

ORDINARY MEETING OF COUNCIL

**Held at 1:00pm
On 22 August 2016**

ROLL CALL

Councillors:

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

Staff:

Mr A Hopkins, General Manager
Mr R Lloyd, Acting Director-Infrastructure & Regulation
Mrs R Leahy, Governance & Information Manager
Mr S Paul, Chief Financial Officer
Mrs D Williams, Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 1:00pm on 22 August 2016

Resolution
Number

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The Meeting Commenced at: 1:00pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, M Dusting, D Field, F Geldof, I Strutt, K Ward, L Cooper, General Manager (Mr A Hopkins), Acting General Manager (Mr G Cowan), Acting Director-Infrastructure & Regulation (Mr R Lloyd), Chief Financial Officer (Mr S Paul), Governance and Information Manager (Mrs R Leahy), Planning Contractor (Ms E Cumming), Minute Clerk (Mrs D Williams).

1. OPENING & WELCOME

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

There were no apologies or leave of absence requests.

ADVICE OF LATE ARRIVALS

There were no Late Arrivals advised.

DISCLOSURES & DECLARATION OF INTERESTS

| Name | Report No. | Pecuniary/Non-Pecuniary Interest | Nature of Interest |
|-------------|------------|----------------------------------|--|
| Cr L Cooper | 1.15.08.03 | Non-pecuniary | As coordinator of Thunderbolts Festival, a festival which also seeks support from Council. |
| | | | |

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 25 July 2016

01.08/16 **MOVED/ CARRIED (Crs M Dusting/B Crouch)**

That the Minutes of the:

- Council Meeting held 25 July 2016
- Council Meeting held 25 July 2016 – Closed Session
- Extraordinary Council Meeting held 18 July 2016
- Extraordinary Council Meeting held 18 July 2016 – Closed Session

(copies have been circulated to members) be adopted as a true and correct record of proceedings.

ANNOUNCEMENTS

Address from the Mayor. Councillors, I would like to draw your attention to resolution number 27.07/16, from the Closed Session of the Ordinary Council Meeting held 25 July 2016, which deals with the report and recommendation of the Code of Conduct Reviewer.

The Council resolution required councillors K Ward and L Cooper to acknowledge the findings of the breach of the Model Code and also give an undertaking to Council that they will avoid similar breaches in future;

And give an undertaking that they will not make any comments regarding the complaint and the outcome or the Code of Conduct process publicly including to the media;

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And that this action be taken before the 22 August 2016.

I have to advise the Council that following the Council meeting I wrote to both councillors advising them of the Council resolutions.

Clr Ward and Clr Cooper have both since given the undertakings referred to above in writing.

3. TABLING OF REPORTS & PETITIONS

Namoi ROC – Minutes from meeting held 4 August 2016 were tabled.

4. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

- Supplementary Information in relation to Report 2.15.08.05, including additional recommendation to Council.

Procedural Motion

02.08/16 MOVED (Crs I Strutt/D Field)

To hear Supplementary Information in conjunction with Report 2.15.08.07

5. PRESENTATIONS

There were no presentations to Council.

6. DEPUTATIONS

There were no presentations to Council.

7. REPORTS FROM DELEGATES

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:-

Cr B Crouch

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|---|----------|
| 15/08/2016 | Environment, Development and Infrastructure Committee | Uralla |
| 15/08/2016 | Corporate and Community Committee | Uralla |
| 22/08/2016 | Ordinary meeting of Council | Uralla |

Cr I Strutt

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|--|----------|
| 04/08/2016 | Namoi Councils Meeting (observer) | Uralla |
| 15/08/2016 | Environment, Development and Infrastructure Committee (observer) | Uralla |
| 15/08/2016 | Corporate and Community Committee | Uralla |
| 22/08/2016 | Ordinary meeting of Council | Uralla |

Cr D Field

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|-----------------------------------|----------|
| 25/07/2016 | Ordinary Council Meeting | Uralla |
| 8/08/2016 | Candidate Information Evening | Uralla |
| 15/08/2016 | Corporate and Community Committee | Uralla |

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Cr K Ward

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|---|----------|
| 15/08/2016 | Environment, Development and Infrastructure Committee | Uralla |
| 15/08/2016 | Corporate and Community Committee | Uralla |

Cr F Geldof

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|--------------------------|----------|
| 22/08/2016 | Ordinary Council Meeting | Uralla |

