



ORDINARY MEETING OF COUNCIL

**Held at 4:00pm
On 28 November 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	
GM	Mr T O'Connor, General Manager
DES	Mr R Bell, Director of Engineering Services
DAS	Ms J Michie, Director of Administrative Services
MHBS	Mr W Sellings, Manager of Health and Building Services
MP	Ms L Cumming, Manager of Planning
EA	Mr P Steedman, Executive Assistant

The Meeting commenced at 04:02pm.

ATTENDANCE

Present were the Chairperson Cr M Pearce, (Deputy Mayor) and Councillors K Dusing, M Dusing, R Filmer, S Powley, K Ward, L Wilson, General Manager (Mr T O'Connor), 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), Minute Clerk (Mr P Steedman).

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGY

Apologies were tabled for the Mayor Cr I Strutt, Cr R Spreadborough and SES Namoi Region Controller Ms K Cain.

REQUESTS FOR LEAVE OF ABSENCE

Requests for Leave of Absence were tabled on behalf of the Mayor, Cr I Strutt for the period Tuesday, 22 November 2011 to Sunday, 11 December 2011 and on behalf of Cr R Spreadborough for the day of Monday, 28 November 2011.

437/11 MOVED/ CARRIED (Crs M Dusing / R Filmer)

That the apologies for the Mayor, Cr I Strutt and Cr R Spreadborough be accepted, the requests for Leave of Absence for the period Tuesday, 22 November 2011 to Sunday, 11 December 2011 for Cr I Strutt and Monday, 28 November 2011 for Cr R Spreadborough noted, and the respective Leave of Absence requests approved.

PRESENTATIONS TO COUNCIL [4:00pm]

Speakers in Order of Presentation:

The Chair advised that due to ongoing storm and flood activity across the New England North West Regions the scheduled Presentation by Representatives of the Namoi Region State Emergency Services (SES) had been deferred until the new year (2012).

CONFIRMATION OF MINUTES

Extraordinary Meeting of 20 October 2011

Cr K Dusing requested an amendment to the Apology on page 3 of the Minutes to show details of the Leave of Absence approved 27 June 2011, for Crs K and M Dusing, for the period 9 September 2011 to 25 October 2011.

438/11 MOVED/ CARRIED (Crs S Powley / L Wilson)

That the Minutes of the Extraordinary Meeting held on 20 October 2011 (copies have been circulated to Members) be adopted, as amended, as a true and correct record of proceedings.

EA

CONFIRMATION OF MINUTES (continued)**Ordinary Meeting of 24 October 2011**

Cr R Filmer made reference to Item 4 of the Director of Engineering Services' Report on page 20 of the Minutes and requested that details of the Staff Recommendation be removed.

Cr K Dusting requested an amendment to the Apology on page 7 of the Minutes to show details of the Leave of Absence approved 27 June 2011, for Crs K and M Dusting, for the period 9 September 2011 to 25 October 2011.

439/11 MOVED/ CARRIED (Crs S Powley / R Filmer)

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

EA

Closed Session of Ordinary Meeting of 24 October 2011

Cr K Dusting requested an amendment to the Apology on page 3 of the Closed Session Minutes to show details of the Leave of Absence approved 27 June 2011, for Crs K and M Dusting, for the period 9 September 2011 to 25 October 2011.

440/11 MOVED/ CARRIED (Crs S Powley / L Wilson)

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

EA

MATTERS ARISING FROM THE MINUTES**Extraordinary Meeting of 20 October 2011**

Nil matters raised.

Ordinary Meeting of 24 October 2011

Cr R Filmer made reference to Item 4 of the Director of Engineering Services' Report on page 20 of the Minutes and requested an update regarding removal of the tree outside 1A Plane Avenue, Uralla.

The Director of Engineering Services advised that scheduled commencement of works for removal of the tree had been unavoidably delayed by more pressing works related priorities.

Closed Session of Ordinary Meeting of 24 October 2011

Nil matters raised.

DECLARATIONS OF CONFLICT OF INTEREST

At the 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.

