefits of climate, education, communication, the natural beauty of the place, agriculture, the heritage, the history, the people.

I got involved with NSW Farmers and a couple of other local groups and immediately launched into an amalgamation resistance process and this community came together in a way that it has demonstrated tonight, again when under pressure and it not being responded to in the way it expects to be responded to. It has come together to demonstrate that it is not good enough.

I won't go into, and most of the speakers have talked about the problems. What I will do is sum up the issue. The issue is that we have a council that is applying regulation as its role and responsibility. Its obligation to this community is not to impose regulation on this community, it is to facilitate this community's aspirations going forward. That is the simple scenario. That is the simple solution to this problem.

I was told tonight that it is a risk for me to stand up here as I have a development application pending. I had a long talk to my business partner about the risk and we decided our obligation and responsibility is to stand up to a potential threat and take it to the nth degree.

At this stage my feeling is there has to be a message to the councillors and Mayor.

There needs to be systematic, long term change at the operational level in this council. They need to be held to account for the aspirations of this community. What I see in this community is innovation, adaptability and a whole heap of people who have invested in the welfare and the growth of this town, this shire. That is what I see. OK, and if our council staff in particular can't get on board with that they need to go.

ADAM MARSHALL

Thanks very much to the Business chamber for organising tonight and the mayor and councillors who have turned up tonight and of course all of you.

I was in two minds as to whether I would say anything at all, but I want to say a few things. To briefly sum up and respond to a few of the comments.

James took a few of the things I was going to say.

When Tara and Andrew first raised this issue with me a little while ago, it brought a flood of memories back about my time as mayor of Gunnedah Shire Council dealing with a sort of similar issue of home occupation, home industry and home business and a lot of things that have been said about why it is not defined clearly and applied across the whole State for every LEP.

There is actually a very good reason why it is not, and that is because Sutherland is very different from Uralla, which is different from Moree, which is different from Tamworth, which is different from Albury.

There is a reason why in the Standard LEP Instrument there is a whole lot of very minutiae in terms of strict interpretation while there are other areas that are silent to allow each local government authority to draw their own interpretation.

As each area is different and to give that authority through their local representatives to chart their own course and not be forced into a one fits all approach because overall the State is very diverse and we need to be sure local planning decisions are genuine local planning decisions, not decisions that have been handed down from the ivory tower in Macquarie Street, Sydney.

In saying that I have read right through the Standard LEP instrument. I am very familiar with that and I have become even more familiar with the Uralla LEP 2012, particularly certain sections of it.

Can I just say from my perspective, and I have argued this with the General Manager and others, there is nothing, there is nothing in the Uralla shire Council Local Environment PLAN 2012, absolutely nothing that prohibits on line sales of products, even not manufactured at the premises in the home business, home industry, home occupation exemption categories. There is nothing in the LEP that says that.

So, the question is why has this presented itself now? Why has it presented in the way it has and how was the decision reached to get to this point? And to answer that, and I say this with absolutely no malice at all, the principle by which Local Government, and James Treloar knows this very well, is structured under the Local Government Act is that you have a General Manager and council staff and that you have a Governing Body which represents all of you, on the Council. The governing body runs the show, not the General Manager and staff. To make this simple it is like an old ancient Roman Trireme or rowing ship. The councillors are at the helm, they steer the ship. The staff and GM row.

THE ROWERS NEVER STEER AND THE STEEREERS NEVER ROW.

This is an important distinction to make. Councillors are not there to make operational decisions and operational people can't make policy decisions or the political decisions. Just in my opinion, if there is to be a change in policy in the interpretation of the LEP, that decision cannot be made by the Rowers. That is a policy decision that has to be made by the Steerers. They are the body that sets policy. The Rowers implement that policy.

The Steerers say this is where we are going and the Rowers then have to row the boat to get to that destination. You cannot confuse the roles. That is just my interpretation of what is happening.

As James said the solution rests within this room, broadly within this community.

If there is to be a reset of, and a more liberal interpretation applied to home retail, as you can see in other local government areas it is a simple matter, in my humble opinion. The steerers say to the rowers, "sorry we are changing course now. This is where we are going, will you please row us there' and that is how decisions get made and decisions get implemented.

There was a comment made that the State government should change legislation or have very strict interpretation. If that is really what you want then as your local State Representative, I will argue for that. However, I would caution against that because you do not want the State or Commonwealth Governments into your lives to regulate how you should make decisions about what is good for this community or what is not. You guys know what is best for your community and the decisions should be made as close as possible to the community, not be people in Macquarie Street or Canberra. I urge you, that if you invite the Planning Minister, as nice a person as he is, or the parliament of NSW, and there are even some good people there as well, into to decide what happens on this issue in Uralla you may be very disappointed with the decision that comes back.

Instead work together, with the Chamber, with the council, with your elected councillors and drive a better policy outcome which the staff are then obligated under law to implement. They cannot make that decision for you. They cannot make that decision for anyone else. The councillors make the decision, the policy determination and the staff are obligated to enforce it. While certain staff will argue with me about my views on many things, one of the things they can't argue about is in Black and white in the Local Government Act. Right at the very beginning as to how councils are structured, Part 3 ? I can't quite remember. That is very clear.

So, my last thoughts of the evening. There has been a lot of very constructive things said tonight. I hope they are taken up and I am happy to play my role, but I think the solution lies in a policy decision to relax or determine a different interpretation., then staff have to simply implement that decision.

The rowers can only row the ship where the steerers steer it. They cannot vary it. Like a train running on its tracks, the governing body lays the tracks in a certain direction. It cannot vary, it cannot vary and it must not vary and that is the way the system works. Well it is supposed to work that way.