Cr M Dusting

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|-----------------------------------|------------|
| 28/08/2016 | Armidale Car Museum | Armidale |
| | Jobs Australia | Armidale |
| 08/08/2016 | Candidate Information Evening | Uralla |
| 09/08/2016 | Northern Regional Weeds Committee | Glen Innes |
| 10/08/2016 | Food Handling Course | Uralla |
| 13/08/2016 | 90 CWA Luncheon | Bundarra |
| 15/08/2016 | Council Standing Committee | Uralla |
| 18/08/2016 | Armidale Car Museum | Armidale |

Cr L Cooper

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|------------|---|------------|
| 27/08/2016 | Rodeo Meeting for Thunderbolts Festival | Top Pub |
| 28/07/2016 | Jobs Australia Meeting | Armidale |
| 08/08/2016 | Candidate Information Evening | Uralla |
| 12/08/2016 | Thunderbolt Festival Meeting | Bottom Pub |
| 22/08/2016 | Council Meeting | Uralla |

Cr M Pearce

| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
|---------|--|----------|
| 26/7/16 | Mayor's Office - Admin | Uralla |
| 28/7/16 | Mayor's Office - Admin | Uralla |
| 1/8/16 | Mayors Office - Admin | Uralla |
| 2/8/16 | Rural Fire Service -Local Government Forum | Armidale |
| 3/8/16 | Meeting with Local Government Minister at Parliament House, Sydney | Sydney |
| 4/8/16 | Namoi Council Meeting, Mayors Office - Admin Uralla Hospital Auxiliary Meeting/AGM | Uralla |
| 5/8/16 | Mayors Office Admin | Uralla |
| 8/8/16 | OLG/Dept of Premier & Cabinet Joint Organisation meeting with Local Government representatives | Bingara |
| 9/8/16 | Mayors Office. Admin | Uralla |
| 10/8/16 | Mayor's Office – Admin 2AD | Uralla |
| 10/8/16 | Food Management Training Seminar | Uralla |
| 11/8/16 | Mayor's Office - Admin | Uralla |
| 12/8/16 | McMaugh Gardens Olympic Games | Uralla |

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| | | |
|-------------|---|-----------------|
| | Uralla -v- Walcha | |
| 13/8/16 | Bundarra CWA 90 year Anniversary | Bundarra |
| DATE | COMMITTEE/MEETING/EVENT | LOCATION |
| 15/8/16 | Mayors Office. Admin Standing Committee Meetings x 2 | Uralla |
| 16/8/16 | Mayor's Office - Admin | Uralla |
| 17/8/16 | Community Safety Precinct Committee Meeting CSPC | Armidale |
| 18/8/16 | Mayor's Office - Admin Uralla Cancer Support Group Meeting. | Uralla |
| 22/8/16 | Mayor's Office - Admin Welcome new General Manager. August Council Meeting. | Uralla. |

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8. MAYORAL MINUTE

There was no Mayoral Minute.

- 03.08/16** **Procedural Motion**
MOVED (B Crouch/M Dusting)
Motion to move from standing orders and hear Item 2.15.08.05 and 2.15.08.06 as a member of the public with an interest in these items was present in the gallery.

| | |
|----------------------|--|
| Department: | Infrastructure & Regulation – DIVISION DECISION |
| Submitted by: | Consultant Town Planner |
| Reference: | 2.15.08.5 |
| Subject: | DA-27-2012-3 S96 (2) Modification of Development Consent. Staged 42 Lot low density residential subdivision – 114 Barleyfields Road Uralla – Applicant – T & S Bower |

- 04.08/16** **Procedural Motion – Move to Committee of the Whole**
MOVED (B Crouch/L Cooper)
Motion to move to the Committee of the Whole to allow councillors to discuss in detail, Report 2.15.08.05.

- 05.08/16** **Procedural Motion – Move out of Committee of the Whole**
MOVED (B Crouch/F Geldof)
Motion to move out of Committee of the Whole.

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6.08/16

MOVED (Crs B Crouch/M Dusting)

DIVISION DECISION

For: D Field, F Geldof, B Crouch, M Dusting, M Pearce, I Strutt, K Ward, L Cooper

Against: Nil

Absent: Nil

COUNCIL RESOLUTION:

That Council:

1. Approve the Development Application Modification of Consent DA 27-2012-3 subject to the 51 conditions in the report to Council;
2. Approve the Development Application Modification of Consent DA 27-2012-3 including the modified condition 25 being:

25. MODIFIED

Stage A Development Lots

New access crossings are required for proposed Lots 1 to 7, consisting of 4 metre wide gravelled dish crossings, bitumen sealed from the edge of the existing bitumen to the boundary of each proposed development Lot. Further the access handle for Lots 3 and 6 are to be bitumen sealed for its full length. All works are to be constructed to a standard approved by the Director of Infrastructure and Regulation at the expense of the developer.