Submitted By:	Interest Declared:
<i>General Manager, Mr Thomas P O'Connor</i>	<i>Non-Pecuniary interest as joint-owner of a property adjacent proposed Banner Pole locations identified in Item 2 of the Director of Engineering Services Technical Services Report for discussion/ notation by Council.</i>

RESPONSES TO QUESTIONS ON-NOTICE

Questions On-Notice Received and From Previous Meetings

The Chair outlined details of the responses to "Questions On-Notice" raised at the Ordinary meeting of Council held Monday, 24 October 2011:

Cr K Ward

QUESTION:

Banking with Community Mutual Credit Union

Can an investigation be undertaken into the merits of the Community Mutual Credit Union Scheme to provide an amount equivalent to 1% of the Depositor's average balance to a Community Group of the Depositor's choosing, including an analysis of the cost/benefit of Council moving its working accounts to the Community Mutual Credit Union?

GM

RESPONSE:

The basis of the Community Partnership is 1% of the average transaction and savings account (S3, S5, S6 and S7) for the year. To become part of the scheme, Council would need to close the National Bank Account and transfer it to Community Mutual then nominate a recipient charitable organisation that is a member of Community Mutual.

The finance strategy of the Uralla Shire Council is to hold the operating account at no more than \$250,000 except when known larger amounts are due and payable. The excess is moved into an overnight business account. Based on the 2010/2011 financial year balances an amount of \$1,108.75 would have been transferred this year to a charitable organisation nominated by Council. The maximum that would be earned, given the finance strategy, in any one year would be \$2,500.

The cost/benefit of closing accounts in a retail bank in Uralla and transferring funds to Community Mutual is against such an action.

Cr R Spreadborough

QUESTION:

McMaugh Gardens Aged Care Facility Monthly Manager's Report

In relation to the Monthly Manager's Report for the McMaugh Gardens Facility for the Quarter ended 30 September 2011, where are the Financial details?

GM

RESPONSE:

Detailed financial information on the McMaugh Gardens Aged Care Centre are included in the Finance Committee attachments (page 6 of Attachment B) in the Director Administrative Services' report for action Item number 1.

QUESTION:

McMaugh Gardens Aged Care Facility Quarterly Financial Reports

In relation to the previously promised McMaugh Gardens Quarterly Financial Reporting, where are the Reports?

GM

RESPONSE:

The financial reports are reported monthly to the Finance Committee and are included in the Business Paper as attachments to the minutes of the Finance Committee

RESPONSES TO QUESTIONS ON-NOTICE (continued)

Cr R Filmer

QUESTION:

Ward Boundaries within the Uralla Local Government Area

Can the General Manager advise the indicative cost to Council of redrawing Ward Boundaries within the Uralla Local Government Area?

GM

RESPONSE:

The imbalance between Ward A and Ward B of 274 electors, being greater than 10% will require the redrawing of the ward boundary between those wards. The action required is the identification of the area most suitable for transfer to Ward B, the advise to affected electors, the evaluation of submissions and then the redrafting of the electoral boundary between the two Wards. Ward C having almost exactly one third of the total number of electors in the Council will not have to be adjusted. An estimate of this cost would be no less than \$2,500.

QUESTION:

McMaugh Gardens Aged Care Facility Solar and Gas Systems

Can the apparent issues with the Solar and Gas Systems at the McMaugh Gardens aged Care Facility be investigated and resolved with details regarding the remediation of these issues provided for Council's information?

GM

RESPONSE:

A detailed report from the Manager Health and Building Services and Council's electrical contractor, Mr Wayne Howard, is contained with this Business Paper.

MAILOUT TO COUNCILLORS

Mailouts forwarded to Councillors for the Period Friday, 21 October 2011 to Thursday, 10 November 2011

U07/23

441/11 **MOVED/ CARRIED (Crs K Ward / S Powley)**

That the Mailouts forwarded to Councillors for the Period Friday, 21 October 2011 to Thursday, 10 November 2011 which includes MANEX Meeting Minutes for Monday, 17 October 2011, Monday, 24 October 2011, Monday 31 October 2011 and Monday 7 November 2011 be noted.

