

ORDINARY MEETING OF COUNCIL

**Held at 1:00pm
On 25 July 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 G Cowan, Acting 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 25 July 2016

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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, 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), 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

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 25 July 2016 meeting.

Submitted By:	Interest Declared:
<i>Cr L Cooper</i>	<i>Non-pecuniary interest in Report 1.19.07.03 – ‘Seasons of New England Request for in-kind support,’ as the coordinator of Thunderbolts Festival which also seeks in kind support from Council.</i>
<i>Cr R Crouch</i>	<i>Non-pecuniary interest in Closed Session item 1 – ‘Code of Conduct Councillor’s Report’, as I have previously provided advice on this matter to Cr L Cooper.</i>
<i>Cr F Geldof</i>	<i>Less than significant, non-pecuniary interest in Closed Session item 1 – ‘Code of Conduct Councillor’s Report’, with copies of correspondence between myself and other Councillors and Respondents are included in the brief provided by the investigator.</i>
<i>Mayor M Pearce</i>	<i>Less than significant, non-pecuniary interest in Closed Session item 1 – ‘Code of Conduct Councillor’s Report’, with copies of correspondence between myself and other Councillors and Respondents are included in the brief provided by the investigator.</i>

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 27 June 2016

01A.07/16 MOVED/ CARRIED (Crs I Strutt/M Dusting)

That the Minutes of the Ordinary Meeting held on 27 June 2016 (copies have been circulated to Members) be adopted as a true and correct record of proceedings and that the following minutes be received and noted:

- NAMOI Region of Councils, Minutes 7 July 2016 (to be noted)

ANNOUNCEMENTS

There were no announcements.

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3. TABLING OF REPORTS & PETITIONS

There were no reports or petitions tabled.

4. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

There were no urgent supplementary or late items of business.

5. PRESENTATIONS

There were no presentations to Council.

6. DEPUTATIONS

SPEAKER 1: Narelle Farthing

SUBJECT: Report 2.19.07.12, , DA 28-2016, Reynolds

The Chair thanked Ms Farthing for her presentation.

PROCEDURAL MOTION

01.07/16 MOVED (M Dusting/ B Crouch)

Motion to suspend standing orders after hearing the written reports from delegates and the Mayoral Minute, and hear Item 2.18.06.12 on DA 28-2016.

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
28/06/2016	Abington Bridge Opening	Abington
11/07/2016	GM Recruitment	Uralla
18/07/2016	Extraordinary Council Meeting	Uralla
19/07/2016	Environment, Development and Infrastructure Committee	Uralla
19/07/2016	Corporate and Community Committee	Uralla
25/07/2016	Ordinary meeting of Council	Uralla

Cr I Strutt

DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/06/2016	Abington Bridge Opening	Abington
05/07/2016	NAIDOC Week Function at Uralla Community Centre	Uralla
11/07/2016	GM Recruitment	Uralla
18/07/2016	Extraordinary Council Meeting	Uralla
19/07/2016	Environment, Development and Infrastructure Committee	Uralla
19/07/2016	Corporate and Community Committee	Uralla
25/07/2016	Site Inspection	Budumba Rd, Uralla
25/07/2016	Ordinary meeting of Council	Uralla

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Cr D Field

DATE	COMMITTEE/MEETING/EVENT	LOCATION
27 June 2016	Ordinary Council Meeting	Uralla
11/07/2016	GM Recruitment	Uralla
18/07/2016	Extraordinary Council Meeting	Uralla
19/07/2016	Corporate and Community Committee	Uralla
19/07/2016	Environment, Development and Infrastructure Committee	Uralla

Cr K Ward

DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/06/2016	Abington Bridge Opening	Abington
05/07/2016	NAIDOC Week Function at Uralla Community Centre	Uralla
11/07/2016	GM Recruitment	Uralla
19/07/2016	Corporate and Community Committee	Uralla

Cr F Geldof

DATE	COMMITTEE/MEETING/EVENT	LOCATION
27 June 2016	Council Meeting	Council
18 July 2016	Council Extra-ordinary Meeting	Council

Cr M Dusting

DATE	COMMITTEE/MEETING/EVENT	LOCATION
27/06/2016	Citizenship Ceremony	Uralla
28/06/2016	Abington Bridge Opening	Abington
30/06/2016	Australian Transport Museum	Armidale
13/07/2016	Grace Munro Centre Auxilliary	Bundarra
18/07/2016	Extraordinary Council Meeting	Uralla
19/07/2016	Environment, Development and Infrastructure Committee	Uralla
19/07/2016	Corporate and Community Committee	Uralla
25/07/2016	Site Inspection	Budumba Rd, Uralla
25/07/2016	Ordinary meeting of Council	Uralla

