



ORDINARY MEETING OF COUNCIL

**Held at 5:00pm
On 22 December 2014**

ROLL CALL

Councillors:

Cr M Pearce (Mayor)
Cr B Crouch (Deputy Mayor)
Cr L Cooper
Cr K Dusting
Cr M Dusting
Cr D Field
Cr F Geldof
Cr I Strutt
Cr K Ward

Staff:

Mr D Connor, General Manager
Mr R Bell, Director of Engineering Services
Mrs J Michie, Director of Administrative Services
Ms L Cumming, Manager of Planning
Mrs O Wood, Manager of Community Care
Mrs D Williams, Minute Clerk

MINUTES

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The Meeting Commenced at: 5:00pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, L Cooper, K Dusting, M Dusting, D Field, I Strutt, K Ward, General Manager (Mr D Connor), Director of Engineering Services (Mr R Bell), Acting Director of Administrative Services (Mrs O Wood), Manager of Planning (Ms L Cumming), Minute Clerk (Mrs D Williams).

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT TO COUNTRY

4. APOLOGIES

Apologies were tabled for Cr F Geldof, Mrs J Michie, Director of Administrative Services.

398/14 **MOVED/ CARRIED (Crs M Dusting/K Ward)**

That the apologies for Cr F Geldof and Mrs J Michie, Director of Administrative Services be accepted.

6. DISCLOSURES & DECLARATION OF INTERESTS

At request of the Chair, the Minute Clerk tabled details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 22 December 2014 meeting.

Submitted By:	Interest Declared:
<i>Mr R Bell</i>	<i>Non-Pecuniary interest in Item 2 of the General Manager's Report – Dwelling Entitlement – SA Gapes</i>

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 24 November 2014

399/14 **MOVED/ CARRIED (Crs D Field/I Strutt)**

That the Minutes of the Ordinary Meeting held on 24 November 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

Closed Session of 24 November 2014

400/14 **MOVED/ CARRIED (Crs I Strutt/K Ward)**

That the Minutes of the Closed Session of the meeting held on 24 November 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

7. ANNOUNCEMENTS

The General Manager announced that Council is to be the recipient of a grant for the sportsground at Uralla of \$28,000 and will also receive a grant for \$6,000 toward electrical work to be done at Alma Park.

8. TABLING OF REPORTS & PETITIONS

The Environmental Monitoring Uralla Landfill Annual Report for Uralla Shire Council, 17 October 2013 – 16 October 2014.

9. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

Cr L Cooper arrived at 5:15pm.

10. WRITTEN REPORTS FROM DELEGATES

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 D Field		
	08 December	Corporate & Governance Committee Meeting, USC Economy, Development & Transport, Committee Meeting, USC Friends of McMaugh Gardens Christmas Luncheon, Uralla Golf Club
	9 Dec	Environment & Water-cycle Committee Meeting, USC
	10 Dec	Access & Disability Meeting, Uralla Community Centre
	20 Dec	Councillor Christmas Party, Uralla Golf Club
	22 Dec	Ordinary Council Meeting, USC
Cr F Geldof		
		No report received – on Leave of Absence
Cr B Crouch		
	27 November	ZNET Launch, Uralla
	1 Dec	Councillor Briefing Session, (CBS), USC
	08 Dec	Corporate & Governance Committee Meeting, USC Economy, Development & Transport, Committee Meeting, USC
	15 Dec	Discussion- Keith Rhodes, LGNSW, Uralla
	16 Dec	Emu Crossing Bridge – Site Inspection, Bundarra
	19 Dec	Bundarra Neighbourhood Aid Christmas Lunch, Bundarra
	22 Dec	Ordinary Council Meeting, USC
Cr M Dusting		
	24 Nov	Audit Report, USC Ordinary Council Meeting, Uralla
	26 Nov	Jobs Australia Meeting, Armidale
	27 Nov	ZNET Launch, Uralla
	1 Dec	Councillor Briefing Session, (CBS), USC
	4 Dec	Bundarra School Presentation, Bundarra
	08 Dec	Corporate & Governance Committee Meeting, USC
	9 Dec	Environment & Water-cycle Committee Meeting, USC

DELEGATE REPORTS (continued)

Councillor

Activity Date:

Activity Detail:

Cr M Dusting (continued)...