MINUTES OF COMMITTEE MEETINGS

442/11 **MOVED/ CARRIED (Crs S Powley / M Dusting)**

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

- Australia Day Committee Meeting held 5 July 2011.
- McMaugh Gardens Aged Care Centre Advisory Committee Meeting held 4 August 2011.
- McMaugh Gardens Aged Care Centre Advisory Committee Meeting held 13 October 2011.
- McMaugh Gardens Aged Care Centre Advisory Committee Annual General Meeting held 13 October 2011.
- Uralla Environmental Committee Meeting held 17 October 2011.
- Uralla Youth Committee Meeting held 31 October 2011.

DELEGATE REPORTS

Councillors in turn provided a brief verbal summary of their Council related activities during the reporting period and submitted written Delegate Reports comprising details as follows:-

Councillor	Activity Date:	Activity Detail:
Cr S Powley	1 November 5 November 7 November 15 November 28 November	<i>Environmental Committee Meeting Uralla Creek Walk Wight of Loads Meeting, Taree DAU Meeting Council Meeting</i>
Cr L Wilson	28 November	<i>Council Meeting</i>
Cr M Dusting	2 November 8 November 21 November 28 November	<i>New England Weeds County Council, Armidale Bundarra Neighbourhood Aid, Bundarra Code of Conduct, Tamworth Council Meeting</i>
Cr K Dusting	8 November 9 November 25 November 26 November 28 November	<i>Bundarra Neighbourhood Aid Advisory Committee (Observer), Bundarra Central Northern Libraries, Tamworth Visitor's Information Centre 20th Anniversary, Uralla Bundarra Neighbourhood Aid Advisory Committee, end of year,, Guyra Council Meeting</i>
Cr R Filmer	10 November 10 November 15 November 16 November	<i>Finance Committee McMaugh Gardens Advisory Committee, McMaugh Gardens DAU Meeting Works Committee</i>
Cr K Ward	31 October 1 November 8 November 10 November 15 November 16 November 16 November 26 November	<i>Youth Council, Uralla Environmental Committee Meeting Rivercare – Explanation of Creek Walk, Uralla McMaugh Gardens Advisory Committee, McMaugh Gardens Youth Council, Uralla Uralla Central School Sesqui-Centenary Works Committee Upgrade of Uralla Swimming Pool Council Stand at Uralla Markets</i>

DELEGATE REPORTS (continued)

Councillor	Activity Date:	Activity Detail:
<hr/>		
Cr M Pearce	10 November	Finance Meeting
	15 November	DAU Meeting
	16-18 November	National Local Roads Congress, Mount Gambier SA In addition to his Activities Summary, Cr Pearce also delivered a detailed verbal report in relation to his attendance at the National Local Roads Congress
	21 November	MANEX
	28 November	MANEX
	28 November	Council Meeting
Cr I Strutt		Cr Strutt was an Apology to the Meeting but submitted a written report comprising details as follows:-
	25 October	NBN Meeting, Tamworth
	25 October	Meeting with General Manager, Mr Carson and Cr Ward re Uralla Golf Club
	27 October	Breakfast at NERAM for Launch of UNE Strategic Plan, Armidale
	27 October	U3CF Committee
	27 October	EDC, Armidale Dumaresq
	28 October	CWA AGM, Uralla
	29 October	Official Opening of Motorcycle Shelter, followed by Parade
	31 October	MANEX
	31 October	Opening of BER Classrooms at Uralla Central School
	31 October	Youth Council Meeting, Uralla
	1 November	Environmental Committee Meeting
	2 November	Official Opening of Guyra Shire Council Library, Guyra
	7 November	MANEX
	8 November	TCT Advisory Committee Meeting
	10 November	Finance Committee Meeting
	10 November	McMaugh Gardens Advisory Committee Meeting
	14 November	MANEX
	16 November	EDC Meeting
Cr R Spreadborough		Cr Spreadborough was an Apology to the Meeting and did not submit a written report.