Cr L Cooper

DATE	COMMITTEE/MEETING/EVENT	LOCATION
05/07/2016	NAIDOC Week Function at Uralla Community Centre	Uralla
18/07/2016	Extraordinary Council Meeting	Uralla
19/07/2016	Environment, Development and Infrastructure Committee	Uralla
25/07/2016	Site Inspection	Budumba Rd, Uralla
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Cr M Pearce		
DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/6/16	Mayor's Office - Admin	Uralla
29/6/16	Mayor's Office - Admin	Uralla
30/6/16	Mayor's Office - Admin	Uralla
1/7/16	Red Cross, Uralla - AGM	Uralla
2/7/16	Uralla Lions Club - Change-over dinner	Uralla
4/7/16	Mayor's Office - Admin Uralla Rotary Change-over dinner.	Uralla
5/7/16	NAIDOC week activities and celebration Uralla Community Centre	Uralla
6/7/16	Mayor's office - Admin	Uralla
7/7/16	NAMOI Councils Board meeting	Walcha
11/7/16	Mayor's Office - Admin	Uralla
12/7/16	Mayor's Office - Admin	Uralla
13/7/16	2AD Radio Interview Mayor's Office - Admin	Uralla
14/7/16	Mayor's Office - Admin	Uralla
16/7/16	Uralla and District Pony Club - Christmas in July dinner	Uralla
18/7/16	Mayor's Office - Admin Extra-Ordinary Council Meeting	Uralla
20/7/16	Mayor's Office - Admin	Uralla
21/7/16	Mayor's Office - Admin	Uralla
25/7/16	Site visit Invergowrie July Council meeting.	Uralla

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8. MAYORAL MINUTE

Department: 1. Mayoral Minute
Submitted by: Cr Michael Pearce
Reference: Item 1
Subject: **NATIONAL GENERAL ASSEMBLY, CANBERRA - 2016**

02.07/16 **MOVED (Crs F Geldof/I Strutt)**

OFFICER'S RECOMMENDATION:

That the Mayor's Report on the National General Assembly 2016 be received and noted.

Department:	Infrastructure & Regulation
Submitted by:	Contract Planner, Libby Cumming
Reference:	2.18.06.12
Subject:	Review Request on Development Consent 28/2016 – 54 Budumba Road, Invergowrie

03.07/16 **MOVED (I Strutt / F Geldof)**

COUNCIL RESOLUTION:

1. That the matter be lifted from the table for Council to address;
2. That Council modify Development Consent 28/2016 condition 22 to read:
 22. *Prior to occupation commencing: Planting of trees/shrubs or the like is to be established along the southern side of the access handle and for a distance of 30 metres past the end of the access handle adjacent to the boundary line. The plantings must be maintained or replanted in the event of a plant or plants dying.*

DIVISION DECISION

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

Against:

Absent:

COMMITTEE'S RECOMMENDATION:

That this matter be left to lay on the table until councillors can conduct a site inspection.

OFFICER'S RECOMMENDATION:

That Council modify Development Consent 28/2016 condition 22 to read:

22. Prior to occupation commencing: Planting of trees/shrubs or the like is to be established along the southern side of the access handle and for a distance of 30 metres past the end of the access handle adjacent to the boundary line. The plantings must be maintained or replanted in the event of a plant or plants dying.

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04.07/16 **PROCEDURAL MOTION**
MOVED (M Dusting/B Crouch)
Motion to Resume Standing Orders.

05.07/16 **PROCEDURAL MOTION**
MOVED (I Strutt/F Geldof)
Motion to hear the following item in Closed Session.

Recommendations for Items to be Considered in Confidential Section

Department:	Governance and Information
Submitted by:	<i>Rechelle Leahy</i>
Reference:	Item 1
Subject:	Code of Conduct – Councillors Report
	This report is presented to the CLOSED section of the July 2016 meeting under section 10A (2) of the Local Government Act (NSW) 1993.
	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.
	(2) The matters and information are the following:
	(a) personnel matters concerning particular individuals (other than councillors);
	(i) alleged contraventions of any code of conduct requirements applicable under section 440.

