



ORDINARY MEETING OF COUNCIL

Held at 12 noon
On 23 January 2012

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
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

ATTENDANCE

Present were the Chairperson Cr I Strutt (Mayor), Cr M Pearce, (Deputy Mayor) and Councillors K Dusting, M Dusting, R Filmer, S Powley, R Spreadborough (from 12:21pm), 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 Planning (Ms L Cumming), Minute Clerk (Mr P Steedman), Assistant Minute Clerk (Mrs C Cooper).

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGY

Cr R Spreadborough and Mr R Bell were advised as a late arrival.

1/12 **MOVED/ CARRIED (Crs R Filmer / M Dusting)**

That the late arrival of Cr R Spreadborough and Mr R Bell be noted.

CONFIRMATION OF MINUTES

2/12 **Ordinary Meeting of 19 December 2011
MOVED/ CARRIED (Crs R Filmer/S Powley)**

That the Minutes of the Ordinary Meeting held on 19 December 2011 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

EA

Mr R Bell arrived at 12:04pm.

Page 21, Item 4 of the General Manager's Planning Report, Resolution 515/12:

1.-Insertion of the word "note" with the Resolution to read: "That Council adopt the Uralla Development Control Plan 2011, and note that it comes into force as at the date of gazettal of the Draft Uralla Local Environmental Plan 2012."

3/12 **Closed Session of Ordinary Meeting of 19 December 2011
MOVED/ CARRIED (Crs K Dusting/ M Pearce)**

That the Minutes of the Closed Session of the Ordinary Meeting held on 19 December 2011 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

EA

MATTERS ARISING FROM THE MINUTES

Ordinary Meeting of 19 December 2011

Nil

Closed Session of Ordinary Meeting of 19 December 2011

Nil

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>Mr T. O'Connor, General Manager</i>	<i>Non-Pecuniary interest as the joint owner of property affected by the erection of banner poles referred to in Item 3 of the General Manager's Planning Report and Item 7 of the Director of Engineering Services Report to Council.</i>
<i>Cr S Powley</i>	<i>Non-Pecuniary interest as the lessee of a business property affected by the erection of banner poles referred to in Item 3 of the General Manager's Planning Report and Item 7 of the Director of Engineering Services Report to Council.</i>

Ms L Cumming arrived at 12:05pm.

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, 19 December 2011:

Action:

Cr M Dusting

QUESTION:

Road to Kingstown

When will the road to Kingstown be fixed?

RESPONSE:

Heavy Patching and bitumen patching has been carried out on Kingstown Road.

QUESTION:

Cr M Dusting also asked about bridges on the Kingstown and Retreat Roads.

The Director of Engineering Services took on notice such question advising a response will be provided to the February 2012 Council Meeting.

DES

Cr S Powley

QUESTION:

Decals on Council Vehicles

Can sample designs and costings be obtained for Decals on Council vehicles?

DES

RESPONSE:

When a decal design for Council's light vehicles was raised at the Manex meeting of 14 April 2009 the decal suggested was for the style used by many businesses, utilising the Uralla "business font". This was to advertise Uralla when the vehicles were away from the shire area. Whilst it remained on the Manex checklist for over two years there was not a consensus for the design to be adopted.

Sample designs and costings of decals both the traditional round logo and of the larger screen printed decal will be obtained and reported to Council for consideration. The report will include the cost of decals (traditional and screen printed) and the estimated effect that each has on resale value.

Cr S Powley

QUESTION:

Cr Powley asked could costings be provided by the February Meeting?

DES

The General Manager reported that he has been advised by a car dealer in Armidale that the intended decals of adhesive vinyl do not damage the vehicle when used for a two year period.

Cr S Powley

QUESTION:

Popular Election of Mayor

Can an outline be provided of the process for Popular Election of the Mayor?

GM

RESPONSE:

Section 228 of the Local Government Act is:

How is it decided that the mayor be elected by the electors?

- (1) It may be decided at a constitutional referendum that the mayor be elected by the electors.
- (2) A decision that the mayor be elected by the electors takes effect in relation to the next ordinary election after the decision is made.

