



## ORDINARY MEETING OF COUNCIL

**Held at 12 noon  
On 28 February 2011**

### **Councillors:**

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

### **Attendees:**

Mr R Bell, Acting General Manager and 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  
Mrs C Cooper, Acting Minute Clerk

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.....Mayor

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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

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This is Page 4 of the Minutes of Uralla Shire Council at an Ordinary Meeting of Council held on 28 February 2011

.....Mayor

## ATTENDANCE

Present were the Chairperson Cr K Ward (Mayor), Cr M Pearce, (Deputy Mayor) and Councillors K Disting, M Disting, R Filmer, S Powley, I Strutt, Acting General Manager and Director of Engineering Services (Mr R Bell), Director of Administrative Services (Mrs J Michie), Manager of Health and Building Services (Mr W Sellings), Manager of Planning (Ms L Cumming), Acting Minute Clerk (Mrs C Cooper).

## PRAYER

## APOLOGY

An Apology was tabled for Cr L Wilson.

Apologies were also tabled for the General Manager (Mr T O'Connor) – on Leave and Minute Clerk (Mr P Steedman) – on Leave.

**37/11 MOVED/ CARRIED (Crs M Disting / R Filmer )**

That apologies for Cr L Wilson, the General Manager and Minute Clerk be accepted.

## CONFIRMATION OF MINUTES

Ordinary Meeting of 24 January 2011

*The following amendments were requested to the Minutes of the Ordinary Council Meeting dated 24 January 2011:*

*Mayoral Minute - Page 6 – Reference to Cr M Disting's Declarations of Conflict of Interest should be deleted since this was only an enquiry not a declaration.*

*Delegates Report – Cr M Disting - Page 17- 20 December 2010 Activity should read "New England Weeds County Council, Armidale".*

EA

**38/11 MOVED/ CARRIED (Crs M Disting / I Strutt )**

That the Minutes of the Ordinary Meeting held on 24 January 2011 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

Closed Session of Ordinary Meeting of 24 January 2011

*The following amendment was requested to the Minutes of the Closed Session of the Ordinary Meeting dated 24 January 2011:*

*Attendance Page 3 – Cr R Filmer's attendance to be listed.*

EA

**39/11 MOVED/ CARRIED (Crs I Strutt / M Pearce)**

That the Minutes of the Closed Session of the Ordinary Meeting held on 24 January 2011 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

**DECLARATIONS OF CONFLICT OF INTEREST**

The Minute Clerk had not received any details of pecuniary or non-pecuniary Conflict of Interest Declarations in relation to this meeting.

**MATTERS ARISING FROM THE MINUTES**

Ordinary Meeting of 24 January 2011

*From Page 5 - Cr R Filmer made enquiry as to the progression of the Council gathering. Cr Pearce commented he had spoken with Cr Hietbrink but received little indication of positive feedback.*

*Cr Spreadborough requested an informal invitation be sent.*

*It was agreed that Council endeavour to arrange such gathering prior to the meeting with Stephen Orr of Department Local Government who is visiting all three Councils on 16 March 2011. The Acting General Manager advised that information on the meeting with the Department of Local Government has been requested but not received to date. Any information received will be disseminated immediately to Councillors.*

**GM**

**40/11 MOVED/ CARRIED (Crs R Filmer / R Spreadborough)**

That Council invite the Mayors and Councillors from Armidale and Guyra Councils to attend an informal gathering on Thursday, 10 March 2011 at 5:00pm to discuss the meeting with Steven Orr from Division of Local Government on Wednesday, 16 March 2011.

**GM**

Closed Session of Ordinary Meeting of 24 January 2011

*Nil*

**QUESTIONS ON-NOTICE**

**Questions Raised at the 24 January 2011 Meeting of Council:**

At the 24 January 2011 Meeting, Councillors raised the following "Questions On-Notice" for response at the 28 February 2011 Meeting of Council:

Cr L Wilson

**QUESTION:**

Truck Speed

*Can more be done to reduce the speed of trucks in Bridge Street?*

**DES**

**RESPONSE**

This matter will be referred to the next Uralla Local Traffic Committee for discussion. Recent traffic classifier testing carried out by the RTA should also highlight the actual speeds in Bridge Street.

Cr I Strutt

**QUESTION:**

Questions to National General Assembly

*Is Uralla Shire Council putting up motions to the National General Assembly in June 2011?*

**GM**

**RESPONSE**

To be referred to the General Manager on his return from leave with a response to be provided at the March 2011 meeting of Council.

Cr R Filmer

**QUESTION:**

Water Break Reporting

*Could Council receive a report on water breaks for the last 6 month period?*

**DES**

**RESPONSE**

The Director of Engineering Services will prepare a report for the February 2011 meeting.

**QUESTION:**

Country Council Meetings -Welcome/Acknowledgement

*Is the Welcome/Acknowledgement to Country at Council Meetings happening?*

**GM**

**RESPONSE**

To be referred to the General Manager on his return from leave with a response to be provided at the March meeting of Council.

**STAFF REPORTS**

**GENERAL MANAGER'S REPORT**

**Governance and Administration**

Item 1

Code of Conduct

**U07/5735, U07/70**

*The Acting General Manager advised that one expression of interest in becoming a member of the Conduct Review Committee had been received from a member of the Community. This will be passed on to the General Manager upon his return from leave.*

**DES**

**41/11 MOVED/ CARRIED (Crs R Spreadborough / S Powley )**

That Council:

- adopt the Code of Conduct - February 2011; and
- retain the Guidelines for the Model Code of Conduct for Local Councils in NSW  
– October 2008 prepared by the Department of Local Government as an attachment to the Code of Conduct.