STAFF REPORTS FOR COUNCIL NOTATION

GENERAL MANAGER'S REPORT

Governance and Administration (for notation)

Item 1

Uralla Swimming Pool

U09/6582

443/11 MOVED/ CARRIED (Crs K Ward / S Powley)

That Council note the result of the first two weeks and four days of operation of the Uralla Swimming Pool 2011/2012 season with 943 admissions being an increase of 22.2% over the first four weeks and four days, to a comparable date, of operation for the 2010/2011 season.

Health and Building (for notation)

Item 1

McMaugh Gardens Aged Care Facility Solar and Gas Systems

U10/6716

444/11 MOVED/ CARRIED (Crs R Filmer / M Dusting)

That Council note the report pertaining to the current investigation of solar and gas installations at McMaugh Gardens Aged Care Facility.

Planning (for notation)

Item 1

Housekeeping amendment to Codes SEPP

U07/2

445/11 MOVED/ CARRIED (Crs K Dusting / L Wilson)

That Council note that a Housekeeping Amendment will be made to the Codes SEPP by the Department of Planning and Infrastructure, and that it should be released before the end of 2011.

Item 2

Regulatory Statistics

U07/168

446/11 MOVED/ CARRIED (Crs R Filmer / K Ward)

That Council note the Regulatory Function statistics ending 30 September 2011.

Item 3

Planning Application Approvals and Refusals for the Month of October 2011

U07/168

447/11 MOVED/ CARRIED (Crs S Powley / L Wilson)

That Council note the information contained within the Planning Application Approvals and Refusals Report for the month of October 2011.

The Manager Health and Building Services left the meeting at this time (5:10pm)

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance (for notation)

Item 1

Cash at Bank and Investments

U10/1

448/11 MOVED/ CARRIED (Crs R Filmer / M Dusting)

That Council note the cash position at 31 October 2011 consisting of: cash and overnight funds of \$1,035,133.84 term deposits of \$4,900,00.00 totalling \$5,935,133.84 of readily convertible funds.

Item 2

NSW Local Government HR Metrics Benchmarking 2010/2011

U07/216-02

449/11 MOVED/ CARRIED (Crs K Ward / M Dusting)

That Council note the NSW Local Government HR Metrics Benchmarking Basic Report 2010/2011.

Community Services (for notation)

Item 1

Visitor Information Centre Monthly Report

U07/273

450/11 MOVED/ CARRIED (Crs K Dusting / S Powley)

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

Item 2

Tablelands Community Support Options and Kamilaroi Ageing and Disability Services

U07/32-03

451/11 MOVED/ CARRIED (Crs S Powley / L Wilson)

That the report on current projects and activities of Tablelands Community Support Options be noted.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services (for notation)

Item 1

Works Progress for Period ended 18 November 2011

U07/3041

Item 2

Works Planning

U07/3041

452/11 MOVED/ CARRIED (Crs K Ward / R Filmer)

That the Works Progress for the period ended 18 November 2011 and the Planned Works be noted.

STAFF REPORTS FOR COUNCIL DISCUSSION / NOTATION

GENERAL MANAGER'S REPORT

Governance and Administration (for discussion/notation)

Item 1 (Deferral)

Abolition of Ward Boundaries

PROCEDURAL MOTION

453/11 MOVED/ CARRIED (Crs M Dusting / L Wilson)

That Item 1 of the General Manager's Governance and Administration Report for Discussion/Notation be deferred for consideration following the "have Your Say" Presentations to Council.

Item 2

Local Government Elections 2012

U07/209

454/11 MOVED/ CARRIED (Crs R Filmer / K Ward)

That Council in accordance with Clause 102 of Schedule 8 of the Local Government Act:

1. resolve that the Electoral Commissioner is to administer its 2012 election to be held on 8 September 2012, plus any polls and constitutional referendum which may be held at that time.
2. advise the Electoral Commissioner and Director of this resolution.