A constitutional referendum could be held at the coming ordinary council election in September 2012, however a Council resolution requiring such a Constitutional Referendum under Division 2 (Sections 15 to 17) of the Local Government Act would need to be passed by Council.

MOTION

4/12 MOVED/ CARRIED (Crs S Powley /L Wilson)

That Council hold, at the next ordinary election of Council, a Constitutional Referendum under Division 2 (Sections 15 to 17) of the Local Government Act to determine whether or not election for Mayor would be by electors (at large).

GM

Cr S Powley

QUESTION:

Gun in Apex Park

What is Council's Public Liability during the removal, restoration and reinstallation of the Gun in Apex Park?

GM

RESPONSE:

Council is only assisting with the funding for this work. It was removed by G&C Foundry on behalf of the RSL.

The General Manager provided a further explanation of the public liability differences between varying monuments in Council parks.

Cr R Spreadborough arrived at 12:21pm.

Cr S Powley

QUESTION:

Black Fellow's Gully

Is the name of the area known as "Black Fellow's Gully" considered appropriate, or should this name be changed?

GM

RESPONSE:

Staff believe that this name is inappropriate. Mr Bell has advised that he has previously encouraged concerned citizens to write to Council.

Council can advertise their resolve to change the name and seek suggestions for a new name to be considered by Council. This would then have to be sent to the Geographical Names Board for their approval.

MOVED/ (Crs S Powley / R Spreadborough)

That Council advertise its resolve to change the name and seek suggestions for a new name to be considered by Council.

FORESHADOWED MOTION

MOVED/ (Crs K Ward / M Pearce)

That Council seek the comments from the local community through the Local Aboriginal Elders of their attitude to a change of name from "*Black Fellow's Gully*".

The MOTION was PUT and LOST.

The Foreshadowed Motion became the Motion.

MOTION

MOVED/ SECONDED (Crs K Ward / M Pearce)

That Council seek community input through Local Aboriginal Elders to the proposal to change the name of "*Black Fellow's Gully*".

5/12 Following debate the MOTION was PUT and CARRIED.

NOTICES OF MOTION

There were no Notices of Motion received for the 23 January 2012 Meeting.

STAFF REPORTS

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Uralla Swimming Pool
U09/6582

6/12 **MOVED/ CARRIED (Crs S Powley / R Filmer)**

That Council note the result of the ten weeks and four days of operation to 12 January 2012 of the Uralla Swimming Pool 2011/2012 season with 4,982 admissions; being an increase of 13.1% over the first twelve weeks and two days, to a comparable date, of last season.

Item 2

Uralla Shire Council Operating Policies
U07/70

7/12 **MOVED/ CARRIED (Crs R Spreadborough / S Powley)**

That Council adopt the Engineering Services – Transport Operating Policy (3.1.13) Draft Memorial Seats and Roadside Memorials Policy.

GM

Item 3

Uralla Shire Council Operating Policies
U07/70

PROCEDURAL MOTION

8/12 **MOVED/ CARRIED (Crs M Dusting / R Filmer)**

That Council move to a Committee of the whole, to discuss the General Manager's Item 3 Report and Recommendations.

PROCEDURAL MOTION

9/12 **MOVED/ CARRIED (Crs M Dusting / R Spreadborough)**

That Council resume Standing Orders.

10/12 MOVED/ CARRIED (Crs R Spreadborough /S Powley)

That Council:

- adopt, for the purpose of advertising for public submissions, the Draft Governance Operating Policies – Candidates for Council and new Councillor Induction Policy 1.2.15 as amended and Council Role as a Provider of Community Services Policy 1.2.16 and Draft Community Services Operating Policy – Community Services – Delivery of Aged and Disabled Services Policy (8.1.1).
- advertise the Draft Governance Operating Policies – Candidates for Council and new Councillor Induction Policy 1.2.15 and Council Role as a Provider of Community Services Policy 1.2.16 and Draft Community Services Operating Policy – Community Services – Delivery of Aged and Disabled Services Policy (8.1.1) for public submissions during the period Friday 27 January 2012 to Friday 24 February 2012.
- endorse the Tablelands Community Support Options Program Policies and Procedures:
 1. Corporate Governance
 2. Regulatory Compliance
 3. Information Management Systems
 4. Community Understanding and Engagement
 5. Continuous Improvement
 6. Risk Management
 7. Human Resource Management
 8. Physical Resources
 9. Service Access
 10. Assessment
 11. Support Planning and Delivery
 12. Client Reassessment
 13. Client Referral
 14. Information Provision
 15. Privacy and Confidentiality
 16. Complaints and Client Feedback
 17. Advocacy
 18. Independenceas included in the TCSOP Policies and Procedures Manual (January 2012).