3. Add an additional requirement to Condition 34 so that it reads as follows:

34. MODIFIED

Stage B Residential Lots – Bus Shelter/Pedestrian Walkway & Firetrail

Provision is to be made for a bus shelter within the development. The type and location is approved by the Director of Infrastructure & Regulation at the expense of the developer, prior to installation.

A pedestrian walkway being 6 metres wide with a 2 metre concrete footpath is to be provided between proposed lots 45 and 65 and is to be constructed at the time of development of development lots 6 and 7. The construction is to be to a standard approved by the Director of Infrastructure & Regulation and at the expense of the developer. The pedestrian walkway is to be dedicated to Council and is to serve a dual purpose of pedestrian walkway and firetrail.

COMMITTEE'S RECOMMENDATION:

That Council:

Approve the Development Application Modification of Consent DA 27-2012-3 subject to the conditions in the report to Council.

OFFICER'S RECOMMENDATION:

That Council:

Approve the Development Application Modification of Consent DA 27-2012-3 subject to the following conditions.

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| | |
|----------------------|---|
| Department: | Infrastructure & Regulation – DIVISION DECISION |
| Submitted by: | Acting Director of Infrastructure & Regulation |
| Reference: | 2.15.08.6 |
| Subject: | Uralla Development Control Plan 2011 Amendment No 4 |

07.08/16

MOVED (Crs D Field/F Geldof)

DIVISION DECISION

For: D Field, F Geldof, B Crouch, M Dusing, M Pearce, I Strutt, K Ward, L Cooper

Against: Nil

Absent: Nil

COUNCIL RESOLUTION:

That Council:

1. Endorse the draft Chapter 17 'Barleyfields' of the Uralla Development Control Plan 2011 for public exhibition for a period of no less than 28 days; and
2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received.

COMMITTEE'S RECOMMENDATION:

That Council:

1. Endorse the draft Chapter 17 'Barleyfields' of the Uralla Development Control Plan 2011 for public exhibition for a period of no less than 28 days; and
2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received.

OFFICER'S RECOMMENDATION:

That Council:

1. Endorse the draft Chapter 17 'Barleyfields' of the Uralla Development Control Plan 2011 for public exhibition for a period of no less than 28 days; and
2. Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received.

08.08/16

Procedural Motion – Resume Standing Orders

MOVED (B Crouch/F Geldof)

Motion to resume standing orders and return to the General Manager's Reports to Council, Item 1.

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9. REPORTS FROM THE GENERAL MANAGER

| | |
|----------------------|--|
| Department: | Organisational Services – Finance |
| Submitted by: | Chief Financial Officer |
| Reference: | Item 1 |
| Subject: | Adoption of draft Long Term Financial Plan 2017-26 |

- 09.08/16** **Procedural Motion - Move to Committee of the Whole
MOVED (K Ward/ M Dusting)**
Motion to move to the Committee of the whole to allow councillors to discuss in detail, Item 1 of the General Manager's Reports.
- 10.08/16** **Procedural Motion - Resume Standing Orders
MOVED (F Geldof/I Strutt)**
Motion to move out of committee of the whole.
- 11.08/16** **MOVED (Crs I Strutt/D Field)**
COUNCIL RESOLUTION:
That Council:
1. Adopt the draft Long Term Financial Plan 2017-2026
- OFFICER'S RECOMMENDATION:
That Council:
1. Adopt the draft Long Term Financial Plan 2017-2026.

| | |
|----------------------|--|
| Department: | General Manager's Office |
| Submitted by: | General Manager |
| Reference: | Item 2 |
| Subject: | General Manager Delegations – Mr A Hopkins |

- 12.08/16** **MOVED (Crs F Geldof/B Crouch)**
COUNCIL RESOLUTION:
1. That: In accordance with Section 377 of the Local Government Act 1993 Council Delegate the Functions of Council identified in the report to Council, to the General Manager, Mr Andrew Hopkins, on and from 22 August 2016.
- OFFICER'S RECOMMENDATION
1. That in accordance with Section 377 of the Local Government Act 1993 Council Delegate the Functions of Council identified below to the General Manager, Mr Andrew Hopkins, on and from 22 August 2016.

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| | |
|----------------------|---|
| Department: | General Manager's Office |
| Submitted by: | General Manager |
| Reference: | Item 3 |
| Subject: | Community Strategic Plan - End of Term Report |

13.08/16 **MOVED (Crs D Field/ I Strutt)**

COUNCIL RESOLUTION:

1. That the end of term report 2012 – 2016 be received and noted.
2. That councillors acknowledge the contribution of staff, current and past, in being able to present to the community a very favourable End of Term Report.