9. REPORTS FROM THE GENERAL MANAGER

There are no reports from the General Manager

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10. REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

Department:	Organisational Services - Finance
Submitted by:	<i>Simon Paul – Chief Financial Officer</i>
Reference:	1.18.7.2
Subject:	Cash at Bank and Investments

06.07/16 **MOVED (Crs D Field/L Cooper)**

COUNCIL RESOLUTION:

That:

- 1. Council note the cash position as at 30 June, 2016 consisting of cash and overnight funds of \$1,877,950, term deposits of \$8,500,000 totalling \$10,377,950 of readily convertible funds.**
- 2. That future financial reports to Council include the balances of all loans.**

COMMITTEE'S RECOMMENDATION:

That:

- 1. Council note the cash position as at 30 June, 2016 consisting of cash and overnight funds of \$1,877,950, term deposits of \$8,500,000 totalling \$10,377,950 of readily convertible funds.**
- 2. That future financial reports to Council include the balances of all loans.**

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 30 June, 2016 consisting of cash and overnight funds of \$1,877,950, term deposits of \$8,500,000 totalling \$10,377,950 of readily convertible funds.

Department:	Governance and Information
Submitted by:	<i>Rechelle Leahy</i>
Reference:	1.19.07.02
Subject:	Public Interest Disclosures Act 1994 - Six Monthly Report 2015/16

07.06/16 **MOVED (Crs K Ward/ I Strutt)**

COUNCIL RESOLUTION:

That Council notes the Public Interest Disclosures Act 1994 report has been submitted to the New South Wales Ombudsman, as required by the Calendar of Compliance and Reporting Requirements 2015/16.

COMMITTEE RECOMMENDATION:

That Council notes the Public Interest Disclosures Act 1994 report has been submitted to the New South Wales Ombudsman, as required by the Calendar of

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Compliance and Reporting Requirements 2015/16.

OFFICER'S RECOMMENDATION:

That Council notes the Public Interest Disclosures Act 1994 report has been submitted to the New South Wales Ombudsman, as required by the Calendar of Compliance and Reporting Requirements 2015/16.

Department:	Governance & Information and Community & Culture
Submitted by:	Manager Governance and Information
Reference:	1.19.07.03
Subject:	In – Kind Request for assistance – Seasons of New England 2017

Cr L Cooper left the room at 1:36pm having earlier declared an interest in this item.

08.07/16

MOVED (D Field/F Geldof) *Cr L Cooper was absent for this vote.*

COUNCIL RESOLUTION:

That:

- 1. Council provide in-kind support for Seasons of New England in the form of:
 - (a) use of Hampden Park;**
 - (b) loan of and help erecting the 3 Council Marquees, Seasons of New England will take them down and have them ready to return to Council on the Monday following the event;**
 - (c) Loan of 60 steel posts;**
 - (d) Loan of 150m barrier mesh;**
 - (e) Loan of 16 wheelie bins, including 5 recycling bins for designated stalls who have significant recyclables like bottles and milk cartons including the removal of rubbish.****

- 2. That staff investigate options and costs for the installation of permanent lighting in the toilets and options for providing temporary lighting for events such as Seasons of New England.**

COMMITTEE'S RECOMMENDATION:

That:

- 1. Council provide in-kind support for Seasons of New England in the form of:
 - (a) use of Hampden Park;**
 - (b) loan of and help erecting the 3 Council Marquees, Seasons on New England will take them down and have them ready to return to Council on the Monday following the event;**
 - (c) Loan of 60 steel posts;**
 - (d) Loan of 150m barrier mesh;**
 - (e) Loan of 16 wheelie bins, including 5 recycling bins for designated stalls who have significant recyclables like bottles and milk cartons including the removal of rubbish.****

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2. That staff investigate options and costs for the installation of permanent lighting in the toilets and options for providing temporary lighting for events such as Seasons of New England.

OFFICER'S RECOMMENDATION:

That:

1. Council provide in-kind support for Seasons of New England in the form of:
- (f) use of Hampden Park;
 - (g) loan of and help erecting the 3 Council Marquees, Seasons on New England will take them down and have them ready to return to Council on the Monday following the event;
 - (h) Loan of 60 steel posts;
 - (i) Loan of 150m barrier mesh;
 - (j) Loan of 16 wheelie bins, including 5 recycling bins for designated stalls who have significant recyclables like bottles and milk cartons including the removal of rubbish.