**GM**

**Item 2**

**Code of Meeting Practice**

U07/5735, U07/70

**MOVED (Crs M Dusting / R Spreadborough )**

That Council:

- adopt the Code of Meeting Practice - February 2011.
- retain Practice Note 16 – Meetings Practice Note – August 2009 prepared by the Department of Local Government as an attachment and guide to the interpretation of the Uralla Shire Council Code of Meeting Practice.

**FORESHADOWED MOTION**

**MOVED (Crs M Dusting)**

That Council:

- adopt the Code of Meeting Practice - February 2011 with an amendment to Acknowledgment of Country, Page 9, Part 3 -25 in changing the word “will” to “may” with the sentence to read “The following statement may be read by the Mayor (or Chairperson of the meeting in the Mayor’s Absence):”;
- retain Practice Note 16 – Meetings Practice Note – August 2009 prepared by the Department of Local Government as an attachment and guide to the interpretation of the Uralla Shire Council Code of Meeting Practice.

**GM**

**PROCEDURAL MOTION**

**42/11 MOVED/ CARRIED (Crs M Dusting / I Strutt )**

That Council move to a Committee as a whole, in camera, to discuss the Code of Meeting Practice Policy.

*Discussion was held pertaining to prevention of violation of Code of Meeting Conduct and to the use of the Acknowledgment.*

**PROCEDURAL MOTION**

**43/11 MOVED/ CARRIED (Crs R Spreadborough / S Powley )**

That Council resume Standing Orders.



*Cr M Dusting withdrew his Foreshadowed Motion.*

**AMENDMENT**

**44/11 MOVED/CARRIED (Crs R Filmer / M Pearce )**

That Council:

- adopt the Code of Meeting Practice - February 2011 with an amendment to Acknowledgment of Country, Page 9, Part 3 -25 by adding the words "at monthly Council Meetings or where appropriate" with the sentence to read "The following statement will be read by the Mayor (or Chairperson of the meeting in the Mayor's Absence) at monthly Council Meetings or where appropriate:"
- retain Practice Note 16 – Meetings Practice Note – August 2009 prepared by the Department of Local Government as an attachment and guide to the interpretation of the Uralla Shire Council Code of Meeting Practice.

**Item 3**

**Uralla Shire Council Governance Operating Policies**

U07/70

*Cr R Filmer asked if a Workshop was to be held to discuss the Policies.*

*The Acting General Manager advised that a Workshop had been held after the January 2011 Council Meeting.*

*Cr S Powley made enquiry as to the process of amending Policies.*

*The Acting General Manager advised that the process was dependant upon the amendment required, if it was a minimal amendment, no further advertising would be required however if the content changed, the Draft Policy must be readvertised.*

**45/11 MOVED/ CARRIED (Crs I Strutt / R Spreadborough )**

That Council:

- note the review of the Draft Governance Operating Policies consisting of the Amendments to Existing Codes and Policies Policy, Citizen Wards Policy, Council Meeting Room - Use of- Policy, Council Meeting – Matters for Closed Session of Council Policy, Delegation of Authority to Committees of Council Policy, Delegation of Authority to Mayor and General Manager Policy, Donations – Section 356 – Policy, Election of Mayor, Deputy Mayor and Delegates to Committees following General Election Policy, Genetically Engineered Crop trials and Commercial Crops in Country NSW Policy, Provision of Information to and Interaction with between Councillors and Staff Policy and Travel – Interstate and Overseas Policy.
- adopt, for the purpose of advertising for public submissions, the Draft Governance Operating Policies.
- advertise the Draft Governance Operating Policies for public submissions during the period Tuesday, 1 March 2011 to Tuesday, 29 March 2011.

**GM**

Item 4

Uralla Shire Council Planning Operating Policies

U07/70

**46/11 MOVED/ CARRIED (Crs R Spreadborough / I Strutt )**

That Council:

- note the deletion of the current Planning Policies; Provision of Power and Telephone for Rural Residential Subdivision Policy, Subdivision – Urban Standards – Policy and Thermal Insulation for Class 1.2 and 3 Buildings Policy
- note the review of the Draft Planning Operating Policies consisting of the Bonds Management Policy, Deferment of conditions of Development Consent Policy, Development (small) – Disposal of Stormwater – Policy, Displays on Footpaths Policy, Landscaping Bonds Policy, Local Policies concerning Approvals and Orders– Amendment and Revocation and Subdividers – Land Valuation and Rates - Policy.
- adopt, for the purpose of advertising for public submissions, the Draft Planning Operating Policies.
- advertise the Draft Planning Operating Policies for public submissions during the period Tuesday, 1 March 2011 to Tuesday, 29 March 2011.

**GM**

Item 5

Uralla Shire Council Operating Policies

U07/70

*Cr R Filmer questioned the Rate of Payment for Reimbursement and Reconciliation of Expenses in relation to Part 2 – PAYMENT OF EXPENSES, Point 6, Page 18 of the Draft Operating Policies.*

*The Acting General Manager confirmed the rates to be correct.*

*Discussion occurred in relation to Contractors and competition from Council.*

**POINT OF ORDER**

*Cr K Dusting requested a Point of Order and requested the Meeting return to the Motion.*

**47/11 MOVED/ CARRIED (Crs M Dusting / M Pearce )**

That Council:

- note the deletion of the current Health and Building Policy Amusement Devices Policy
- note the review of the Draft Health and Building Operating Policies consisting of the Backyard Burning Policy, Cemeteries and the Uralla Swimming Pool Booking Policy.
- adopt, for the purpose of advertising for public submissions, the Draft Health and Building Operating Policies.
- advertise the Draft Health and Building Operating Policies for public submissions during the period Tuesday, 1 March 2011 to Tuesday, 29 March 2011.