GM

Item 3

Review of the Model Code of Conduct

U07/5735, U07/70

455/11 MOVED/ CARRIED (Crs M Dusting / R Filmer)

That Council provide a submission to the Division of Local Government on the Position Paper on the Review of the Model Code of Conduct for Local Councils in New South Wales based on the changes that the Uralla Shire Council had made to the Model Code of Conduct 2008 when adopting its Code of Conduct - February 2011.

GM

Item 4

Uralla Shire Council Operating Policies

U07/70

456/11 MOVED/ CARRIED (Crs R Filmer / K Ward)

That Council:

- adopt, for the purpose of advertising for public submissions, the Engineering Services - Transport Operating Policy (3.1.13) Draft Memorial Seats and Roadside Memorials Policy.
- advertise the Engineering Services - Transport Operating Policy (3.1.13) Draft Memorial Seats and Roadside Memorials Policy for public submissions during the period Friday, 2 December 2011 to Wednesday, 11 January 2012.

GM

GENERAL MANAGER'S REPORT (continued)

Health and Building (for discussion/notation)

Item 1

Environmental Committee Minutes

U07/150

457/11 MOVED/ CARRIED (Crs S Powley / R Filmer)

That Council note the minutes of meeting of the Environmental Committee held Tuesday, 1 November 2011, and adopt the following recommendation:

- That Schools within the Uralla Shire receive one free delivery of mulch (6 cubic metres) each financial year and that any subsequent deliveries be supplied in accordance with costing schedules contained within Council's Revenue and Pricing Policy.

MHBS

GENERAL MANAGER'S REPORT

Planning (for discussion/notation)

Items 1, 2, 3 and 4 (Deferral)

1. **Development Assessment Unit (DAU) Minutes**
2. **Variation to Development Application 41/2011 A – Construction of a Plant Nursery and Manager's Residence**
3. **Development Application 58/2011 for Wakefield Planning on behalf of M and K Adams for Subdivision under SEPP 1**
4. **Development Application for Croft Surveying and Mapping on Behalf of the Department of Education and Communities – 32 Noalimba Avenue, Kentucky – SEPP 1 Subdivision**

PROCEDURAL MOTION

458/11 MOVED/ CARRIED (Crs M Dusting / L Wilson)

That Items 1, 2, 3 and 4 of the General Manager's Planning Report for Discussion/Notation be deferred for consideration following the "Have Your Say" Presentations to Council.

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance (for discussion/notation)

Item 1

Uralla Shire Council Finance Committee

U10/1

459/11 MOVED/ CARRIED (Crs R Filmer / L Wilson)

That Council note the minutes of the meeting of the Uralla Shire Council Finance Committee, held Thursday, 10 November 2011, and adopt the following recommendations:

1. That the Financial Statements consisting of the Budget Review by Resource Code and Budget Review by Function for the year to 31 October 2011, be noted.
2. That Council approve the variation to the Uralla Shire Council Budget as tabled resulting in an increase in Revenue of \$82,500 and an increase in Expenditure of \$70,701 and an overall increase in the 2011/2012 budgeted surplus in the General Fund of \$11,799.
3. That Council's outstanding loan balance of \$1,686,557 be noted.
4. That the collection rate of current Rates and arrears of Rates of 34.1% as at 31 October 2011 be noted.
5. That the report from Structured Credit Research & Advisory Pty Ltd be noted.
6. That \$3,511.94 of uncollectible debt be written off the current balances of five outstanding debtors.

DAS

Item 2

Conservator Report on Death of Thunderbolt Paintings by Phillip Pomroy

U07/6279

460/11 MOVED/ CARRIED (Crs S Powley / R Filmer)

That Council note the report on the condition of the nine paintings comprising the Death of Thunderbolt and provide \$10,000 in the 2011/2012 Budget for cleaning and preservation of the paintings.

DAS

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services (for discussion/notation)

Item 1

Regional Development Fund Application

U09/6588

461/11 MOVED/ CARRIED (Crs S Powley / K Ward)

That Council:

- a) sign the Memorandum of Understanding;
- b) support the road sections proposed for rehabilitation, and;
- c) note the Transport Research Paper - "Rehabilitation of Sections of Thunderbolts Way between Gloucester and Inverell".