ADJOURNMENT

LUNCHEON RECESS (1:00 – 1:30pm)

11/12 MOVED/ CARRIED (Crs M Pearce / R Spreadborough)

That Council break for a 30 minute Luncheon Adjournment (1:03pm – 1:33pm)

The Meeting resumed at 1:33pm

HAVE YOUR SAY

PRESENTATIONS MADE BY COUNCIL

Presentation of Kentucky Creek Water Quality Report

The Chair welcomed Mr Ken Froome, Chairperson of Armidale Aboriginal Land Council and Ms June French, Acting Chief Executive Officer of Armidale Aboriginal Land Council to the Meeting.

Mayor, Cr I Strutt advised that a completed investigation of the Kentucky Landfill has been undertaken. The investigation was commissioned and funded jointly by Uralla Shire Council and Border Rivers Gwydir CMA. Cr Strutt congratulated staff in undertaking the necessary reports and gave appreciation of the work involved.

Cr Strutt announced it was now Council's pleasure to hand back care of this land to the traditional owners and in doing so Council was proud of the fact the land being returned was in a "pristine" state as guaranteed within the Report "Kentucky Landfill (Closed) Investigation 2010 – 2012" which was also presented to the Armidale Aboriginal Land Council. (Report – Trim Reference UINT/12/122)

Mr Ken Froome and Ms June French jointly accepted the Report and the symbolic return of the land on behalf of the Armidale Aboriginal Land Council.

A photograph session of the handover was conducted.

PRESENTATIONS RECEIVED BY COUNCIL

Speakers in Order of Presentation:

The Chair introduced the Speaker in delivery of a Presentation as follows:-

1. Ms Sonia Williams

Resident and Ratepayer, Uralla Shire

The Speaker obtained permission to circulate an attachment to her presentation delivered on the subject of the Mid Point Industrial Estate Development.

Cr I Strutt thanked the Speaker for her Presentation to Council.

General Manager Report (Continued)

Governance and Administration (Continued)

Item 4

Local Infrastructure Renewal Scheme

U09/6612

MOVED/ (Crs M Dusting / R Spreadborough)

That Council acknowledges the five year \$70 million NSW Local Infrastructure Renewal Scheme in the form of an interest subsidy for the first 4% of borrowings to renew infrastructure announced by the Minister for Local Government, Hon Don Page, on Friday 6 January 2012 is a step in the right direction of providing funding to local government for the reduction of the infrastructure backlog, however the replacement of unaccounted infrastructure backlog with loan borrowings does not correct the fundamental issue of government funding of local government and unfunded mandates that has led to the creation of the infrastructure backlog.

GM

The original MOTION was AMENDED with agreement of the MOVER and SECONDER

12/12 MOVED/CARRIED (Crs M Dusting / R Spreadborough)

That Council:

- a) Note the information of the five year \$70 million NSW Local Infrastructure Renewal Scheme in the form of an interest subsidy for the first 4% of borrowings to renew infrastructure announced by the Minister for Local Government, Hon Don Page, on Friday 6 January 2012
- b) Do not take up the option of borrowing for infrastructure renewal.

Item 5

Uralla Food and Wine Festival

U12/6832

13/12 MOVED/ CARRIED (Crs R Spreadborough / S Powley)

That Council:

1. form a Section 355 Management Committee titled the Uralla Food and Wine Festival Committee with the function of running the Duke's Feast and co-ordinating the Food and Wine Festival for the period of 7 to 22 April 2012 as part of the Inaugural A+ Australian Wine Celebration.
2. appoint a Councillor, and the Community Development Officer to the Committee.
3. appoint Community members; Corinne Annetts, Kim Burnett, Ross Burnett, Daryl Carter, Sean Cassidy, Andrew Close and Jane Michie; as members of the Committee.