**GM**

Item 6

Delegation of Authority Register

U07/257

**48/11 MOVED/ CARRIED (Crs M Pearce / I Strutt )**

That Council

- approve the delegation to the Mayor, General Manager and Committees, and
- note the sub-delegations by the General Manager to the Director Engineering Services and Director Administrative Services as set out in the Delegation of Authority Register – February 2011.

**GM**

Item 7

Integrated Planning and Reporting

U07/104

**RECOMMENDATION**

That Council

- reverse the decision of 23 November 2009 (Resolution 503/09) that the proposed date for the adoption of the Community Strategic Plan and Delivery Program be 30 June 2011, and
- resolve to move into the Group 3 date of 30 June 2012 for the proposed date for the adoption of the Community Strategic Plan and Delivery program.
- advise the Division of Local Government of this decision.

**GM**

**MOVED (Crs R Spreadborough / S Powley )**

That Council maintain the decision of 23 November 2009 (Resolution 503/09) that the proposed date for the adoption of the Community Strategic Plan and Delivery Program be 30 June 2011.

*The Environmental Project Officer, Ms K Little arrived at the Meeting at 12.45pm.*

**PROCEDURAL MOTION**

**50/11 MOVED/CARRIED (Crs M Dusting / R Spreadborough )**

That the matter of Integrated Planning and Reporting lay on the Table until further advice had been sought.

*Cr I Strutt questioned if Council had received further information from the Division of Local Government regarding their offer of a focussed session or forum for planning as per their letter of 17 December 2010.*

*The Acting General Manager advised no further correspondence had been received to date however clarification would be sought as to the Division of Local Government's "roadmap".*

**GM**

**POINT OF ORDER**

Cr R Filmer reminded Council that as outlined on Page 20 of the Code of Meeting Practice, further discussion should not follow a Procedural Motion, That the Question Lie on the Table.

**ADJOURNMENT**

**LUNCHEON RECESS (1:07 - 1:37pm)**

**51/11 MOVED/ CARRIED (Crs M Pearce / R Spreadborough )**

That Council break for a 30 minute Luncheon Adjournment (1:07pm - 1:37pm).

*The Meeting resumed at 1:37pm.*

*The Environmental Project Officer, Ms S McCaffrey joined the Meeting at the Resumption.*

**GENERAL MANAGER'S REPORT (Cont 'd.)**

**Health and Building**

**Item 1**

**Environmental Committee Meeting Minutes**

U07/150

*The Manager for Health and Building Services was requested to comment on aspects of the Recycling Program.*

**52/11 MOVED/ CARRIED (Crs S Powley / M Pearce)**

That Council;

1. note the Minutes of the Environmental Committee meeting held on Monday, 14 February 2011,
2. commence investigation and discussion regarding the possible introduction of a kerbside waste collection service in the Kentucky area in 2011 – 2012,
3. commence investigation and discussion regarding the possible introduction of a kerbside recycling collection service in Bundarra township in 2011 – 2012.

**MHBS**

**Item 2**

**East Armidale Sustainable Living Education and Community Centre**

**(EASTLECC) – request for funding from the High Country Urban**

**Biodiversity (HiCUB) project**

U09/6552

*The Environmental Project Officer, Ms S McCaffrey was requested to make comment and explain how EASTLECC differed from HiCUB.*

**53/11 MOVED/ CARRIED (Crs R Spreadborough /M Pearce )**

That Council ratify HiCUB investment in the EASTLECC project.

**MHBS**

*The Environmental Project Officers, Ms K Little and Ms S McCaffrey left the Meeting Room at 2:00pm.*

## Planning

### Item 1 Division Decision

#### Authorisation of Use of Seal for a Section 88b Instrument

DA 487/2008

**54/11 MOVED/ CARRIED (Crs R Filmer /R Spreadborough )**

Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 487/2008 being on Lots 4, 124, 125, 164, 165, 166, 167 and 195 DP 755836, Lots 190, 191, 192, 193 and 194 DP 1121888, Lot 196 DP 1121889, Lots 10, 11, 106 and 108 DP 755809, Lot 3 DP 572110 and Lot 1 DP 127755 being Terrible Vale Road, Salisbury Plains.

**MP**

***A Division was called and the result was as follows:***

**For:** *K Dusting, M Dusting, R Filmer, M Pearce, S Powley, I Strutt, K Ward, R Spreadborough.*

**Against:** *Nil*

**On Leave:** *L Wilson.*

### Item 2 Division Decision

#### Authorisation of Use of Seal for a Section 88b Instrument

DA 3773/2006

**55/11 MOVED/ CARRIED (Crs M Pearce /R Spreadborough )**

Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 3773/2008 being on Lots 133, 135, 137, 142 and 143 DP 755838 being Dorlie Lane, Kentucky.