Cr L Cooper returned to the room at 1:39pm

11. REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.1
Subject:	Works Progress Report to 30 June 2016

09.07/16 MOVED (Cr B Crouch/ F Geldof)

COUNCIL RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.2
Subject:	Works Planning Report July 2016

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10.07/16 MOVED (Cr D Field/ B Crouch)

COUNCIL RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

Department:	Infrastructure & Regulation
Submitted by:	Acting Director of Infrastructure & Regulation
Reference:	2.18.06.3
Subject:	Development Approvals and Refusals for June 2016

11.07/16 MOVED (Crs I Strutt/L Cooper)

COUNCIL RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.4
Subject:	Regulatory Statistics Ending 30 June 2016

12.07/16 MOVED (Cr D Field/F Geldof)

COUNCIL RESOLUTION:

That Council receive and note the Regulatory Function Statistics ending 30 June 2016.

COMMITTEE'S RECOMMENDATION:

That Council receive and note the Regulatory Function Statistics ending 30 June 2016.

OFFICER'S RECOMMENDATION:

That Council receive and note the Regulatory Function Statistics ending 30 June 2016.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.5
Subject:	Heritage Advisor's Report – July 2016

13.07/16 MOVED (Crs K Ward/I Strutt)

COUNCIL RESOLUTION:

That the Heritage Advisor's report dated 7 July 2016 be received and noted

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by Council.

COMMITTEE'S RECOMMENDATION:

That the Heritage Advisor's report dated 7 July 2016 be received and noted by Council.

OFFICER'S RECOMMENDATION:

That the Heritage Advisor's report dated 7 July 2016 be received and noted by Council.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director of Infrastructure & Regulation
Reference:	2.18.06.6
Subject:	Annual Heritage Advisors Report

14.07/16 MOVED (Crs D Field/I Strutt)

COUNCIL RESOLUTION:

That the 2015/2016 Heritage Advisory Annual Report be received and noted.

COMMITTEE'S RECOMMENDATION:

That the 2015/2016 Heritage Advisory Annual Report be received and noted.

OFFICER'S RECOMMENDATION:

That the 2015/2016 Heritage Advisory Annual Report be received and noted.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.7
Subject:	Grace Munro Aged Care Facility Sprinkler System

Cr D Field left room at 1:51pm

15.07/16 MOVED (M Dusting/ B Crouch) *Cr D Field was absent for the vote.*

COUNCIL RESOLUTION:

That Council

1. Accept the tender from Dominico Blue Building for the provision of Fire Sprinkler Upgrade at Grace Munro Aged Care Centre, Bundarra,
2. Authorise a variation to the budget provision for the 2016/2017 in the amount of \$26,000 to complete all NCC and other statutory requirements in the Grace Munro Aged Care Centre.

COMMITTEE'S RECOMMENDATION:

That Council

1. Accept the tender from Dominico Blue Building for the provision of Fire Sprinkler Upgrade at Grace Munro Aged Care Centre, Bundarra,
2. Authorise a variation to the budget provision for 2016/2017 in the amount of \$26,000 to complete all NCC and other statutory requirements in the Grace Munro Aged Care Centre.

OFFICER'S RECOMMENDATION:

That Council

1. Accept the tender from Dominico Blue Building for the provision of Fire Sprinkler Upgrade at Grace Munro Aged Care Centre, Bundarra,
2. Authorise a variation to the budget provision for 2016/2017 in the

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amount of \$26,000 to complete all NCC and other statutory requirements in the Grace Munro Aged Care Centre.

Department:	Infrastructure & Regulation
Submitted by:	Contract Planner, Libby Cumming
Reference:	2.18.06.8
Subject:	Gazettal of Amendment 5 to the Uralla Local Environmental Plan 2012

16.07/16 MOVED (Cr K Ward/ F Geldof)

COUNCIL RESOLUTION:

That the Council note the gazettal of Amendment 5 to the *Uralla Local Environmental Plan 2012* on 17 June 2016.

COMMITTEE'S RECOMMENDATION:

That the Council note the gazettal of Amendment 5 to the *Uralla Local Environmental Plan 2012* on 17 June 2016.