GM

14/12 MOVED/ CARRIED (Crs K Ward / R Filmer)

That Cr K Dusting be appointed as Council's delegate to Section 355 Management Committee titled the Uralla Food and Wine Festival Committee.

Item 6

Uralla Shire Events and Tourism Committee

U07/83

15/12 MOVED/ CARRIED (Crs M Pearce / S Powley)

That Council request that the report, on the structure and form of a Uralla Shire Tourism and Events Committee of Councillors and Staff, from the General Manager for this meeting be provided to the Ordinary meeting of Monday 27 February 2012.

GM

Planning

Item 1

Development Assessment Unit (DAU) Minutes

U07/171

16/12 MOVED/ CARRIED (Crs S Powley / M Pearce)

That Council:

- a) note the Minutes of the Development Assessment Unit meeting held Tuesday, 10 January 2012 and
- b) not release the plan of subdivision in relation to DA 1215/2006 until all conditions of development consent are fully finalised.

**GM /
MP**

Item 2

DIVISION DECISION

**Development Approval Amendment to Layout of Industrial Subdivision –
Mid Point Estate**

DA 6/2008A

MOVED (Crs R Spreadborough / S Powley)

That Council:

1. Approve the amendment to DA 6/2008A for industrial subdivision of 15 lots and residue being Stage One and residue in the Mid Point Estate on Lot 385 DP 755846 on the land known as 385 Thunderbolts Way, Uralla subject to the conditions in the Development Assessment Report.
2. endorse the fixing of the Council Seal as required, on all necessary documentation relating to Development Application 6/2008A on land known as 385 Thunderbolts Way, Uralla being Lot 385 DP 755846.

**GM/
MP**

PROCEDURAL MOTION

17/12 MOVED/ CARRIED (Crs M Dusting /L Wilson)

That Council move to a Committee of the whole, to discuss the General Manager's Planning Item 2 Report and Recommendations.

PROCEDURAL MOTION

18/12 MOVED/ CARRIED (Crs R Spreadborough / S Powley)

That Council resume Standing Orders.

**The original MOTION was AMENDED with agreement of the MOVER and
SECONDER**

AMENDED MOTION

19/12 MOVED/CARRIED (Crs R Spreadborough / S Powley)

That Council:

1. Approve the amendment to DA 6/2008A for industrial subdivision of 15 lots being Lots 1 and 2, 4 to 15, as being Stage One and residue in the Mid Point Estate on Lot 385 DP 755846 on the land known as 385 Thunderbolts Way, Uralla subject to the conditions in the Development Assessment Report.
2. endorse the fixing of the Council Seal as required, on all necessary documentation relating to Development Application 6/2008A on land known as 385 Thunderbolts Way, Uralla being Lot 385 DP 755846.

A Division was called and the result was as follows:

FOR: R Spreadborough, S Powley, L Wilson, M Pearce, R Filmer, M Dusting,
K Dusting, I Strutt.

AGAINST: K Ward

ABSENT: Nil

20/12 MOVED/CARRIED (Crs K Dusting / R Spreadborough)

That staff obtain written advice from the Environmental Protection Authority (EPA) on the matter of potential contamination of the Lot 385 DP 755846 as a matter of urgency and report back to Council on the effect of that advice.

ADJOURNMENT

- 21/12 COMFORT BREAK (3:20 – 3:30pm)**
MOVED/ CARRIED (Crs R Spreadborough / M Pearce)
That Council adjourn for a 10 minute comfort break (3:20 – 3:30pm).

The Meeting resumed at 3:30pm

- 22/12 MOVED/ CARRIED (Crs R Filmer / K Dusting)**
That Item 7 of the Director of Engineering Services' Report be brought forward, since both Item 3 of the General Manager's Planning Report and Item 7 of the Director of Engineering Services' Technical Services Report refer to Infrastructure Project – Banner Posts.