**MP**

***A Division was called and the result was as follows:***

**For:** *K Dusting, M Dusting, R Filmer, M Pearce, S Powley, I Strutt, K Ward, R Spreadborough.*

**Against:** *Nil*

**On Leave:** *L Wilson.*

### Item 3

#### Planning Application Approvals and Refusals for the Month of January 2011

U07/168

**56/11 MOVED/ CARRIED (Crs M Dusting /R Filmer )**

That Council note the information contained within the Planning Application Approvals and Refusals Report for the month of January 2010.

**MP**

## Planning –Late Reports

### Item 4

The Environmental Planning and Assessment Amendment (Part 4A  
Certificate and DCPs) Regulation 2011  
U07/62

*The Manager of Planning was requested to comment, advising that due to the  
Local Environmental Plan containing reference to two Developmental Control  
Plans these amendments would have impact on Council and decisions made.*

**57/11 MOVED/ CARRIED (Crs R Spreadborough / S Powley)**

Council note the commencement of the *Environmental Planning and  
Assessment Amendment (Part 4A Certificate and DCPs) Regulation 2011* on  
25 February 2011.

### Item 5 Division Decision

Authorisation of Use of Seal for a Section 88b Instrument  
DA 50/2008

**58/11 MOVED/ CARRIED (Crs M Dusting / R Spreadborough )**

Council endorse the fixing of the Council Seal on the Section 88b Instrument  
relating to Development Application 50/2008 being on Lot 5, DP 561811 being  
7 Wilkens Street, Uralla.

**MP**

***A Division was called and the result was as follows:***

**For:** *K Dusting, M Dusting, R Filmer, M Pearce, S Powley, I Strutt, K Ward,  
R Spreadborough.*

**Against:** *Nil*

**On Leave:** *L Wilson.*

### Item 6

Appointment of Communities NSW Regional Coordinator  
U07/62

**59/11 MOVED/ CARRIED (Crs M Dusting/ S Powley )**

Council note the creation of the Regional Coordination Unit for Communities  
NSW and enquire further regarding the operation of the Unit.

### Item 7

Section 117 Direction – Shooting Ranges  
U07/62

**60/11 MOVED/ CARRIED (Crs S Powley /R Spreadborough )**

Council note the new Section 117(2) Direction regarding shooting ranges under  
the Environmental Planning and Assessment Act 1979.

**MP**

Item 8  
Development Assessment Unit Minutes  
U07/171

*Cr Pearce advised he was in attendance at the Development Assessment Meeting held on 15 February 2011 and requested he be added as an Attendee.*

**MP**

**61/11 MOVED/ CARRIED (Crs R Filmer / I Strutt)**

- a) That Council note the minutes for the Development Assessment Unit meeting held Tuesday, 15 February 2011.
- b) That if Council approves Development Application 1/2011, the following special conditions be placed against the development:
  1. All external and internal lighting shed is to be contained onsite.
  2. A landscaping plan is to be submitted to Council for approval. It is to contain slow and fast growing species, with the aim of the fast growing species replacing the slow growing species and the end of their lifespan.
  3. The loading and unloading of trucks was only to take place between the following times:
    - i. Monday to Friday - 7:00am until 10:00pm
    - ii. Saturday - 7:00am until 6:30pm.
    - iii. Sunday – No loading or unloading permittedIf loading or unloading is necessary after 6:30pm on Monday to Friday, the adjoining neighbours are to be notified as soon as possible prior to commencement, with all loading and unloading to cease at 10:00pm.
  4. The access is to be constructed in such a manner as to cater for the screwing of all truck movements and dust reduction.
  5. The unloading and loading area is to be concrete and is to be designed to cater for all forklift movements. An engineer's certification is to be provided to Council for approval prior to construction.
  6. There is to be no storage on the land between the wool shed and the adjoining residents on the eastern side of the property.
  7. A drainage plan for the land and proposed building and site works is to be provided to, and approved by Council, prior to the release of a construction certificate.

**MP**

Item 9 Division Decision  
Development Application 1/2011 – James Harrison Lillie – 178 Bridge  
Street, Uralla  
DA 45/2010

*The Acting General Manager advised that on the Attachment to the Report, on Page 7 of the Development Assessment Report for DA Number 1/2011, Traffic Hours should read:*

*"In extreme cases there may be some unloading until 10:00pm and may start at 6:30am".*

**MP**

**62/11 MOVED/ CARRIED (Crs R Spreadborough / S Powley )**

- a) Council approve Development Application 1/2011 being Part Lot 115, DP 749821 known as 178 Bridge Street, Uralla.
- b) The following special conditions be placed against the development:
  - 1. All external and internal lighting shed is to be contained onsite.
  - 2. A landscaping plan is to be submitted to Council for approval. It is to contain slow and fast growing species, with the aim of the fast growing species replacing the slow growing species and the end of their lifespan.
  - 3. The loading and unloading of trucks was only to take place between the following times:
    - i. Monday to Friday - 7:00am until 10:00pm
    - ii. Saturday - 7:00am until 6:30pm.
    - iii. Sunday – No loading or unloading permittedIf loading or unloading is necessary after 6:30pm on Monday to Friday, the adjoining neighbours are to be notified as soon as possible prior to commencement, with all loading and unloading to cease at 10:00pm.
  - 4. The access is to be constructed in such a manner as to cater for the screwing of all truck movements and dust reduction.
  - 5. The unloading and loading area is to be concrete and is to be designed to cater for all forklift movements. An engineers certification is to be provided to Council for approval prior to construction.
  - 6. There is to be no storage on the land between the wool shed and the adjoining residents on the eastern side of the property.
  - 7. A drainage plan for the land and proposed building and site works is to be provided to, and approved by Council, prior to the release of a construction certificate.
- c) The approval be subject to the conditions as listed in the Development Assessment Report.