10 Dec GMC Christmas Party, Bundarra
11 Dec Kingstown School Presentation, Kingstown
15 Dec New England Weeds Authority Christmas Party, Armidale
16 Dec Emu Crossing Bridge – Site Inspection, Bundarra
19 Dec Bundarra Neighbourhood Aid, Christmas Lunch
20 Dec Councillors Christmas Party, Uralla

Cr K Dusting

24 Nov Audit Report, USC
Ordinary Council Meeting, Uralla
26 Nov Jobs Australia Meeting, Armidale
27 Nov ZNET Launch, Uralla
1 Dec Councillor Briefing Session, (CBS), USC
4 Dec Bundarra School Presentation, Bundarra
08 Dec Corporate & Governance Committee Meeting, USC
10 Dec GMC Christmas Party, Bundarra
11 Dec Kingstown School Presentation, Kingstown
15 Dec New England Weeds Authority Christmas Party, Armidale
16 Dec Emu Crossing Bridge – Site Inspection, Bundarra
16 Dec Kentucky School Presentation Night, Kentucky
19 Dec Bundarra Neighbourhood Aid, Christmas Lunch
20 Dec Councillors Christmas Party, Uralla

Cr L Cooper

26 November Jobs Australia Meeting, Armidale
29 Nov Jobs Australia Christmas Party, Inverell
1 Dec Paws Up Display, Community Centre Uralla
20 Dec Councillors Christmas Party, Uralla Golf Club

Cr K Ward

9 Dec Environment & Water-cycle Committee Meeting, USC
15 Dec St Joseph's School Presentation Evening, Uralla
16 Dec Emu Crossing Bridge – Site Inspection, Bundarra

Cr I Strutt

27 Nov ZNET Launch, Uralla
28 Nov Community Services Christmas Morning Tea, Armidale
1 Dec Councillor Briefing Session, (CBS), USC
Carer's Drought Relief Function, Uralla
08 December Corporate & Governance Committee Meeting, USC
Economy, Development & Transport, Committee Meeting, USC
9 Dec Environment & Water-cycle Committee Meeting (Observer), USC
10 Dec Rocky River School Presentation Night
15 Dec CBS, USC
16 Dec Emu Crossing Bridge – Site Inspection, Bundarra
22 Dec Ordinary Council Meeting. USC

DELEGATE REPORTS (continued)

Councillor	Activity Date:	Activity Detail:
Cr M Pearce		
	25 November	Administration & Correspondence, Mayors Office Speak with GM re Current Issues
	26 Nov	2AD Radio Interview, Uralla Administration & Correspondence, Mayors Office Administration & Correspondence, Mayors Office
	27 Nov	ZNET Launch, Uralla CWA Christmas Lunch, Uralla
	28 Nov	Administration & Correspondence, Mayors Office
	29-30 Nov	Mayors Weekend, Sydney
	1 Dec	CBS, Uralla 2AD Radio Interview, Uralla Administration & Correspondence, Mayors Office
	2 Dec	Media Interviews Re ZNET, Uralla Administration & Correspondence, Mayors Office
	2 Dec	Pensioners/Seniors Christmas Lunch, Uralla
	3 Dec	Administration & Correspondence, Mayors Office
	4 Dec	NIRW Meeting, Bingara
	8 Dec	Administration & Correspondence, Mayors Office
	08 December	Corporate & Governance Committee Meeting, USC Economy, Development & Transport, Committee Meeting, USC
	9 Dec	Environment & Water-cycle Committee Meeting, USC
	10 Dec	2AD Radio Interview, Uralla Workshop on NAMOI ROC pilot project, Tamworth
	11 Dec	NAMOI ROC Annual General Meeting and December Meeting, Tamworth
	15 Dec	Administration & Correspondence, Mayors Office Meeting with LGNSW President & CEO – with Deputy Mayor, Uralla
	16 Dec	Emu Crossing Bridge – Site Inspection, Bundarra
	17 Dec	Administration & Correspondence, Mayors Office
	18 Dec	Administration & Correspondence, Mayors Office NIRW Program Committee Meeting, USC
	22 Dec	Administration & Correspondence, Mayors Office Speak with GM re Current Issues Ordinary Council Meeting, USC

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for Leave of Absence received.

MOTION

To Suspend Standing Orders

401/14 **MOVED/ CARRIED (Crs M Dusting/B Crouch)**

To suspend standing order of Agenda and move to hear Items 14, 15, 17,19 & 20.

14. MAYORAL MINUTE

Mayors Office

Cr Michael Pearce

Item 1

National Local Roads and Transport Congress, Tamworth 12-14 November 2014

402/14 **MOVED/ CARRIED (Crs I Strutt/K Ward)**

That the report on the National Local Roads and Transport Congress, Tamworth 12-14 November 2014 be received and noted.

15. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

Department:	Community Support – CLOSED SESSION
Submitted by:	Olivia Wood
Reference:	Item 4
Subject:	Tender Evaluation for provision of Community Support Services

This report is presented to the CLOSED section of the Council meeting under section 10A (2 d) commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or

A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed in subclause (2), or
- (b) the receipt or discussion of any of the information so listed.

MOTION

Motion To Consider Items in Confidential Business Section.

403/14 **MOVED/ CARRIED (Crs D Field/B Crouch)**

Motion for the following Items to be Considered in Confidential Section:

- Tender Evaluation for provision of Community Support Services

17. REPORTS FROM THE CORPORATE & GOVERNANCE COMMITTEE

Department:	Governance
Submitted by:	Jane Michie
Reference:	1.8.12.01
Subject:	Annual Report 2013-2014

- 404/14 **MOVED/ CARRIED (Crs K Ward/D Field)**
That the report regarding the Annual Report 2013-2014 be received and noted and that all Council staff be recognised and acknowledged for their effort.

18. REPORTS FROM THE COMMUNITY & CULTURE COMMITTEE

No reports from Community & Culture

19. REPORTS FROM THE ECONOMY, DEVELOPMENT & TRANSPORT COMMITTEE

Department:	Technical Services
Submitted by:	Works Manager
Reference:	3.8.12.01
Subject:	Works Progress Report to 30 November 2014

- 405/14 **MOVED/ CARRIED (Crs D Field/I Strutt)**
That the report on works completed or progressed for November 2014 be received and noted.

Department:	Technical Services
Submitted by:	Works Manager
Reference:	3.8.12.02
Subject:	Works Planning Report December 2014

- 406/14 **MOVED/ CARRIED (Crs K Dusting/L Cooper)**
That the report on works planned for December 2014 be received and noted.

[AO]

Department:	Technical Services
Submitted by:	Manager of Planning
Reference:	3.8.12.03
Subject:	Development Approvals and Refusals for November 2014

- 407/14 **MOVED/ CARRIED (Crs I Strutt/L Cooper)**
That the development approvals and refusals for November 2014 be received and noted.

20. REPORTS FROM THE ENVIRONMENT & WATER-CYCLE COMMITTEE

Department:	Infrastructure and Regulation
Submitted by:	Manager Waste and Resource Recovery
Reference:	4.9.12.01
Subject:	Uralla Landfill Environmental Annual Report 17 October 2013 to 16 October 2014

- 408/14 **MOVED/ CARRIED (Crs D Field/I Strutt)**
That the Environmental Monitoring Uralla Landfill Annual Report 17 October 2013 to 16 October 2014 be received and noted

Department:	Infrastructure and Regulation
Submitted by:	Manager Waste and Resource Recovery
Reference:	4.9.12.02
Subject:	Waste and environmental education – 2014 EnviroMentors Report

- 409/14 **MOVED/ CARRIED (Crs K Dusting/L Cooper)**
That the report on the 2014 EnviroMentors Report be received and noted.

MOTION

Supper Adjournment (6:00pm to 6:30pm)

- 410/14 **MOVED/ CARRIED (Crs /)**
That Council break for a 30 minute Supper Adjournment.

11. SUPPER

The Meeting resumed at 6:30pm.

12. PRESENTATIONS

Nil

13. DEPUTATIONS

1. **Mr Nick Endacott**
General Manager's Report Item 3 = Explosive Depth Hardening Processing
The Speaker delivered a presentation on the subject of General Manager's Report Item 3 = Explosive Depth Hardening Processing.
1. **Mr John Farrar**
General Manager's Report Item 3 = Explosive Depth Hardening Processing
The Speaker delivered a presentation on the subject of General Manager's Report Item 3 = Explosive Depth Hardening Processing.
1. **Mr Patrick Swanson**
General Manager's Report Item 3 = Explosive Depth Hardening Processing
The Speaker delivered a presentation on the subject of General Manager's Report Item 3 = Explosive Depth Hardening Processing.

The Chair thanked the speakers for their Deputations to Council.

MOTION

To Suspend Standing Orders

411/14 **MOVED/ CARRIED (Cr M Dusting/B Crouch)**

To suspend standing order of Agenda and move to hear Items from the General Manager's Report, commencing with Item 3, followed by Item 2 and then Item 1.

