



ORDINARY MEETING OF COUNCIL

Held at 5:00pm
On 23 February 2015

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-Infrastructure & Regulation
Mrs O Wood, Executive Manager-Community & Culture
Ms L Cumming, Manager of Planning
Ms C McBride, Minute Clerk

MINUTES

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The Meeting Commenced at: 5.10pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, L Cooper, K Dusing, M Dusing, D Field, F Geldof, I Strutt, K Ward, General Manager (Mr D Connor), Director-Infrastructure & Regulation (Mr R Bell), Executive Manager-Community & Culture (Mrs O Wood), Manager of Planning (Ms E Cumming), Minute Clerk (Ms C McBride).

1. OPENING & WELCOME

2. PRAYER

3. ACKNOWLEDGEMENT TO COUNTRY

4. APOLOGIES

An Apology was tabled for Mrs J Michie, Executive Manager – People, Information & Performance

1.02/15 **MOVED (Crs Ward/Cooper)**

That the apology for Mrs J Michie, Executive Manager – People, Information & Performance, be accepted.

CARRIED

ADVICE OF LATE ARRIVALS

There were no Late Arrivals.

5. 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 23 February 2015 meeting.

Submitted By:	Interest Declared:
Cr Robert Crouch	Non-Pecuniary Interest declared, as the next door neighbour of J F Kennedy, named in Section 22 Item 1 of the Manager of Town Planning & Regulation's Report to Council: Affixing of Council Seal to Section 88b instrument – DA 74/2014 – JF Kennedy

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 22 December 2014

2.02/15 **MOVED (Crs Strutt /Ward)**

That the Minutes of the Ordinary Meeting held on 22 December 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

CARRIED

Ordinary Meeting Held 23 February 2015

Closed Session of 22 December 2014

3.02/15 **MOVED (Crs M Dusting/Crouch)**

That the Minutes of the Ordinary Meeting held on 22 December 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

CARRIED

MATTERS ARISING FROM THE MINUTES

There were no Matters arising.

7. ANNOUNCEMENTS

Nil

8. TABLING OF REPORTS & PETITIONS

A letter from Mr & Mrs Gordon & Margaret Fuller, regarding Item 1.16.02.02 Acquired Brain Injury Concept, was tabled.

9. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

Nil

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for Leave of Absence received.

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:

Cr D Field

02 February Councillor Briefing Session, USC

05 February Councillor Catch Up, USC

16 February Councillor Workshop, USC

16 February Corporate & Community Committee Meeting, USC

16 February Environment, Development & Infrastructure Committee Meeting, USC

23 February Resident Meeting, McMaugh Gardens Aged Care Facility

23 February ZNet Presentation, USC

Cr F Geldof

26 January Australia Day Celebrations, Uralla

02 February Councillor Briefing Session, USC

05 February Councillor Catch Up, USC

16 February Councillor Workshop, USC

16 February Environment, Development & Infrastructure Committee Meeting, USC

17 February Parks & Open Spaces Committee, Uralla

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Cr B Crouch

- 02 February Councillor Briefing Session, USC
- 11 February Community Safety Precinct Committee, Armidale
- 16 February Councillor Workshop, USC
- 16 February Corporate & Community Committee Meeting, USC
- 16 February Environment, Development & Infrastructure Committee Meeting, USC
- 23 February ZNet Presentation, USC

Cr M Dusting

- 23 January Site inspection and visit from Minister Duncan Gay, Emu Crossing Bridge, Bundarra
- 25 January Australia Day Dinner with Ambassador, Uralla
- 26 January Australia Day Breakfast, Brushgrove
- 26 January Australia Day Celebrations, Uralla
- 28 January Jobs Australia Meeting, Armidale
- 02 February Councillor Briefing Session, USC
- 04 February New England Weeds County Council, Armidale
- 16 February Councillor Workshop, USC
- 16 February Corporate & Community Committee Meeting, USC

Cr K Dusting

- 08 January Australia Day Committee Meeting, USC
- 20 January Australia Day Street Stall, Uralla
- 25 January Australia Day Dinner with Ambassador, Uralla
- 26 January Australia Day Breakfast, Brushgrove
- 26 January Australia Day Celebrations, Uralla
- 02 February Councillor Briefing Session, USC
- 10 February Youth & Community Committee, USC
- 16 February Environment, Development & Infrastructure Committee Meeting, USC

Cr L Cooper

- 08 January Australia Day Committee Meeting, USC
- 25 January Preparation for Australia Day, Uralla
- 25 January Australia Day Dinner with Ambassador, Uralla
- 26 January Australia Day Celebrations, Uralla
- 30 January Thunderbolts Festival Meeting, Uralla
- 31 January Uralla Show, Uralla
- 05 February Councillor Catch Up, USC
- 16 February Environment, Development & Infrastructure Committee Meeting, USC