DES

ADJOURNMENT [6:00pm]

DINNER RECESS (6:00 - 6:30pm)

462/11 MOVED/ CARRIED (Crs M Dusting / L Wilson)

That Council break for a 30 minute Dinner Adjournment (6:00pm – 6:30pm)

The Meeting resumed at 6:30pm

PRESENTATIONS TO COUNCIL [6:30pm]

Have Your Say

Speakers in Order of Scheduled Presentation

The Chair introduced the first scheduled Speaker as follows:-

1. □ Mr Kent Mayo

Uralla Historical Society

The Speaker delivered a presentation to Council on the subject of:

- *Creative Village Committee (or similar)*
- *Destination Committee*

Advantages to Council and the Community of having such Committees operative.

The Chair thanked the Speaker for his Presentation to Council.

The Director of Engineering Services left the meeting at this time (7:05pm).

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

2. □ Mrs Amanda Swain

□ **Mr Brian O'Connell (for Ms T McGrath)**

□ **Mr Michael Adams**

□ **Mr Angus Witherby (for Wakefield Planning)**

The Speakers each delivered a presentation to Council on the subject of DA-58-2011, Lot 201, DP 1074880, 80 Gostwyck Road Uralla.

Speakers Making Late Application to Address Council

The Chair advised details of late applications to speak lodged by Mr John Carlon and Mr Darren Acton.

PROCEDURAL MOTION

463/11 MOVED/ CARRIED (Crs M Dusting / R Filmer)

That Mr John Carlon and Mr Darren Acton each be granted leave to deliver a "Have Your Say" Presentation to the 28 November 2011 meeting of Council.

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

3. □ Mr John Carlon

□ **Mr Darren Acton**

The Chair thanked all of the Speakers for each of their Presentations to Council.

The Director of Engineering Services, having left the meeting at 7:05pm, returned to the meeting at this time (7:26pm).

Speakers in Order of Scheduled Presentation (continued)

The Chair introduced the final scheduled Speaker as follows:-

4. □ Ms Keiley Hunter

Independent Consultant

The Speaker delivered a presentation on the subject of her submitted Report to Council in relation to DA-58-2011, Lot 201, DP 1074880, 80 Gostwyck Road Uralla.

The Chair thanked the final Speaker for her Presentation to Council.

STAFF REPORTS FOR COUNCIL DISCUSSION / NOTATION

GENERAL MANAGER'S REPORT (continued)

Planning (for discussion/notation)

Item 1

Development Assessment Unit (DAU) Minutes U07/171

464/11 MOVED/ CARRIED (Crs M Dusting / R Filmer)

That Council note the minutes for the Development Assessment Unit meeting held Tuesday, 15 November 2011 and the recommendations of the Committee in relation to DA 41/2011A and DA 58/2011.

MP

Item 2

DIVISION DECISION

Variation to Development Application 41/2011 A – Construction of a Plant Nursery and Manager's Residence

DA 41/2011A

MOVED/ SECONDED (Crs S Powley / R Filmer)

That Council approve the amended application 41/2011 A for the construction of a retail plant nursery and workshop on Lot 10 DP 3378 being 164 Bridge Street, Uralla subject to the Conditions attached to the Development Assessment Report, subject to the change of Condition 10 from 6 months to 12 months.

FORESHADOWED MOTION

(Cr K Ward)

That Council approve the amended application 41/2011 A for the construction of a retail plant nursery and workshop on Lot 10 DP 3378 being 164 Bridge Street, Uralla subject to the Conditions attached to the Development Assessment Report.

465/11 Following debate the MOTION was PUT and CARRIED

That Council approve the amended application 41/2011 A for the construction of a retail plant nursery and workshop on Lot 10 DP 3378 being 164 Bridge Street, Uralla subject to the Conditions attached to the Development Assessment Report, subject to the change of Condition 10 from 6 months to 12 months.