**MP**

***A Division was called and the result was as follows:***

**For:** *K Disting, M Disting, R Filmer, M Pearce, S Powley, I Strutt, K Ward, R Spreadborough.*

**Against:** *Nil*

**On Leave:** *L Wilson.*



Item 10

Local Development Performance Monitoring Review Report 2009 / 2010  
U07/62

**63/11 MOVED/ CARRIED (Crs M Dusting / I Strutt )**

Council note the release of the Local Development Performance Monitoring  
Review Report 2009 / 2010 by the Department of Planning.

**MP**

Item 11

Regulatory Statistics  
U07/168

**64/11 MOVED/ CARRIED (Crs M Dusting/ R Filmer)**

Council note the Regulatory Function statistics.

**MP**

Item 12

Planning and Assessment Guidelines for Hazardous Industry  
U07/62

*The Manager of Planning addressed Council advising of its obligations.*

**65/11 MOVED/ CARRIED (Crs K Dusting / S Powley)**

Council note their obligations under State Environmental Planning Policy No.33  
Hazardous and Offensive Development.

**MP**

*The Manager of Health and Building Services and the Manager of Planning  
left the Meeting Room at 2:32pm.*

## DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

### Administration and Finance

#### Item 1

#### Cash at Bank and Investments

U07/01

*The Director of Administrative Services outlined reasons for the difference in the ledger reconciliation and advised the interest rates for reinvested Investments.*

**66/11 MOVED/ CARRIED (Crs I Strutt / R Spreadborough )**

That Council note the cash position at 31 January 2011 consisting of: cash and overnight funds of \$1,336,422.07, term deposits of \$5,200,00.00 totalling \$6,536,422.07 of readily convertible funds.

#### Item 2

#### Rates – Outstanding and Reconciliation

U07/138

*The Mayor questioned and it was affirmed that Ratepayers on arrangements were classified as Outstanding Ratepayers.*

**67/11 MOVED/ CARRIED (M Pearce / S Powley )**

That the report on the collection rate of current rates and arrears of rates of 53.30% as at 31 January 2011 be noted.

### Community Services

#### Item 1

#### Visitor Information Centre Monthly Report

U07/273

**68/11 MOVED/ CARRIED (M Dusting / R Spreadborough )**

That the Visitor Information Centre Manager's report for January 2011 be noted.

Item 2  
Sealing of Documents  
U07/3070

**69/11 MOVED/ CARRIED (M Dusting / I Strutt )**

That Council endorse the affixing of the Uralla Shire Council seal by the Mayor and Director of Administrative Services to the "Acceptance of Funding Variation" with ADHC in relation to the National Attendant Care program managed by Tablelands Community Support Options.

**DAS**

**DIRECTOR OF ENGINEERING SERVICES' REPORT**

**Technical Services**

Item 1  
Deed of Licence between Uralla Shire Council and Country Energy for the supply of Electricity to Mt Mutton Tower.  
U09/6605

**70/11 MOVED/ CARRIED (M Dusting / R Filmer )**

That Council sign the new Deed of Agreement with Country Energy with the additional users being included in Clause 12.1.3.

**GM**

Item 2  
NSW Livestock Transport Productivity Package  
U07/223

**71/11 MOVED/ CARRIED (S Powley / R Spreadborough )**

That Council write to our Local Member, Mr Richard Torbay, strongly objecting to the token consultation and the direct cost penalty on Local Government of the NSW Livestock Transport Productivity Package.

**DES**

Item 3  
Water Main Breaks  
U08/6449

*The Mayor requested and the Director of Engineering Services provided an explanation of the process of identifying areas where replacement works will be concentrated through breaks and surges occurring.*

**72/11 MOVED/ CARRIED (R Filmer / R Spreadborough )**

That the Water Main Breaks Report to Council of 28 February 2011 be noted.

**DES**

Item 4  
Obsolete Stock  
U07/6359

**73/11** **MOVED/ CARRIED ( R Spreadborough / M Pearce )**  
That Council write off obsolete stock valued at \$8,011.40.

**DES**

Item 5  
Works Progress for Period ended 18 February 2011  
U07/3041

Item 6  
Works Planning  
U07/3041

**74/11** **MOVED/ CARRIED ( R Spreadborough / M Pearce )**  
That Council note:  
a) the Works Progress for the period ended 18 February 2011, and  
b) the planned works.

Item 7  
Works Committee  
U07/172

**Recommendation:**

1. That Council note the minutes from the Works Committee Meeting held Thursday, 17 February 2011.
2. Lane off Munday's Lane – That Council relocate the lane off Munday's Lane to be within the road reserve.
3. Jackson's Road – That Council contact Mr Jackson in regard to DA 2240 and that Council program to widen the road when current works program is completed.
4. Maitland Street Kerb and Gutter – That kerb and gutter at the front of 46 Maitland Street be included in the 2011 / 2012 budget considerations.
5. Blackfellows Gully Bridge – That Council accept the quotation for deck units and headstocks from Armidale Precast.
6. Queen Street – That Council staff continue negotiations with Mr Ayre for the drainage and sealing of Queen Street, north.