Item 3

DIVISION DECISION

Item 3 of General Manager's Planning Report

Development Application 71/2012 – Uralla Shire Council – Installation of Banner Poles in Heritage Precinct

Item 7 of the Director of Engineering Services' Technical Services Report

Infrastructure Project – Banner Posts

U09/6588

The General Manager, Mr T O'Connor having declared a Non-Pecuniary interest as the joint owner of property affected by the erection of banners referred to in Item 3 of the General Manager's Planning Report and Item 7 of the Director of Engineering Services Report to Council left the meeting.

Cr S Powley having declared a Non-Pecuniary interest as the lessee of a business property affected by the erection of banners referred to in Item 3 of the General Manager's Planning Report and Item 7 of the Director of Engineering Services Report to Council left the meeting.

PROCEDURAL MOTION

- 23/12 MOVED/ CARRIED (Crs R Filmer / M Dusting)**
That Council move to a Committee of the whole, to discuss the General Manager's Planning Item 3 and the Director of Engineering Services' Technical Services Reports and Recommendations.

The Manager of Planning was requested to outline on a Uralla town mud map drawn on a whiteboard, the Heritage area of the township in relation to the location of the proposed banner posts.

Discussion was undertaken of the best placement for Banner Poles for the township and the mud map was altered to indicate such positioning.

PROCEDURAL MOTION

- 24/12 MOVED/ CARRIED (Crs R Spreadborough / R Filmer)**
That Council resume Standing Orders.

25/12 MOVED/ CARRIED (Crs R Spreadborough / R Filmer)

That Council erect banner poles in groups of three at the Northern and Southern entries to Uralla, in groups of two on the entrances from Bundarra and Walcha with the remainder to be located in Bridge Street with consideration to the positioning of power poles and with any poles located in the Heritage Precinct to be painted in a colour scheme advised by the Heritage Advisor.

A Division was called and the result was as follows:

FOR: R Spreadborough, L Wilson, M Pearce, R Filmer, M Dusting, K Dusting, I Strutt, K Ward.

AGAINST: Nil

ABSENT: Cr Powley

The General Manager and Cr Powley returned to the Meeting Room at 4:10pm.

Item 4**Regulatory Statistics**

U07/168

26/12 MOVED/ CARRIED (Crs K Ward / M Pearce

That Council note the Regulatory Function Statistics for the Quarter ending 31 December 2011.

Item 5**Planning Application Approvals and Refusals for the Month of December 2012**

U07/168

27/12 MOVED/ CARRIED (Crs M Pearce / S Powley)

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

It was advised that an amendment to the General Manager's Planning Report, Page 2:12 being the Complying Development Applications Approvals Report for the month of December 2011 is required to show the correct address of: 9 Court Street, "Bundarra" rather than 9 Court Street, "Uralla".

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT**Administration and Finance****Item 1****Cash at Bank and Investments**

U10/1

MOVED/ (Crs S Powley /R Filmer)

That Council note the cash position at 30 December 2011 consisting of: cash and overnight funds of \$1,319,089.55, term deposits of \$4,900,00.00 totalling \$6,216,089.55 of readily convertible funds.

The Mayor advised the third paragraph of the Information on Page 3:2 of General Manager's Administration and Finance Report, Item 1, should read:

"Current term deposits of \$4,900,000.00 spread over the next three months will receive a range of interest from 5.5% to 6% with an average rate of 5.8%."

28/12 The MOTION was PUT and CARRIED.

Community Services

Item 1

Visitor Information Centre Monthly Report

U07/273

29/12 MOVED/ CARRIED (Crs K Dusting / S Powley)

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

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services

Item 1

Works Progress for Period ended 13 January 2012

U07/3041

Item 2

Works Planning

U07/3041

30/12 MOVED/ CARRIED (Crs R Filmer / M Pearce)

That the Works progress for the period ended 13 January 2012 and the planned Works be noted.