MP

A Division was called and the result was as follows:

FOR: K Dusting, M Dusting, R Filmer, S Powley, L Wilson.

AGAINST: M Pearce, K Ward,

ABSENT: R Spreadborough, I Strutt

Item 3

DIVISION DECISION

Development Application 58/2011 for Wakefield Planning on behalf of M and K Adams for Subdivision under SEPP 1

DA 58/2011

466/11 MOVED/ CARRIED (Crs K Ward / S Powley)

That DA 58/2011 for subdivision into 4 lots under SEPP 1 not be approved on the land known as 80 Gostwyck Road, Uralla being Lot 201 DP 1074880.

**MP/
GM**

A Division was called and the result was as follows:

*FOR: K Dusting, M Dusting, R Filmer, M Pearce, S Powley, K Ward,
L Wilson.*

AGAINST: Nil

ABSENT: R Spreadborough, I Strutt

GENERAL MANAGER'S REPORT (continued)

Planning (for discussion/notation)

Item 4

DIVISION DECISION

Development Application for Croft Surveying and Mapping on Behalf of the Department of Education & Communities – 32 Noalimba Avenue, Kentucky – SEPP 1 Subdivision

DA 38/2011

467/11 MOVED/ CARRIED (Crs S Powley / K Dusting)

That:

- a) DA 38/2011 for subdivision under SEPP 1 be approved on the land known as 32 Noalimba Avenue, Kentucky being Lot 174 DP 755829 as per the conditions in the development assessment report.
- b) The draft conditions of approval be sent to the Department of Education and Communities for their approval as per Section 89 of The Environmental Planning and Assessment Act 1979.

MP

A Division was called and the result was as follows:

*FOR: K Dusting, M Dusting, R Filmer, M Pearce, S Powley, K Ward,
L Wilson.*

AGAINST: Nil

ABSENT: R Spreadborough, I Strutt

The Manager of Planning left the meeting at this time (8:05pm)

Governance and Administration (for discussion/notation)

Item 1

Abolition of Ward Boundaries

U07/173

MOVED/ SECONDED (Crs S Powley / R Filmer)

That the Uralla Shire Council, in accordance with the provisions of Section 210B of the Local Government Act, make an application to the Minister for Local Government for the abolition of Wards within the Uralla Shire Council.

Following debate the MOTION was PUT and LOST

DIRECTOR OF ENGINEERING SERVICES' REPORT (continued)

Technical Services (for discussion/notation)

The General Manager, having previously declared an Interest in relation to the Technical Services Item 2 Report, left the meeting at this time (8:24pm).

Item 2

Infrastructure Project – Banner Posts

U09/6588

MOVED/ SECONDED (Crs R Filmer / K Dusting)

That Council give consideration to the proposed Banner Pole locations.

PROCEDURAL MOTION

468/11 MOVED/ CARRIED (Cr M Dusting)

That Council move to a Committee of the Whole, to discuss the matter of Banner Poles.

Councillor's undertook a brief discussion regarding the suitability of the proposed Banner Poles with input provided by the Director of Engineering Services and members of the Uralla Events Management Committee present in the public gallery.

PROCEDURAL MOTION

469/11 MOVED/ CARRIED (Cr M Dusting)

That Council resume Standing Orders.

470/11 Following debate the MOTION was PUT and CARRIED

That Council give consideration to the proposed Banner Pole locations.

DES

The General Manager, having previously left the meeting due to a declared Interest, returned to the meeting at this time (8:31pm)

Item 3

Works Committee Meeting

U07/172

471/11 MOVED/ CARRIED (Crs L Wilson / M Dusting)

That Council note the Minutes of the Works Committee meeting held Wednesday 16 November 2011 and adopt the following recommendations:

New Grader and trade-in of Plant 4054, Caterpillar 140 H:

1. That Council Purchase 1 only John Deere 770 G Grader from Hitachi Pty Ltd with a trade-in of Plant 4054, Caterpillar 140 H, including purchase of Electronic Slope Meter.