OFFICER'S RECOMMENDATION

1. That the end of term report 2012 – 2016 be received and noted.

10. REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

| | |
|----------------------|--------------------------------------|
| Department: | Organisational Services - Finance |
| Submitted by: | Simon Paul – Chief Financial Officer |
| Reference: | 1.15.08.02 |
| Subject: | Cash at Bank and Investments |

14.08/16 **MOVED (Crs I Strutt/M Dusting)**

COUNCIL RESOLUTION:

That Council note the cash position as at 31 July, 2016 consisting of cash and overnight funds of \$2,257,656, term deposits of \$8,500,000 totalling \$10,757,656 of readily convertible funds.

COMMITTEE'S RECOMMENDATION:

That Council note the cash position as at 31 July, 2016 consisting of cash and overnight funds of \$2,257,656, term deposits of \$8,500,000 totalling \$10,757,656 of readily convertible funds.

OFFICER'S RECOMMENDATION:

That Council note the cash position as at 31 July, 2016 consisting of cash and overnight funds of \$2,257,656, term deposits of \$8,500,000 totalling \$10,757,656 of readily convertible funds.

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| | |
|----------------------|--|
| Department: | Governance & Information and Community & Culture |
| Submitted by: | Manager Governance and Information |
| Reference: | 1.15.08.02 |
| Subject: | Request for assistance – Uralla Driver Reviver |

15.08/16 **MOVED (Crs K Ward /D Field)**

COUNCIL RESOLUTION:

That Council agree to provide support for Uralla Driver Reviver in the form of a donation of \$1,000 in recognition of the service provided to the community. The donation will be funded from Council's Community Grants Program.

COMMITTEE'S RECOMMENDATION:

That Council agree to provide support for Uralla Driver Reviver in the form of a donation of \$1000 in recognition of the service provided to the community. The donation will be funded from Council's Community Grants Program.

OFFICER'S RECOMMENDATION:

That Council agree to provide support for Uralla Driver Reviver in the form of:

- (a) Rates assistance;

Cr L Cooper declared a non-pecuniary interest in the following item and left the room at 3:14pm

| | |
|----------------------|--|
| Department: | Governance & Information and Community & Culture |
| Submitted by: | Manager Governance and Information |
| Reference: | 1.15.08.03 |
| Subject: | In – Kind Request for assistance – Uralla Thunderbolt Rodeo 2016 |

16.08/16 **MOVED (Crs K Ward/B Crouch)**

Motion was carried. Cr L Cooper was absent for the vote.

COUNCIL RESOLUTION:

That:

1. Council provide in-kind support for Uralla Thunderbolt Rodeo in the form of:
 - (a) Water truck for 30 minutes on the morning of 22 October 2016;
 - (b) Loan of barrier mesh, fence posts, witches hats;
 - (c) Loan of wheelie bins, including recycling bins for recycling including the removal of rubbish from the Coachwood and Cedar Hotel (Top Pub) after

COMMITTEE'S RECOMMENDATION:

That:

1. Council provide in-kind support for Uralla Thunderbolt Rodeo in the form of:
 - (a) Water truck for 30 minutes on the morning of 22 October 2016;
 - (b) Loan of barrier mesh, fence posts, witches hats;
 - (c) Loan of wheelie bins, including recycling bins for recycling including the removal of rubbish from the Coachwood and Cedar Hotel (Top Pub) after

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OFFICER'S RECOMMENDATION:

That:

1. Council provide in-kind support for Uralla Thunderbolt Rodeo in the form of:
 - (a) Water truck for 30 minutes on the morning of 22 October 2016;
 - (b) Loan of barrier mesh, fence posts, witches hats;
 - (c) Loan of wheelie bins, including recycling bins for recycling including the removal of rubbish from the Coachwood and Cedar Hotel (Top Pub) after the event.

Cr L Cooper returned to the room at 3:22pm.

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**11. REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE
COMMITTEE**

| | |
|----------------------|---|
| Department: | Infrastructure & Regulation |
| Submitted by: | Acting Director Infrastructure & Regulation |
| Reference: | 2.15.08.1 |
| Subject: | Works Progress Report to 31 July 2016 |

17.08/16 **MOVED (Crs M Dusting/D Field)**

COUNCIL RESOLUTION:

That the report be received and noted for the works completed or progressed during July 2016.

COMMITTEE'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during July 2016.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during July 2016.

| | |
|----------------------|---|
| Department: | Infrastructure & Regulation |
| Submitted by: | Acting Director Infrastructure & Regulation |
| Reference: | 2.15.08.2 |
| Subject: | Works Planning Report August 2016 |

18.08/16 **MOVED (Crs I Strutt/F Geldof)**

COUNCIL RESOLUTION:

That the report be received and noted for the works planned for August 2016.