**MOVED ( R Spreadborough )**

1. That Council note the minutes from the Works Committee Meeting held Thursday, 17 February 2011.
2. Lane off Munday's Lane – That Council relocate the lane off Munday's Lane to be within the road reserve.
3. Maitland Street Kerb and Gutter – That kerb and gutter at the front of 46 Maitland Street be included in the 2011 / 2012 budget considerations.
4. Blackfellows Gully Bridge – That Council accept the quotation for deck units and headstocks from Armidale Precast.
5. Queen Street – That Council staff continue negotiations with Mr Ayre for the drainage and sealing of Queen Street, north.

**PROCEDURAL MOTION**

**75/11 MOVED/ CARRIED ( R Spreadborough / S Powley )**

That Items 1, 2, 4, 5 and 6 of the Report be dealt with as one item and that Item 3 be dealt with separately.

**76/11 MOVED/ CARRIED ( R Spreadborough / S Powley )**

1. That Council note the minutes from the Works Committee Meeting held Thursday, 17 February 2011.
2. Lane off Munday's Lane – That Council relocate the lane off Munday's Lane to be within the road reserve.
3. Maitland Street Kerb and Gutter – That kerb and gutter at the front of 46 Maitland Street be included in the 2011 / 2012 budget considerations.
6. Blackfellows Gully Bridge – That Council accept the quotation for deck units and headstocks from Armidale Precast.
7. Queen Street – That Council staff continue negotiations with Mr Ayre for the drainage and sealing of Queen Street, north.

**DES**

*The Director of Engineering Services commented that vegetation had been cleared along Jackson's Road, some but not all drainage had been improved and that it had been intended to provide a two lane 6metre wide access through to the end of Jackson's Road. Council was to investigate if a Section 94 contribution of \$1,500 has been paid from which such work would come if it has been paid.*

**77/11 MOVED/ CARRIED ( R Spreadborough / S Powley )**

That Council contact Mr Jackson in regard to DA 2240 and that the Director of Engineering Services report back to the Works Committee.

**DES**

Item 8

Entry Statements to Uralla

UO8/6477

*Cr R Filmer advised of Minutes from MANEX Meetings dated 21 June 2010; 12 July 2010 and 2 August 2010 wherein agreements were discussed.*

**78/11 MOVED/ CARRIED ( R Spreadborough / R Filmer )**

That Council:

- a) proceed with existing plans for the Northern entry
- b) supports the Arts Council concept to call for expressions of interest to design entry statements for the remaining entries to Uralla subject to successful funding through Country Arts project grants by 30 June 2011.

**DES**

Item 9

Unformed Section of Elizabeth Lane – south of Salisbury Street

UO8/6443

**79/11 MOVED/ CARRIED ( S Powley / M Pearce )**

That the issue of the Unformed Section of Elizabeth Lane – south of Salisbury Street be deferred until inspected by the Works Committee.

**DES**

**MAILOUT TO COUNCILLORS**

**Mailouts forwarded to Councillors for the Period Friday, 21 January 2011 to Friday, 18 February 2011**

U07/23

**80/11 MOVED/ CARRIED ( S Powley / M Pearce )**

That the Mailouts forwarded to Councillors for the Period Friday, 21 January 2011 to Friday, 18 February 2011 which includes MANEX Meeting Minutes for Monday, 17 January 2011, Monday, 24 January 2011, Monday, 31 January 2011, Monday, 7 February 2011, and Monday, 14 February 2011 be noted with the inclusion of previously distributed emails dated 22 and 23 February 2011 between Council and Grantham Flood Support transferring funds raised totalling \$6707.00.

**MINUTES OF COMMITTEE MEETINGS**

*Cr S Powley expressed concerns over the OH&S Committee Minutes possibly obligating Council to provide water and ice machines. The Director of Engineering Services advised this matter had been taken to MANEX for endorsement.*

*Cr I Strutt requested amendment in the OH&S Committee Meeting Minutes of 2 February 2011, Page 2, Item 3.1.5, that the word "Councillor" be changed to "Counsellor".*

**81/11 MOVED/ CARRIED ( M Pearce / M Dusting )**

That the Minutes of the Meetings of the following Committees be noted:

- Uralla Australia Day Committee - 20 December 2010
- Uralla Shire Council Occupational Health and Safety Committee  
- 2 February 2011
- McMaugh Gardens Aged Care Centre Advisory Committee  
- 3 February 2011
- Uralla Shire Council Consultative Committee - 8 February 2011.

**DELEGATES' REPORTS**

Councillor:

**Activity Date:      Activity Detail:**

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**Cr K Dusting**

24 January 2011	Council Meeting
26 January 2011	Australia Day, Uralla and Balala
1 February 2011	Street Stall Flood Fundraiser
2 February 2011	Street Stall Flood Fundraiser
3 February 2011	Regional Development Australia
3 February 2011	USDAC
9 February 2011	Bundarra Neighbour Aid, Bundarra
9 February 2011	Grace Munro Centre, Bundarra
18 February 2011	B Division Shires Meeting, Community Centre
28 February 2011	Council Meeting

**Cr R Filmer**

31 January 2011	MANEX
31 January 2011	Workshop Draft Meeting Practice
3 February 2011	Finance
3 February 2011	USDAC
14 February 2011	MANEX
15 February 2011	D.A.U.
17 February 2011	Works Committee
18 February 2011	'B' Division, Community Centre
21 February 2011	MANEX
28 February 2011	Power Saving Scheme
28 February 2011	MANEX