Cr K Ward

- 23 January Site inspection and visit from Minister Duncan Gay, Emu Crossing Bridge, Bundarra
- 26 January Australia Day Breakfast, Brushgrove
- 26 January Australia Day Celebrations, Uralla
- 31 January ZNet
- 05 February Councillor Catch Up, USC
- 16 February Councillor Workshop, USC
- 16 February Corporate & Community Committee Meeting, USC
- 16 February Environment, Development & Infrastructure Committee Meeting, USC

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17 February Parks & Open Spaces Committee, Uralla
20 February ZNET Information Session, Uralla Community Centre
21 February ZNET Community Workshop & Open Day, USC

Cr I Strutt

23 January Site inspection and visit from Minister Duncan Gay, Emu Crossing Bridge, Bundarra
26 January Australia Day Breakfast, Brushgrove
26 January Australia Day Celebrations, Uralla
02 February Councillor Briefing Session, USC
05 February Councillor Catch Up, USC
16 February Councillor Workshop, USC
16 February Corporate & Community Committee Meeting, USC
16 February Environment, Development & Infrastructure Committee Meeting, USC
18 February Arts, Culture & Creativity Community Consultative Panel
23 February ZNet Presentation, USC

Cr M Pearce

19 January Administration & Correspondence, USC
19 January Speak with GM re Current Issues, USC
20 January Administration & Correspondence, USC
20 January Speak with Australia Day Committee Executives regarding Australia Day Program, USC
21 January Administration & Correspondence, USC
22 January Administration & Correspondence, USC
23 January Site inspection and visit from Minister Duncan Gay, Emu Crossing Bridge, Bundarra
24 January Administration & Correspondence, USC
25 January Australia Day Dinner with Ambassador, Uralla
26 January Australia Day Celebrations including citizenship ceremony, Uralla
27 January Administration & Correspondence, USC
28 January Administration & Correspondence, USC
28 January Interview with Armidale Express re upcoming Uralla Show, USC
28 January Speak with GM re Current Issues, USC
29 January Meeting with General Managers & Mayors re Current Issues & Fit for the Future Program, Guyra
30 January Commissioning Service of the new vicar at St John's Anglican Church, Uralla
31 January Uralla Show official opening & celebrity auto soccer match
02 February Councillor Briefing Session, USC
02 February Administration & Correspondence, USC
03 February Administration & Correspondence, USC
03 February Meeting re ZNet Energy & Senator Wang, Palmer United Party & ZNet Consortium members
04 February 2AD Radio Interview, USC
04 February Administration & Correspondence, USC
05 February Namoi Regional Organisation of Councils (ROC) Board Meeting with GM, Walcha
05 February NIRW Program Committee Meeting, USC
09 February Administration & Correspondence, USC
10 February Administration & Correspondence, USC
10 February Speak with GM re Current Issues, USC
11 February Administration & Correspondence, USC
11 February Speak with Deputy Mayor re Current Issues, USC
11 February Visit to Council by Bundarra Central School Principal & students from the Student Representative Council, USC

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12 February Integrity Management in Local Government Workshop, Armidale
16 February Abington Bridge Site Visit & Funding Announcement by Adam Marshall, Bundarra
16 February Councillor Workshop, USC
16 February Corporate & Community Committee Meeting, USC
16 February Environment, Development & Infrastructure Committee Meeting, USC
17 February Bush Fire Management Committee Meeting, Armidale
18 February 2AD Radio Interview, USC
18 February Administration & Correspondence, USC
18 February Speak with GM re Current Issues, USC
19 February Regional Networks for Effective Waste Management Meeting, Armidale
20 February Administration & Correspondence, USC
21 February ZNET Community Workshop & Open Day, USC
23 February Administration & Correspondence, USC
23 February ZNet Presentation, USC

4.02/15 **PROCEDURAL MOTION**

To Suspend Standing Orders

MOVED (Crs M Dusting/Field)

That Council suspend standing order of the agenda, and move to Sections 14, 15 & 16 of the agenda.

CARRIED

14. MAYORAL MINUTE

Mayor's Office
Bundarra Bridge Naming

5.02/15 **MOVED(Crs Pearce/M Dusting)**

PROPOSED MOTION:

That Council resolve to name this bridge and to advertise this decision, together with the suggested name in the Bundarra Central School newsletter, the Council newsletter and the Inverell Times and allow 28 days for comments and suggestions.