Item 3

Statewide Mutual Best Practice Manual – Signs as Remote Supervision

U07/73-03

31/12 MOVED/ CARRIED (Crs R Filmer / M Dusting)

That Council adopt the Statewide Mutual Best Practice Manual for Signs as Remote Supervision as a guide.

DES

Item 4

Interface Agreement pursuant to the Rail Safety Act 2008

U07/127

RECOMMENDATION

That Council sign the Rail Road Interface Agreement however continue to strongly object to the unreasonable impost of Council carrying out road maintenance in the rail corridor.

DES

The Director of Engineering Services advised that notice of change in the management agent for the Country Regional Network to John Holland Rail Pty Ltd had been received.

- 32/12 MOVED/ CARRIED (Crs R Filmer / M Dusting)**
That the matter of the Interface Agreement pursuant to the Rail Safety Act 2008 lay on the table until the agreement with John Holland Rail Pty Ltd is negotiated.

Item 5
Works Committee Meeting
U07/172

- 33/12 MOVED/ CARRIED (Crs R Spreadborough / S Powley)**
That Council note the Minutes of the Works Committee Meeting held Thursday, 12 January 2012 and adopt the following recommendations:

Case Pty Ltd:

1. That Council accept the 4000 hour/4 year warranty provided Council staff continue to carry out servicing.

Roads to Recovery – Bus Tour:

2. That Councillors undertake a Shire Tour on Monday, 6 February 2012.

Gostwyck Road – request for fencing:

3. That Council erect additional signage on the unfenced section of Gostwyck Road due to the tourist traffic using the road.

DES

Item 6
Pioneer Cemetery Upgrade
U09/6588

- 34/12 MOVED/ CARRIED (Crs K Dusting / R Filmer)**
That Council note the funding of \$72,420.20 from Infrastructure allocation of \$27,183.00 and the budget allocation of \$45,237.20 and the staff effort in seeking further funding.

The Director of Engineering Services advised that a garbage bin was not included in the budget estimate for the Pioneer Cemetery as Council had chosen to remove the bin.

Item 7
Infrastructure Project – Banner Posts
U09/6588

Matter dealt with previously – refer Item 3 of the General Manager's Planning Report.

The Director of Engineering Services left the Meeting Room at 4:47pm.

MAILOUT TO COUNCILLORS

Mailouts forwarded to Councillors for the Period Friday, 16 December 2011 to Friday, 13 January 2012

U07/23

35/12 MOVED/ CARRIED (Crs M Pearce / M Dusting)

That the Mailouts forwarded to Councillors for the Period Friday, 16 December 2011 to Friday, 13 January 2012 which includes MANEX Meeting Minutes for Monday, 12 December 2011, Monday, 19 December 2011 and Monday 9 January 2012 be noted.

The Mayor advised that in relation to Item 7 of the Mailout of 13 January 2012, titled Funding for Upgrades to Uralla and Warialda Bus Stops, documentation relating to the Original Application and Grant, for a suggested 19 bus stops for disadvantaged people, will be presented to a future meeting of Council.

The General Manager advised that in relation to Item 5 of the Mailout of 16 December 2011, titled Uralla Cultural Plan and Public Art Policy, a report on the proposal by Uralla Arts through Mr Andrew Parker will be put on the Agenda for the February 2012 Council Meeting.

The Director of Engineering Services returned to the Meeting Room at 4:52pm.

MINUTES OF COMMITTEE MEETINGS

36/12 MOVED/ CARRIED (Crs S Powley / R Filmer)

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

- Australia Day Committee Meeting held 30 November 2011
- Environmental Committee Meeting held 10 January 2012
- McMaugh Gardens Aged Care Centre Advisory Committee Meeting held 8 December 2011.

Cr K Dusting invited all Councillors to attend the upcoming Australia Day Ceremony and associated celebrations.