I will just leave you with that. I hope a solution can be found and I look forward to that.

Appendix 2: Submissions from individuals who could not attend the meeting.

Jann Karp

Congratulations to Mr Crouch and his committee,

On engaging the community and rate payers on the important questions that relate to the ongoing development of Uralla. I have submitted the following list of questions for consideration.

I hope that my questions can be put to Uralla Council's General Manger, in writing or at the meeting.

Questions:

1. Will there be an audit conducted on the management responses that would provide evidence of the approach Uralla council is formally taking in the retail/business/development sector? The audit may answer the following questions: Are responses by managers to building and retail inquires **consistent across subjects raised**.. in summary no matter who is making an inquiry are similar answers provided?

This would reveal to council how the legislation and current or ongoing retail and business policy is applied in the shire. For this audit to occur the General Manager could if she requested audit her own staff, by requesting, a sample of responses in relation to those attending the public meeting by subject matter.

This would provide more factual evidence than just a general report of discontent. Perhaps formalised complaints have been lodged and could be analysed by her.

2. If appropriate consultation is a significant issue, can the audit include, an account of how conversations between community members are being conducted, are building and retail sites being visited? Are the managers of council out of the office and engaging with the community... this factual evidence could be achieved by again, a conversation with council mangers about their daily work activities as they are aligned with their job description.

An example of that question might be: this week who have you spoken face to face to? What was the main issue? What did you do in response to that inquiry? Is that consistent with Council legislation and policy?

3. Question for the general manager.

Why does the council not have a fulltime Building and Health Inspector?

4. Are exit interviews conducted with council staff leaving the organisation and if so, is there a trend, in those interviews that contains concerns re retail, business or in fact, suggestions to improve business and council relationships. Given that any information contained in such an interview would be confidential.

The question stands are exit interviews provided so that who people do resign have a voice if they choose to?

(This perhaps is part of the job description of a general manager).

5. Finally, how much has Uralla Council spent in the last two years on consultants specifically in terms of the business and retail sector?
What is the total amount and what were the outcomes?
Did this money spent improve council and business relationships? So that Uralla and surrounds can move strategically forward?

Kindest Regards

Dr Jann Karp
Rocky River.

Tim Youman

Dear Secretary,

I would like to raise some issues that I have had with Council,

- In 2018, I raised concerns with Council regarding procurement policies as there was a number of civil projects proceeding in Uralla which none of the local engineering firms were invited to or aware of an advertising for tendering opportunities. When Council was queried, we were informed our company was not regarded as having the required skills. Furthermore, when this issue was raised with the Mayor and General Manager they seem uninterested as I never received any replies to my correspondence.
- I was approach by a developer of a multi lot development who informed me that during a site meeting with Council an off the cuff comment was made about possible contamination issues even though there was no mention in the conditions of development and council could not provide any record. Fortunately when pressured council retracted that statement. If this statement was not retracted, Council's loose comment could of potentially costed the developer a minimum of \$5 000 for a preliminary contamination assessment.
- I currently have a development application with Council whom have insisted on a condition of kerb and gutter when the evidence I have given proves that it will not benefit the area. In my opinion council is applying the guidelines of the development control plan as a firm blanket rule when there is sometimes exceptions based on the merits of individual sites. Council reasons to not vary this standard was they did not want to favour one development over another which is a ludicrous comment.

It is a pity that when I originally raised some issues back in 2018 with senior staff and councillors that I did not receive any responses except for acknowledgements.

I have been approached by a number of developers / builders who all have had difficulties with Council with approvals or just getting basic information / advice for them to act on.

Regards,

Tim

APPENDIX 3: Hypothetical situations for addressing by Council

What I want to do:

1. I have designed a prototype of a product and I am now looking to have manufactured, possibly overseas, and then to sell it online throughout Australia if not the world. It is relatively small (100mm cubed). I will be receiving them in batches of 1000 and generally selling as single units.

I want to use our garage to store and pack the product for distribution

Zone: Residential

2. I am putting together packages of local produce (salami, tea towels, jam, confectionary, soap) to sell at farmers markets, by home delivery and on line.

Zone: Residential

3. I started out making clothes to my designs but the demand has got too great for me to do all the work, so I now have some of my neighbours sewing for me. I sometimes have people visit our house for fittings and to pick up the finished product however I generally sell at markets and on line.

Zone: Rural

4. I have designed a line of shirts that I have organised to have manufactured overseas. For an additional cost I often embroider a company logo on the shirts. They are generally sold on line.

Zone: Rural

5. I want to make frozen meals for sale at farmers markets and home delivery.

Zone: Residential

6. I want to set up a professional office at home that will have clients coming in about every half hour.

Zone: Residential

7. If the season is good, I will be making some jam for sale at farmers markets.

Zone: Rural

8. I buy small electronic products in bulk from China, and resell as single components over the internet.

Zone: Residential

9. I buy small electronic products in bulk from China, I put my logo on them, repackage as single components and resell over the internet.

Zone: Residential

10. I am putting together packages of local produce (prints, greeting cards, tea towels, skin care products, soap) to sell at farmers markets, by home delivery and on line.

Zone: Large lor residential

11. I am making makeup and skin care products for sale from home, at farmers markets and on line.

Zone: Large lor residential

12. I am selling our surplus eggs at farmers markets

Zone: Large lor residential

13. I am selling honey produced by my bees from home

Zone: Rural

14. I sell firewood from a large lot residential block. I stockpile the cut wood on the site and sell it usually by the trailer load or I deliver it.

Zone: Large lot residential