



## EXTRAORDINARY MEETING OF COUNCIL

**Held at 7:00pm  
On 20 October 2011**

### **Councillors:**

Cr I Strutt (Mayor)  
Cr M Pearce (Deputy Mayor)  
Cr K Dusting  
Cr M Dusting  
Cr R Filmer  
Cr S Powley  
Cr R Spreadborough  
Cr K Ward  
Cr L Wilson

### **Attendees:**

Mr T O'Connor, General Manager  
Mr R Bell, Director of Engineering Services  
Mrs J Michie, Director of Administrative Services  
Mr W Sellings, Manager of Health and Building Services  
Ms L Cumming, Manager of Planning  
Mr P Steedman, Minute Clerk

MINUTES

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Assignment of Action Items

GLOSSARY OF ACTION OWNERS	
<b>GM</b>	Mr T O'Connor, General Manager
<b>DES</b>	Mr R Bell, Director of Engineering Services
<b>DAS</b>	Ms J Michie, Director of Administrative Services
<b>MHBS</b>	Mr W Sellings, Manager of Health and Building Services
<b>MP</b>	Ms L Cumming, Manager of Planning
<b>EA</b>	Mr P Steedman, Executive Assistant

*The Chair declared the meeting open at 7:00pm.*

## **ATTENDANCE**

Present were the Chairperson Cr I Strutt, (Mayor), Cr M Pearce, (Deputy Mayor) and Councillors R Filmer, S Powley, R Spreadborough, K Ward, General Manager (Mr T O'Connor), Director of Engineering Services (Mr R Bell), Manager of Planning (Ms L Cumming), Minute Clerk (Mr P Steedman).

## **PRAYER**

## **ACKNOWLEDGEMENT TO COUNTRY**

## **APOLOGY**

Apologies were tabled for Cr K Dusting and Cr M Dusting, currently on Leave of Absence approved at the meeting of 27 June 2011 for the period 9 September 2011 to 25 October 2011, Cr L Wilson, and Border Rivers-Gwydir Catchment Management Authority (CMA) Representative, Ms Amanda Bigelow.

### **378/11 MOVED/ CARRIED (Crs R Spreadborough / K Ward)**

That the apologies for Cr k Dusting, Cr M Dusting currently on Leave of Absence approved at the meeting of 27 June 2011 for the period 9 September 2011 to 25 October 2011, Cr L Wilson, and CMA Representative Ms Amanda Bigelow be accepted.

## **DECLARATIONS OF CONFLICT OF INTEREST**

At request of the Chair, the Minute Clerk tabled details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to this meeting.

<b>Submitted By:</b>	<b>Interest Declared:</b>
<i>Dr. J. Wolfenden, John Wolfeneden Consulting</i>	<i>Non-Pecuniary interest as a former employee of a business organisation named within and making formal Submission and Presentation to Council in relation to Item 1 of the General Manager's Planning Services Report to the Extraordinary Meeting.</i>

## **PURPOSE OF THE EXTRAORDINARY MEETING**

*The Chair advised that the purpose of the Extraordinary Meeting was for Council to give consideration to the following items:*

- Submissions to the Draft Uralla Local Environmental Plan (LEP) to enable its finalisation.
- The Draft Uralla Development Control Plan (DCP) for Placement on Public Exhibition.

## PRESENTATIONS TO COUNCIL [7:10pm]

### Have Your Say (Part 1)

#### Speakers in Order of Presentation:

*The Chair introduced the Speakers in order of Presentation as follows:-*

- ❑ Mr & Mrs Bruce & Lara Stephenson
- ❑ Mr A C Spinks
- ❑ Mr Brian Shaw
- ❑ Mr & Mrs Ted & Sonia Williams
- ❑ Ms Sonia Williams
- ❑ Mr & Mrs Ron & Paddy Shaw
- ❑ Mr & Mrs Darren & Nicole Acton  
*- advised as withdrawn, 20/10/11 @ 10:10am*
- ❑ ~~Border Rivers Gwydir CMA (Ms Amanda Bigelow)~~  
*- advised as withdrawn, 20/10/11 @ 9:15am*

*The Chair announced a delay in arrival of the remaining Speakers and advised that Agenda Item 2 of the General Manager's Planning Services Report would therefore be brought forward for consideration.*

#### PROCEDURAL MOTION

##### 379/11 **MOVED/ CARRIED (Crs R Spreadborough / M Pearce)**

That Item 2 of the General Manager's Planning Services Report be brought forward for Council consideration.