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 K Dusting	20 December	Bundarra Neighbourhood Aid, Bundarra – Observer
	21 December	Councillors Xmas Party
	12 January	Australia Day Committee
	17 January	Street Stall, Australia Day Committee
	18 January	International Women's Day Luncheon planning
	19 January	Street Stall, Australia Day Committee
	21 January	Australia Day Committee – planning meeting, Alma Park
	23 January	Uralla Shire Council Meeting
Cr R Filmer	10 January	DAU
	12 January	Works Committee
Cr K Ward	10 January	Environmental Committee
	12 January	Works Committee
Cr M Pearce	23 January	Uralla Shire Council Meeting
Cr M Dusting	20 December	Bundarra Neighbourhood Aid, Bundarra
	21 December	Councillors Xmas Party
Cr L Wilson	23 January	Uralla Shire Council Meeting
Cr S Powley	10 January	Environmental Committee Meeting
	10 January	DAU
	12 January	Works Committee Meeting
	25 January	Uralla Shire Council Meeting
Cr R Spreadborough		Nil to Report
Cr I Strutt		Cr I Strutt supplied a verbal summary only.

QUESTIONS ON-NOTICE RAISED

Questions On-Notice for Next Meeting of Council

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

Cr R Filmer

QUESTION:

Details on Bus Stops

Could the Director of Engineering Services provide a full Report of the proposed Bus Stops referred to in Item 7 of the Councillors Mailout of Friday, 13 January 2012, to the February 2012 Council Meeting?

DES

Cr M Dusting

QUESTION:

Update of Solar Power at McMaugh Gardens

Could an update of the Solar Power installation and running at McMaugh Gardens be provided to the February 2012 Council Meeting?

MBES

Cr R Spreadborough

QUESTION:

Battery Back Up to Solar Power at McMaugh Gardens

Could Council consider the cost of supplying batteries as a back up at McMaugh Gardens when no solar power is being generated?

MBES

Cr M Dusting

QUESTION:

Garbage Bin Removal

Does Council have a plan of removal for street rubbish bins and why are some bins being removed?

MBES

Cr S Powley

QUESTION:

Vehicle for Computerbank

Is there any opportunity for Computerbank to purchase a vehicle through Council?

GM

QUESTION:

Honesty Box for After Hours Access to Swimming Pool

Is it feasible for Council to install an honesty box for after hours access to Uralla Swimming Pool?

GM

Cr K Ward

QUESTION:

Costings for SES Building Pad and Slab

Could Council provide details of costs for the preparation of the Pad and the pouring of the Slab for the Uralla SES Building?

**GM /
MBES**

MOVE TO CLOSED SESSION

MEETING PROCEDURE

37/12 MOVED/ CARRIED (Crs R Spreadborough / M Pearce)

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.

38/12 MOVED/ CARRIED (Crs R Spreadborough / M Pearce)

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 contains advice pertaining to litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, [Section 10A (2)(g) of the Local Government Act]; 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

39/12 MOVED/ CARRIED (Crs R Spreadborough / M Pearce)

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

APOLOGY (Closed Session)

There were no Apologies declared

The Manager of Planning returned to the Meeting room at 5:05pm.

STAFF REPORTS TO CLOSED SESSION

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Land and Environment Court Section 34 Hearing – 12187 of 2012

DA - 58 - 2012

PROCEDURAL MOTION

40/12 MOVED/ CARRIED

That Council move to a Committee of the whole, to discuss the General Manager's Governance and Administration Item 1 Report and Recommendations.

PROCEDURAL MOTION

41/12 MOVED/ CARRIED

That Council resume Standing Orders.

42/12 MOVED/ CARRIED

That Council instruct our legal representatives, Lindsay Taylor Lawyers, that Council does not wish to participate in the Section 34 hearing set for Monday, 6 February 2012 commencing at 9:30am, as Council does not wish to misrepresent to the Applicant or the Court the extent to which a solution can be negotiated at a conciliation conference; having regard to the independent expert evidence now available and adopted by Council.

GM

MOVE TO OPEN SESSION

MEETING PROCEDURE

43/12 MOVED/ CARRIED

That Council move back into Open Session

There being no further business, the Chair declared the meeting closed at 5:37pm

CLOSURE OF MEETING

The Meeting closed at 5:37pm.

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 23 January 2012, consisting of Page 24 and the previous pages, were confirmed by Resolution No. 45/12 on 27 February 2012

Russell C. M. Stull Mayor