COMMITTEE'S RECOMMENDATION:

That the report be received and noted for the works planned for August 2016.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works planned for August 2016.

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| | |
|----------------------|--|
| Department: | Infrastructure & Regulation |
| Submitted by: | Acting Director of Infrastructure & Regulation |
| Reference: | 2.15.08.3 |
| Subject: | Development Approvals and Refusals for July 2016 |

19.08/16 **MOVED (Crs I Strutt/B Crouch)**

COUNCIL RESOLUTION:

That Council receive and note the development approvals and refusals for July 2016.

COMMITTEE'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for July 2016.

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for July 2016.

| | |
|----------------------|--|
| Department: | Infrastructure & Regulation |
| Submitted by: | Acting Director Infrastructure & Regulation |
| Reference: | 2.15.08.4 |
| Subject: | Heritage Advisory Services Summary – August 2016 |

20.08/16 **MOVED (Crs K Ward/B Crouch)**

COUNCIL RESOLUTION:

That the Heritage Advisory Services Summary dated 2 August 2016 be received and noted by Council.

COMMITTEES RECOMMENDATION:

That the Heritage Advisory Services Summary dated 2 August 2016 be received and noted by Council.

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary dated 2 August 2016 be received and noted by Council.

| | |
|----------------------|--|
| Department: | Infrastructure & Regulation |
| Submitted by: | Acting Director Infrastructure and Regulation |
| Reference: | 2.15.08.7 |
| Subject: | Tenders for Replacement of Bogie Drive Water Truck, Light Tipper Truck, Smooth Drum Roller and Backhoe Loader. |

21.08/16 **MOVED (Crs B Crouch/M Dusting)**

COUNCIL RESOLUTION:

That:

- (i) Council purchase 1 only Isuzu FVZ 260-300 MWB Auto bogie drive water truck and trade Plant Number 4038 with Peel Valley Trucks and
- (ii) Council purchase 1 only Fuso Canter 815 FEC71 light tipper truck and trade Plant Number 4021 with J.T.Fossey Sales Pty Ltd and
- (iii) Council purchase 1 only Ammann ASC150D smooth drum roller and trade Plant Number 4057 with Conplant Pty Ltd and
- (iv) Council purchase 1 only Caterpillar 432F2 backhoe loader and trade Plant Number 4044 with WestTrac Pty Ltd.

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COMMITTEE'S RECOMMENDATION:

That:

- (i) Council purchase 1 only Isuzu FVZ 260-300 MWB Auto bogie drive water truck and trade Plant Number 4038 with Peel Valley Trucks and
- (ii) Council purchase 1 only Fuso Canter 815 FEC71 light tipper truck and trade Plant Number 4021 with J.T.Fossey Sales Pty Ltd and
- (iii) Council purchase 1 only Ammann ASC150D smooth drum roller and trade Plant Number 4057 with Conplant Pty Ltd and
- (iv) Council purchase 1 only Caterpillar 432F2 backhoe loader and trade Plant Number 4044 with WestTrac Pty Ltd.

OFFICER'S RECOMMENDATION:

That:

- (i) Council purchase 1 only Isuzu FVZ 260-300 MWB Auto bogie drive water truck and trade Plant Number 4038 with Peel Valley Trucks and
- (ii) Council purchase 1 only Fuso Canter 815 FEC71 light tipper truck and trade Plant Number 4021 with J.T.Fossey Sales Pty Ltd and
- (iii) Council purchase 1 only Ammann ASC150D smooth drum roller and trade Plant Number 4057 with Conplant Pty Ltd and
- (iv) Council purchase 1 only Caterpillar 432F2 backhoe loader and trade Plant Number 4044 with WestTrac Pty Ltd.

12. MOTIONS ON NOTICE

22.08/16

MOVED (M Dusting/F Geldof)

COUNCIL RESOLUTION:

That Council commend the Staff along with the Acting General Manager Mr George Cowan, for their efforts in the course of their employment over the last 5 months.

13. SCHEDULE OF ACTIONS

As at 17 August 2016.

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14. CONFIDENTIAL BUSINESS

There was no confidential business.

15. AUTHORITY TO AFFIX THE COMMON SEAL

There was no authority to affix the common seal to be heard.

16. CLOSURE OF MEETING

Meeting closed at 3:48pm

| CONFIRMATION OF MINUTES | |
|-------------------------|--|
| RESOLUTION NUMBER | |
| DATE | |
| MAYOR, MICHAEL PEARCE | |