## STAFF REPORTS

### GENERAL MANAGER'S REPORT

#### Planning Services

##### Item 2

**Draft Uralla Development Control Plan (DCP) 2011**  
U07/6412

##### 380/11 **MOVED/ CARRIED (Crs R Spreadborough / S Powley)**

That Council:

1. Place the draft Uralla Development Control Plan October 2011 on public exhibition as per the provisions of the *Environmental Planning and Assessment Regulation 2000*.
2. Advise the residents of Bundarra about the results of the survey carried out to ascertain the flood planning level.

**MP**

*The Chair called for a brief Adjournment pending final arrival of the remaining Speakers.*

### **ADJOURNMENT [7:50 - 8:05pm]**

**381/11 MOVED/ CARRIED (Crs M Pearce / S Powley)**

That Council break for a 15 minute Adjournment (7:50 - 8:05pm)

*The Meeting resumed at 8:05pm*

### **DISCUSSION IN COMMITTEE**

#### **PROCEDURAL MOTION**

#### **Draft Uralla Local Environmental Plan (LEP) 2011**

**382/11 MOVED/ CARRIED (Crs R Spreadborough / K Ward)**

That Council move to a Committee of the Whole, to discuss the Draft Uralla Local Environmental Plan 2011.

*Councillors held a detailed discussion in relation to the Draft Uralla Local Environmental Plan with input provided by the General Manager, Director of Engineering Services and Manager of Planning.*

#### **PROCEDURAL MOTION**

**383/11 MOVED/ CARRIED (Crs R Spreadborough / M Pearce)**

That Council resume Standing Orders.

*The General Manager reported that there were no Motions to be considered from the Committee of the Whole.*

### **PRESENTATIONS TO COUNCIL (CONTINUED) [8:30pm]**

#### **Have Your Say (Part 2)**

#### **Speakers in Order of Presentation:**

*The Chair introduced the remaining Speakers in order of Presentation as follows:-*

- ❑ Phoenix Foundry (Mr R J Rudd)
- ❑ Uralla Arts Council (Mr R J Rudd)

*Cr R Spreadborough left the meeting at 8:38pm and returned at 8:44pm.*

- ❑ Wakefield Planning (Mr Angus Witherby)

*The Chair thanked the Speakers for their Presentations to Council.*

## STAFF REPORTS (continued)

### GENERAL MANAGER'S REPORT

#### Planning Services

##### Item 1 DIVISION DECISION

##### Draft Uralla Local Environmental Plan 2011

U07/176

#### 384/11 **MOVED/ CARRIED (Crs R Spreadborough / M Pearce)**

That Council:

1. Acknowledge all submissions individually by replying to the content of the submission and advising Council's resolution.
2. Accept the recommendations of independent planning consultant Dr John Wolfenden in regard to the submissions received during the draft Uralla Local Environmental Plan exhibition.
3. Adopt the *Draft Uralla Local Environmental Plan June 2011* with the following changes:
  - a) secondary dwellings to be a permitted use in the B2 zone,
  - b) alter the minimum lot size map to show a minimum lot size of 10 hectares on the residue of Lot 225 DP 755846 being the area zoned RU1,
  - c) prohibit animal boarding or training establishments in zones E3 and E4,
  - d) correct the matrix and land use table in regard to the permissibility of extensive agriculture,
  - e) change the land zoned E3 directly west of the R5 zoned land known as Invergowrie to E4,
  - f) correct the matrix table where necessary to reflect the above changes, and
  - g) the maps associated with the written instrument be amended as necessary to reflect the above changes.
4. Hold discussions with the Department of Planning and Infrastructure and the following submission makers in regard to further investigation of the issues raised with the view to the possibility of inclusion in a future planning proposal:
  - a) Border Rivers Catchment Management Authority
  - b) Department of Primary Industries
  - c) Northern Rivers Catchment Management Authority
  - d) Road Traffic Authority
5. Advise the following submission makers that it will consider the content of their submission as part of the strategic investigation for future development of their land as per the recommendations of the *New England Development Strategy 2010*, in a future planning proposal to be prepared by Council:
  - a) S and B Casey
  - b) R Chandler
  - c) Hawkins Hook on behalf of clients
  - d) T and C Redden
  - e) B and L Stephenson
  - f) P Swilks

Continued /...

6. Undertake a review on the availability of existing industrial land and conduct an investigation to identify areas suitable for future potential industrial uses.
7. Advise D and J Heagney that their request for the land known as Lot 12 DP 529709 will be considered by way of a future planning proposal after further investigation of the history of their land and the holding in which this land belongs, as an entirety has been undertaken.
8. Advise Wakefield Planning on behalf of their clients, that as their request for rezoning of the land known as Lot 201 DP 1074880 falls outside of the strategic direction and recommendations of the *New England Development Strategy 2010*, any rezoning of the land would be subject to a separate planning proposal.
9. Advise T and S Williams that as their request for rezoning of the land known as Lots 82, 86, and 90 DP 1298816, Lots 102, 94, and 98 DP 129817, Lot 106 DP 129818, Lots 101, 105, 109, 113, 85, 89, 93 and 97 DP 3378 falls outside of the strategic direction and recommendations of the *New England Development Strategy 2010*, any rezoning of the land would be subject to a separate planning proposal, which is to contain significant planning justification for the shift of focus from the land use being industrial to residential.
10. Undertake a full strategic review of the land zoned R5 in the Invergowrie Saumarez Ponds area as to its development potential and viability if the amount of land zoned R5 is increased and the lot density increased as a result.
11. Ensure any development of land zoned R2 which immediately adjoins Lot 842 DP 857745 have a buffer area of 50 metres. That buffer area is to have suitable vegetative screening planted. The type and nature of the vegetative screening is to be determined at the time of submission of a development application for subdivision.
12. Hold discussions with the Department of Planning and Infrastructure regarding the use of extensive agriculture in E zones being a mandatory use in relation to change in a future planning proposal.
13. Make arrangements for the Draft Uralla Local Environmental Plan 2011 to be forwarded to the Parliamentary Counsel via the Department of Planning and Infrastructure with a report under Section 68 of the *Environmental Planning and Assessment Act 1979* certifying that in Council's opinion the plan can legally be made.
14. Grant delegation to the General Manager to make any minor alterations requested as being necessary by Parliamentary Counsel to enable the finalisation of the Draft Uralla Local Environmental Plan 2011.
15. Request the Director of Technical Services to investigate the dust issues in Lawson's Road; and
16. Advise R and P Shaw that their request for a Building Entitlement on the land known as Lot 10 DP 629165 will be considered by way of a future planning proposal after further investigation has been undertaken.

MP

***A Division was called and the result was as follows:******FOR:*** R Filmer, M Pearce, S Powley, R Spreadborough, I Strutt, K Ward.***AGAINST:*** Nil***ABSENT:*** K Dusting, M Dusting, L Wilson.

*There being no further business, the Chair declared the meeting closed at 8:55pm.*

**CLOSURE OF MEETING**

*The Meeting closed at 08:55pm.*

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The Minutes of the Uralla Shire Council at an Extraordinary Meeting of Council held on 20 October 2011, consisting of Page 8 and the previous pages, were confirmed by Resolution No. 438/11 on 28 November 2011

.....Mayor