16. REPORTS FROM THE GENERAL MANAGER

Department:	Technical Services
Submitted by:	Manager of Planning
Reference:	Item 3
Subject:	Explosive Depth Hardening Processing – G & C Swilks

PROCEDURAL MOTION

Move to Committee of the Whole

412/14 **MOVED/ CARRIED (Crs K Ward/D Field)**

That Council move to a 'Committee of the Whole' to discuss the General Manager's Item 3 Report and Recommendation/s.

Councillors held a detailed discussion in relation to Item 3 of the General Manager's Report.

PROCEDURAL MOTION

Resumption of Standing Orders

413/14 **MOVED/ CARRIED (Crs D Field/L Cooper)**

That Council resume Standing Orders.

The General Manager advised details of the discussion during the Committee of the Whole.

414/14 **MOVED/ CARRIED (Crs I Strutt/M Dusting)**

That Council approve development application 71/2014 being for explosive depth hardening processing on land known as 1921 Thunderbolts Way, Yarrowyck, being Lot 2 DP 575385 under the ownership of G & C Swilks subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Nil

GENERAL CONDITIONS

1. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, drawn by plan drawers name, numbered drawing numbers and dated date, and subject to the conditions below to ensure the development is consistent with Council's consent.
2. All blasting operations must be undertaken as per the provisions of the ANZEC Guidelines *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration*.

3. All blasting operations must be undertaken as per the provisions of the *Standards of Australia Explosive Code AS2187.2-2006*.
4. All blasting operations must comply with all licencing requirements of WorkCover.
5. Blasting can only be carried out 4 days per fortnight, but only on a Tuesday, Wednesday or Thursday between the hours of 11.00am and 3.00pm.
6. A record is to be kept of all blasts including the date, time and nature of each blast.
7. No more than eight blasts can be carried out on any single day.
8. The Blast Management Plan is to be adhered to and is to be kept current all times.
9. All properties within a 6 kilometre radius from the blast site must be notified a minimum of 48 hours prior to the day of blasting, noting the timing and number of blasts to be carried out.
10. A complaints register is to be kept and provided upon request to Council for any issues relating to the blasting process.

FORESHADOWED MOTION

MOVED/ SECONDED (Crs K Ward)

That Council:

- Defer making a decision on Item 3 of the General Manager's Report until Councillors conduct an on-site inspection.

A Division was called and the result was as follows:

FOR: K Disting, M Disting, M Pearce, I Strutt

AGAINST: B Crouch, L Cooper, D Field, K Ward

ABSENT: F Geldof

Motion was carried as the Mayor, Cr M Pearce had the casting vote.

Mr R Bell, Director of Engineering Services left the room at 7:31pm, having earlier declared a non-pecuniary interest in Item 2 of the General Manager's Report.

Additional Deputation (Request from the Public Gallery)

PROCEDURAL MOTION

Request to Speak from the Gallery

A request to make a Deputation to Council was made from the Public Gallery by Mrs Airs, regarding Item 2 of the General Manager's Report.

415/14 MOVED/ CARRIED (Crs L Cooper/K Ward)

That the request to address Council by Mrs Airs be noted and leave to speak granted.
The Chair introduced the Speaker in delivery of a Deputation as follows:-

1. Mrs Airs

The Speaker delivered a presentation on the subject of Item 2 of the General Manager's Report.

The Chair thanked Mrs Airs for her Presentation to Council.

Department:	Technical Services
Submitted by:	Manager of Planning
Reference:	Item 2
Subject:	Dwelling Entitlement – SA Gapes

416/14 **MOVED/ CARRIED (Crs K Ward/M Dusting)**

That Council:

- a) Support the Clause 4.6 development application 55/2014 being for a variation of minimum lot size on land known as Thunderbolts Way, Uralla, being Lot 74 DP 3378 under the ownership of S Gapes subject to the following conditions.
- b) Request concurrence from the Director General of the NSW Office of Planning & Environment subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Nil

GENERAL CONDITIONS

1. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, drawn by plan drawers name, numbered drawing numbers and dated date, and subject to the conditions below to ensure the development is consistent with Council's consent.
2. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
3. A sewer main extension is required for a distance of 90 metres @ \$110.00 per metre totalling \$9,900.00 for the extension. At the time of registration of the Plan of Survey at the Land Titles Office, the applicant shall dedicate a 3 metre wide easement over the sewer main, in favour of Council, and at no cost to Council.

Please Note: This cost is current for a 90 day period as at the date of the development consent.