OFFICER'S RECOMMENDATION:

That the Committee note the gazettal of Amendment 5 to the *Uralla Local Environmental Plan 2012* on 17 June 2016.
Cr D Field re-entered the room at 1:54pm.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.9
Subject:	Gazetting of Compulsorily Acquired Land for Thunderbolts Way Realignment

17.07/16 MOVED (Cr F Geldof/B Crouch)

COUNCIL RESOLUTION:

That Council:

1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) for the purpose of a public road realignment in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) by compulsory process under Section 177 of the Roads Act 1993.

COMMITTEE'S RECOMMENDATION:

That Council:

1. Proceed with the compulsory acquisition of the Land described as

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Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) for the purpose of a public road realignment in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) by compulsory process under Section 177 of the Roads Act 1993.

OFFICER'S RECOMMENDATION:

That Council:

1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) for the purpose of a public road realignment in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2, 3 and 7 in Deposited Plan 1184102 (and formerly known as Part Lots 234, 383 and 268 in Deposited Plan 755846) by compulsory process under Section 177 of the Roads Act 1993.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.10
Subject:	Gazetting of Land Acquired for approaches to new Emu Crossing Bridge

18.07/16 MOVED (M Dusting/I Strutt)

COUNCIL RESOLUTION:

That Council:

1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) for the purpose of a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993.

COMMITTEE'S RECOMMENDATION:

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That Council:

1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) for the purpose of a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993.

OFFICER'S RECOMMENDATION:

That Council:

1. Proceed with the compulsory acquisition of the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) for the purpose of a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Make an application to the Minister and the Governor for approval to acquire the Land described as Lot 1, 2 and 3 in Deposited Plan 1208204 (and formerly known as part of Lot 38 in Deposited Plan 753662 and part of the Crown Land described as Lot 110 in Deposited Plan 753656) by compulsory process under Section 177 of the Roads Act 1993.

Department:	Infrastructure & Regulation
Submitted by:	Contract Planner
Reference:	2.18.06.11
Subject:	Road Closure Request – Lot 32 DP 813093

19.07/16 MOVED (Crs B Crouch/ F Geldof)

COUNCIL RESOLUTION:

That Council:

1. Agree to undertake the necessary steps to close the road;
2. Subject to the necessary statutory requirements Lot 32 DP 813093 be sold to A & L McLean upon completion of the road closure on the basis that the purchase price is based on the value of the land plus the full cost of the road closure application; and
3. Delegation be given to the General Manager to:
 - a. Complete the road closure, and

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- b. Undertake any necessary negotiations to complete the sale.
- 4. Approve the fixing of the Council Seal to all necessary documents.

COMMITTEE'S RECOMMENDATION:

That Council:

1. Agree to undertake the necessary steps to close the road;
2. Subject to the necessary statutory requirements Lot 32 DP 813093 be sold to A & L McLean upon completion of the road closure on the basis that the purchase price is based on the value of the land plus the full cost of the road closure application; and
3. Delegation be given to the General Manager to:
 - a. Complete the road closure, and
 - b. Undertake any necessary negotiations to complete the sale.
4. Approve the fixing of the Council Seal to all necessary documents.

OFFICER'S RECOMMENDATION:

That Council:

1. Agree to undertake the necessary steps to close the road;
2. Subject to the necessary statutory requirements Lot 32 DP 813093 be sold to A & L McLean upon completion of the road closure on the basis that the purchase price is based on the value of the land plus the full cost of the road closure application; and
3. Delegation be given to the General Manager to:
 - a. Complete the road closure, and
 - b. Undertake any necessary negotiations to complete the sale.
4. Approve the fixing of the Council Seal to all necessary documents.

Department:	Infrastructure & Regulation
Submitted by:	Health & Building Surveyor
Reference:	2.18.06.13
Subject:	Annual Food Shop Inspection Program

20.07/16 MOVED (Crs I Strutt/L Cooper)

COUNCIL RESOLUTION:

That the Annual Food Inspection Program results for 2015/16 financial year be received and noted.

COMMITTEE'S RECOMMENDATION:

That the Annual Food Inspection Program results for 2015/16 financial year be received and noted.

OFFICER'S RECOMMENDATION:

That the Annual Food Inspection Program results for 2015/16 financial year be received and noted.

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference:	2.18.06.14
Subject:	Purchase of Automatic Electric Defibrillator

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21.07/16 MOVED (F Geldof/B Crouch)

COUNCIL RESOLUTION:

That Council support in principal, the purchase of an AED and that discussions be held with the First Response group to determine the best location for the equipment to be held.