**Cr I Strutt**

26 January 2011	<i>Australia Day Morning Tea and Celebrations at Alma Park</i>
31 January 2011	<i>Disaster Relief Appeal Fund Raiser at Uralla Street Store</i>
31 January 2011	<i>Councillors' Workshop on Policies</i>
3 February 2011	<i>Finance Committee</i>
3 February 2011	<i>Northern Inland Committee lunch and networking with RDA</i>
3 February 2011	<i>USDAC</i>
3 February 2011	<i>McMaugh Gardens Advisory Committee</i>
4 February 2011	<i>Disaster Relief Appeal Fund Raiser at Uralla Street Store</i>
5 February 2011	<i>Disaster Relief Appeal Fund Raiser at Uralla Street Store</i>
7 February 2011	<i>MANEX - Observer</i>
8 February 2011	<i>Consultative Committee</i>
14 February 2011	<i>MANEX</i>
14 February 2011	<i>Environmental Committee</i>
17 February 2011	<i>Regional Development Conference, UNE Armidale</i>
18 February 2011	<i>"B" Division of Shires Meeting</i>
21 February 2011	<i>MANEX - Observer</i>
22 February 2011	<i>TCT Advisory Committee Meeting, Armidale</i>
26 February 2011	<i>Councillor-on-Duty at Community Markets, Neighbourhood Centre, Uralla</i>
28 February 2011	<i>MANEX - Observer</i>

**Cr M Pearce**

26 January 2011	<i>Australia Day</i>
31 January 2011	<i>MANEX</i>
31 January 2011	<i>Workshop</i>
31 January 2011	<i>Street Stall Queensland Flood Appeal</i>
1 February 2011	<i>Street Stall Queensland Flood Appeal</i>
2 February 2011	<i>Street Stall Queensland Flood Appeal</i>
3 February 2011	<i>Street Stall Queensland Flood Appeal</i>
3 February 2011	<i>Lunch – Regional Development Australia Northern Inland</i>
3 February 2011	<i>USDAC Meeting</i>
7 February 2011	<i>MANEX</i>
14 February 2011	<i>MANEX</i>
15 February 2011	<i>DAU Meeting</i>
17 February 2011	<i>Works Committee Meeting</i>
18 February 2011	<i>B Division Govt. Meeting</i>
21 February 2011	<i>MANEX</i>
22 February 2011	<i>New England Bush Fire Management Meeting, Armidale</i>
23 February 2011	<i>Shires Association – One Association Conference, Sydney</i>
28 February 2011	<i>MANEX</i>
28 February 2011	<i>Council Meeting</i>



**Cr K Ward**

26 January 2011	<i>Australia Day - Balala</i>
26 January 2011	<i>Australia Day – Alma Park, Uralla</i>
26 January 2011	<i>Citizenship Ceremony</i>
31 January 2011	<i>Council Policy Workshop</i>
3 February 2011	<i>Finance Committee</i>
3 February 2011	<i>USDAC</i>
3 February 2011	<i>Regional Development Meeting, Community Centre</i>
5 February 2011	<i>Uralla Show – Official Opening, Uralla Showground</i>
8 February 2011	<i>Environmental Committee</i>
15 February 2011	<i>Bundarra Hospital 100<sup>th</sup> Anniversary Celebrations, Bundarra</i>
17 February 2011	<i>Works Committee</i>
18 February 2011	<i>B Division Shires Meeting, Community Centre</i>
20 February 2011	<i>BBQ Invitation from Mr Tony Windsor, Werris Creek</i>
25 February 2011	<i>CWA's 85<sup>th</sup> Birthday Party, CWA Rooms</i>

**Cr M Dusting**

24 January 2011	<i>Council Meeting</i>
26 January 2011	<i>Australia Day, Uralla and Balala</i>
31 January 2011	<i>New England Weeds County Council, Armidale</i>
31 January 2011	<i>Workshop</i>
1 February 2011	<i>Street Stall Flood Fundraiser</i>
2 February 2011	<i>Street Stall Flood Fundraiser</i>
3 February 2011	<i>Finance Committee</i>
3 February 2011	<i>Regional Development Australia</i>
3 February 2011	<i>USDAC</i>
9 February 2011	<i>Bundarra Neighbour Aid, Bundarra</i>
9 February 2011	<i>Grace Munro Centre, Bundarra</i>
18 February 2011	<i>B Division Shires Meeting, Community Centre</i>

**Cr S Powley**

26 January 2011	<i>Australia Day , Bundarra</i>
5 February 2011	<i>Community Street Stall Flood Relief</i>
15 February 2011	<i>DAU</i>
15 February 2011	<i>Workshop</i>
15 February 2011	<i>Environmental Committee</i>
15 February 2011	<i>Jobs Australia</i>
15 February 2011	<i>Australia Day, Balala Fire Shed</i>
28 February 2011	<i>Council Meeting</i>

**Cr R Spreadborough**

25 February 2011	<i>Electrical Savings for the Household Meeting, Council Chambers</i>
28 February 2011	<i>Council Meeting</i>

**PROCEDURAL MOTION**

**82/11 MOVED/ CARRIED ( M Pearce / I Strutt )**

That Council adjourn for a Recess of five minutes (4:00 – 4:05pm)

**MOVE TO CLOSED SESSION**

**MEETING PROCEDURE**

**83/11 MOVED/ CARRIED (Crs M Dusting / M Pearce )**

That Council move into Closed Session.