4. Connection to the sewer main is required for Lot 74 DP 3378. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2014/2015 year is \$508.00 per connection.
5. Connection to the water main is required for Lot 74 DP 3378 from the existing main in Duke Street. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2014/2015 year is \$905.00 per connection.
6. Access is to be constructed from Thunderbolts Way. The access is to be a pipe culvert of a minimum 450mm diameter and located to achieve a minimum stopping sight distance of 170m. The access is to be designed and constructed in accordance with Austroads Guide to Road Design Part 4: Intersections and Crossings, Figure 7.2 Rural Property Access and bitumen sealed to the property boundary and is to be constructed to a standard approved by the Director of Engineering Services, prior to the erection of a dwelling.

7. If a right of carriageway is to be created over either of the lots for access, a notation is placed on the title of every benefitting lot such that maintenance of the right-of-carriageway is required, to a maintained trafficable standard suitable at all times for two-wheel drive vehicles, with the cost being borne proportionally by each owner based on the distance of the access point of their allotment to the public road.
8. Prior to any works within the road reserve of a classified road, Thunderbolts Way, the developer will require written approval from Uralla Shire Council under Section 1138 of the Roads Act 1993 and the concurrence of Roads and Maritime Services.
9. A suitable approval by way of either a Development Application and Construction Certificate or Complying Development Certificate must be gained for a dwelling prior to the commencement of construction.

A Division was called and the result was as follows:

FOR: K Dusting, M Dusting, M Pearce, I Strutt, B Crouch, L Cooper, D Field, K Ward
AGAINST: Nil
ABSENT: F Geldof

Mr R Bell returned to the room at 7:41pm

Department:	General Managers Office
Submitted by:	General Manager
Reference:	Item 1
Subject:	Changes to Standing Committees

PROCEDURAL MOTION

Move to Committee of the Whole

417/14 MOVED/ CARRIED (Crs K Ward/ M Dusting)

That Council move to a 'Committee of the Whole' to discuss Item 1 of the General Manager's Report.

Councillors held a detailed discussion on this matter.

PROCEDURAL MOTION

Resumption of Standing Orders

418/14 MOVED/ CARRIED (Crs D Field/B Crouch)

That Council resume Standing Orders.

419/14 MOVED/ CARRIED (Crs D Field/M Dusting)

That:

1. The four current Standing Committees be replaced by a Corporate and Community Standing Committee and an Environment, Development & Infrastructure Standing Committee;
2. The Standing Committees be held on the third Monday of the month commencing at 4.00pm and 6.00pm;
3. Membership of each Standing Committee remain as four (4) Councillors and the Mayor;
4. Membership of the Corporate & Community Standing Committee

- be Councillors K Ward, I Strutt, M Dusting, D Field and the Mayor;
5. **Membership of the Environment, Development & Infrastructure Standing Committee be Councillors B Crouch, K Dusting, F Geldof, L Cooper and the Mayor; and**
 6. **The changes be reflected in Councils Code of Meeting Practice and Register of Council Committees.**

21. MOTIONS ON NOTICE

22. SCHEDULE OF ACTIONS – As at 11 December 2014

23. CONFIDENTIAL BUSINESS

MEETING PROCEDURE

Move to Closed Session

- 420/14 MOVED/ CARRIED (Crs D Field/M Dusting)**
That Council move into Closed Session.

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, L Cooper, K Dusting, M Dusting, D Field, I Strutt, K Ward, General Manager (Mr D Connor), Director of Engineering Services (Mr R Bell), Director of Administrative Services (Mrs J Michie), Manager of Planning (Ms L Cumming), Manager of Community Care (Mrs O Wood), Minute Clerk (Mrs D Williams).

APOLOGY (Closed Session)

Cr F Geldof, and Mrs J Michie, Director of Administrative Services was noted as an Apology to the Closed Session.

MOTION

Closed Session Apology

- 421/14 MOVED/ CARRIED**
That the apologies for Cr F Geldof, and Mrs J Michie, Director of Administrative Services be accepted.

MEETING PROCEDURE

Move to Open Session

- 423/14** **MOVED/ CARRIED (Crs B Crouch/I Strutt)**
That Council move back into Open Session.

RETURN TO OPEN SESSION OF COUNCIL

24. AUTHORITY TO AFFIX THE COMMON SEAL

No Items

There being no further business, the Chair declared the meeting closed at 8:18pm.

CLOSURE OF MEETING

The Meeting closed at 8:18pm

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 22 December 2014, consisting of Page 16 and the previous pages, were confirmed by Resolution No. [nnn/14] on [Day Month Year].

.....Mayor