COMMITTEE'S RECOMMENDATION:

That Council support in principal, the purchase of an AED and that discussions be held with the First Response group to determine the best location for the equipment to be held.

OFFICER'S RECOMMENDATION:

That Council endorse the purchase of an Automatic Electric Defibrillator (AED) device, display signs for the public to know the device is available and meet the cost of training for the relevant staff.

Department:	Infrastructure and Regulation
Submitted by:	Director Infrastructure and Regulation
Reference:	2.18.06.15
Subject:	Mid North Weight of Loads Group Membership

22.07/16 MOVED (M Dusting/F Geldof)

COUNCIL RESOLUTION:

That:

Council continue membership of Mid North Weight of Loads Group and the General Manager be authorised to sign the appropriate documentation including authorisations and Memorandums of Agreement for the Inspectors.

COMMITTEE'S RECOMMENDATION:

That:

Council continue membership of Mid North Weight of Loads Group and the General Manager be authorised to sign the appropriate documentation including authorisations and Memorandums of Agreement for the Inspectors.

OFFICER'S RECOMMENDATION:

That:

Council continue membership of Mid North Weight of Loads Group and the General Manager be authorised to sign the appropriate documentation including authorisations and Memorandums of Agreement for the Inspectors.

12. MOTIONS ON NOTICE

Department:	Notice of Motion
Submitted by:	Cr. Crouch
Reference:	Item 1
Subject:	Amendment of Delegation of Authority Register

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23.07/16

MOVED (B Crouch/K Ward)

COUNCIL RESOLUTION:

That: Council amend PART A DELEGATIONS TO THE MAYOR paragraph (d) of the Delegations of Authority Register to read:

(d) To exercise general supervision, control and direction of the General Manager within the constraints of policies approved by Council

COUNCILLOR'S RECOMMENDATION:

That: Council amend PART A DELEGATIONS TO THE MAYOR paragraph (d) of the Delegations of Authority Register to read:

(d) To exercise general supervision, control and direction of the General Manager within the constraints of policies approved by Council

13. SCHEDULE OF ACTIONS

As at 22 June 2016.

24.07/16

PROCEDURAL MOTION

MOVED (M Dusing/ L Cooper)

Motion that Council have a 10 minute recess.

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- 25.07/16** **14. CONFIDENTIAL BUSINESS**
MOTION (Cr D Field/I Strutt)
Motion to request that all staff with the exception of the General Manager leave the room until requested to re-enter the room.

Staff with the exception of the General Manager left room at 2:48pm

Department:	Governance and Information
Submitted by:	Rechelle Leahy
Reference:	Item 1
Subject:	Code of Conduct – Councillors Report

This report is presented to the CLOSED section of the July 2016 meeting under section 10A (2) of the Local Government Act (NSW) 1993.

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.

(2) The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors);
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

- 26.07/16** **Geldof/Field – Council move into closed session to consider the report relating to the code of conduct for the reasons outlined.**

Crs B Crouch, L Cooper and K Ward left the room at 2:56pm, all having declared an interest in the item.

The following resolution was made in Closed Session

- 27.07/16** **COUNCIL RESOLUTION:**
Resolved

That Council note the final report and recommendations of the Conduct reviewer
(a) Council resolve not to adopt the recommendations in full but resolve as follows...

1. That Councillors Ward and Cooper be formally censured for the breaches found and the matters falling under Part 8 of the Code of Conduct be referred to the Office of Local Government for further action under the misconduct provisions of the Act;
2. That the findings of inappropriate conduct of Councillors Ward and Cooper be made public by way of this resolution;
3. That Councillors Ward and Cooper:
 - (i) Acknowledge the findings of breach of the Model Code and also give an undertaking to Council that they will avoid similar breaches in future;

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- (ii) Give an undertaking that they will not make any comments regarding the complaint, the outcome or the Code of Conduct process publicly including to the media.
- (iii) That this action be undertaken before the 22 August 2016

28.07/16

PROCEDURAL MOTION

MOVED

Motion to move out of Closed Session and to return to Open Session of Council and that resolution of the Closed Session become resolutions of the Open Session.

*Councillors Crouch, Ward and Cooper returned to the chamber at 5.40pm
The Mayor advised Councillors of the resolution passed in closed session relating to the code of conduct report*

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 5.56pm

CONFIRMATION OF MINUTES	
RESOLUTION NUMBER	
DATE	
MAYOR, MICHAEL PEARCE	