Plant:

2. That Council advise Computerbank that Council will be changing over a transport utility and inviting them to submit a tender for the unit being replaced.
3. That Council again write to Case Pty Ltd highlighting the front differential and requesting they consider matching the gear ratios.

Continued /...

Item 3
Works Committee Meeting
471/11 (continued)

Green Gully Road – Inspection of Smiths Crossing:

4. That Mr and Mrs Williams be requested to take immediate action to place sediment and erosion control measures on the new causeway approach and

Jacksons Road – letter from Mr Garry Cooper:

5. That Council trial a dust suppressant on Jacksons Road.

The Hon Richard Torbay:

6. The Council advise Hon Richard Torbay that the current service level for Baker Road is appropriate and Council, while mindful of Mr Tanner's situation, will not be maintaining or upgrading the access to "Mt Hannah".

Australia Rural Road Group:

7. That the media release, "Landmark Rural Roads report lashes Australia's 'broken' road funding and investment system", be noted.

Salisbury Plains Road:

8. That Council trial a dust suppressant for Salisbury Plains Road, in conjunction with other requests approved by Council.

Bundarra Footpaths:

9. That Council include Mr Hall's request for footpath upgrade in Bundarra in the draft 2011/2012 budget for consideration.

Torryburn Low Level Bridge:

10. That Council advise Mr Kennedy that the removal of the gaps in the deck of the Torryburn Low Level Bridge is programmed over the next 2 to 3 years.

Road Maintenance Council Contracts:

11. That Council support the LGSA request for consultation with the Minister for Roads.

Bundarra Nature Park and Tennis Court:

12. That Council note the report and support the program as outlined, in principal, except for the request for toilets.

DES

MOVE TO CLOSED SESSION

MEETING PROCEDURE

472/11 MOVED/ CARRIED (Crs M Dusting / R Filmer)

That Council move into Closed Session.

CLOSURE OF MEETING TO THE PUBLIC AND THE PRESS

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

473/11 MOVED/ CARRIED (Crs M Dusting / R Filmer)

1.
 - i. That the 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

474/11 MOVED/ CARRIED

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

APOLOGY (Closed Session)

Apologies were tabled for the Mayor Cr I Strutt, currently on Leave of Absence approved 28 November 2011, for the period Tuesday, 22 November 2011 to Sunday, 11 December 2011 and Cr R Spreadborough, currently on Leave of Absence approved 28 November 2011, for the day of Monday, 28 November 2011.

475/11 MOVED/ CARRIED

That the Apologies for the Mayor Cr I Strutt, currently on Leave of Absence approved 28 November 2011 for the period Tuesday, 22 November 2011 to Sunday, 11 December 2011 and Cr R Spreadborough currently on Leave of Absence approved 28 November 2011 for the day of Monday, 28 November 2011, be accepted.

RESPONSES TO QUESTIONS ON-NOTICE (Closed Session)

Questions On-Notice Received and from Previous Meetings

STAFF REPORTS TO CLOSED SESSION

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services (Closed Session Report)

Item 1

Grader Tender

U11/6790

476/11 MOVED/ CARRIED

That the Grader Tenders be noted.

MOVE TO OPEN SESSION

MEETING PROCEDURE

477/11 MOVED/ CARRIED

That Council move back into Open Session.

QUESTIONS ON-NOTICE RAISED

Questions On-Notice for Next Meeting of Council

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

Cr M Dusting

QUESTION:

Thunderbolt Cemetery Public Toilet

Can screening plants be installed around the recently completed Public Toilet Block at the Thunderbolt Cemetery?

GM

Cr L Wilson

QUESTION:

Development of Race Course Road Lots

Can the development of Lots fronting Race Course Road be considered by Council?

GM

There being no further business, the Chair declared the meeting closed at 9:12pm.

CLOSURE OF MEETING

The Meeting closed at 9:12pm.

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 28 November 2011, consisting of Page 23 and the previous pages, were confirmed by Resolution No. 479/11 on 19 December 2011.

.....Mayor