**CLOSURE OF MEETING TO THE PUBLIC AND THE PRESS**

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

**84/11 MOVED/ CARRIED (Crs M Dusting / M Pearce )**

1.
  - i. That the Acting General Manager has correctly classified those matters which Council wishes to deal with in part of this meeting which is closed to the public.
  - ii. The General Manager's reasons for forming an opinion that the matters should be dealt with in Closed Session are correct in accordance with Section 10A(2) of the Act.
  - iii. That as the matter concerned is commercial information of a confidential nature that would, if disclosed; prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the Council, or reveal a trade secret; Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
2. That as a result of item 1., sub-items (i), (ii) and (iii) above, the public is excluded from this section of the meeting.

**CLOSED SESSION RESOLUTIONS**

**85/11 MOVED/ CARRIED**

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

**APOLOGY (Closed Session)**

*An Apology was tabled for Cr L Wilson.*

*Apologies were also tabled for the General Manager (Mr T O'Connor) – on Leave and Minute Clerk (Mr P Steedman) – on Leave.*

**86/11 MOVED/ CARRIED**

That apologies for Cr L Wilson, the General Manager and Minute Clerk be accepted.

**87/11 MOVED/CARRIED**

That Council note the Minutes of the Finance Committee Meeting held on 3 February 2011.

**88/11 MOVED/CARRIED**

That Council:

1. determine to have an Internal Audit Plan prepared, and
2. seek expressions of interest from suitably qualified providers to develop a three year risk based internal audit plan.

**GM**

**89/11 MOVED/CARRIED**

That Council note the Financial Statements consisting of the Actual to Budget Variance Report by Resource Code (5 pages) and the Actual Budget Variance Report by Function (4 pages) for the year to 31 January 2011.

**90/11 MOVED/CARRIED**

That Council engage the services of Structured Credit and Research Advisory Pty Ltd for a period of 12 months to provide independent advice and reports on Council's structured credit investments at a cost of \$480.00 (plus GST) per month.

**GM**

**Technical Services (Closed Session)**

Item 1

**Public Walkway adjacent to 160 Bridge Street, Uralla**

U07/57-02

**91/11 MOVED/CARRIED**

That, following the strong objection of the owners of 158 Bridge Street, Uralla, Council advise Mr Dickson that it will not be re-opening the Public Walkway adjacent to 160 Bridge Street, Uralla.

**DES**

**MOVE TO OPEN SESSION**

**MEETING PROCEDURE**

**92/11 MOVED/ CARRIED**

That Council move back into Open Session.

**GENERAL BUSINESS**

**MOTION**

**LEAVE OF ABSENCE**

*Cr M Dusting made application for Leave of Absence from Monday, 28 February 2011 to 28 March 2011. He declared a non- pecuniary interest and left the Meeting Room.*

**93/11 MOVED/ CARRIED (Crs R Spreadborough / R Filmer )**

That Cr M Dusting be granted Leave of Absence from Monday, 28 February 2011 to Monday, 28 March 2011.

**GM**

**COUNCILLORS ATTENDANCE AT URALLA MONTHLY MARKETS**

*The Mayor called upon Councillors to Volunteer for representation at Uralla's Markets including the Unique Markets and Markets held at the Memorial Hall.*

Councillors volunteered accordingly:

<b>Date:</b>	<b>Market:</b>	<b>Councillor:</b>
26 February 2011	Memorial Hall Markets	Cr I Strutt
26 March 2011	Unique Markets	Cr R Spreadborough
23 April 2011	Unique Markets	Cr S Powley
21 May 2011	Memorial Hall Markets	Cr I Strutt
25 June 2011	Unique Markets	Cr R Filmer
23 July 2011	Memorial Hall Markets	Cr S Powley
27 August 2011	Unique Markets	Cr R Spreadborough
24 September 2011	Memorial Hall Markets	Cr K Ward
29 October 2011	Unique Markets	Cr S Powley
26 November 2011	Memorial Hall Markets	Cr K Ward
17 December 2011	Unique Markets	Cr M Pearce

**NEW ENGLAND MUTUAL BREAKFAST INVITATION**

The Mayor called for Councillors confirmation of attendees to the Business Breakfast to be held on 3 March 2011.

The Acting General Manager collected relative information and undertook to confirm acceptances and apologies.

**PRESENTATION TO ROTARY**

Cr Strutt requested a presentation at Rotary by Council on Recycling.

The Director of Engineering Services advised that a written offer had been forwarded to many organisations offering such service. Council will liaise with each organisation respectively.

**POLITICAL PARTY REPRESENTATION BY COUNCILLORS**

Cr M Dusting had received invitations Political Party Pre-Election functions and asked if Council would like to have representation at each.

The Mayor advised that attendance to political functions was a personal preference and should not involve Council.

**QUESTIONS ON-NOTICE FOR NEXT MEETING OF COUNCIL**

Councillors lodged "Questions On-Notice" as detailed below:

Cr R Speadbrough

**QUESTION:**

**Apple Ipod and Intranet Usage**

*Further to a previous Question on Notice and in consideration of the reduction of preventing paper wastage could Council investigate the use of individual Apple Ipods and an Intranet Program for use by Councillors in receiving and viewing their Business Paper?*

**GM**

Cr R Filmer

**QUESTION:**

**Inland Marketing Group**

*Cr Filmer referred to a Newspaper article of 10 years previous and asked what the current situation was concerning the Inland Marketing Group to which \$50,000 went from Uralla Shire Council?*

**CLOSURE OF MEETING**

*The Meeting closed at 5:30pm.*