CARRIED

15. RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION

Department:	Community Support
Submitted by:	Olivia Wood
Reference:	1.16.02.08
Subject:	Community Services Ongoing Funding

This report is presented to the CLOSED section of the February 2015 meeting under section 10A (2(d) commercial information of a confidential nature that would, if disclosed:
(ii) confer a commercial advantage on a competitor of the council 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.

MOTION

Motion to Consider Items in Confidential Business Section

6.02/15 MOVED (Crs Strutt/K Dusting)

That the following items be considered in Confidential Section:

- **Community Services Ongoing Funding**

CARRIED

16. REPORTS FROM THE GENERAL MANAGER

PROCEDURAL MOTION

Move to the Committee of the Whole

7.02/15 MOVED (Crs Ward /Cooper)

That Council moves to the Committee of the Whole to discuss the General Manager's Item 1 Report and Recommendations.

CARRIED

Councillors held a detail discussion in relation to the aforementioned Report and Recommendations, with the General Manager answering their queries.

PROCEDURAL MOTION

Resumption of Standing Orders

8.02/15 MOVED (Crs Cooper/Ward)

That Council resumes Standing Orders.

CARRIED

11. SUPPER

MOTION

Supper Adjournment (6:05pm to 6:30pm)

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9.02/15 **MOVED (Crs K Dusting/Strutt)**
The Meeting resumed at 6:33pm.

12. PRESENTATIONS

Have Your Say

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

Name

Mr Keith Ellis

The Speaker delivered a presentation on the subject of Dog Control

Cr M Pearce thanked Mr Ellis for his Presentation to Council.

13. DEPUTATIONS

Nil

16. REPORTS FROM THE GENERAL MANAGER

Item 1

Fit for the Future

10.02/15 **MOVED (Crs Ward, Cooper)**

That:

1. Council address the Fit for the Future program as Uralla Shire Council alone and not pursue a voluntary merger;
2. Council acknowledges that in order to pursue this approach it will need to meet all of the programs criteria, which will require council to increase annual income, decrease expenditure or a combination of both, by an amount currently estimated to be equivalent to 22% of total annual rates and charges income or an amount equivalent to \$957,000 per annum;
3. In order to meet the Fit for the Future criteria and to remain a single entity, Council commits to applying for a special rate variation commencing from the 2016/17 financial year in an amount required to bring Council into a surplus operating result position (before capital grants);
4. Council acknowledges that the potential 22% increase in rates and charges income to remain a stand alone entity is considerably lower than the increase that would be required from Uralla Shire ratepayers under any of the proposed merger options identified in the Fit for the Future program;
5. Council undertake a community engagement program to further gauge broad community views on the Council's elected position to stand alone and to not voluntarily merge with another Council and the implications of such;
6. That Council contract an independent company to undertake a business case assessment of a merger proposal in the case that Council's submission to stand as a single entity is rejected on the grounds of scale (insufficient size).

CARRIED

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Item 2

Administration of 2016 Local Government Election

11.02/15 **MOVED (Crs Ward /M Dusting)**

That The Uralla Shire Council (“the Council”) resolves:

1. pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council;
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

CARRIED

17. REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

Item 3

1.16.02.01

Draft Community Engagement Strategy

12.02/15 **MOVED (Crs I Strutt /R Crouch)**

That:

Council adopts the attached Community Engagement Strategy and places the document on public exhibition for a period of 14 days.

CARRIED

Item 4

1.16.02.02

Acquired Brain Injury Facility Concept

13.02/15 **MOVED (Crs Field/Strutt)**

That:

1. Support be provided in the form of a letter stating Uralla Shire Council is supportive of the concept of an Acquired Brain Injury unit being built in Uralla Shire Council.
2. No land provision for the facility be committed to at this stage; however Council commits to reviewing land availability should funding to deliver the concept become available.

CARRIED

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Item 5

1.16.02.03

Request for Donation - Seasons of New England

14.02/15 **MOVED/ (Crs Cooper/Strutt)**

That:

1. Uralla Shire Council provide in-kind support for the Seasons of New England in the form of:
 - Supply and erection of the 3 Council owned marquees for the event;
 - Promotion in Council's Newsletter (content provided by Seasons of New England);
 - Supply bins, barrier mesh & banners for the event;
 - Waive the cost of hire of the venue;
2. That all other services be provided at cost recovery;
3. That the request for financial support of \$1500.00 not be granted.

CARRIED

Item 6

1.16.02.04

Half Yearly Report – Operational Plan Progress

15.02/15 **MOVED/ (Crs Field /Ward)**

That:

That Council receive and note progress to date with actions from Council's Operational Plan 2014/2015 in delivering on Council's 2012/2013 to 2015/2016 Delivery Program.

CARRIED

Item 7

1.16.02.05

Cash at Bank and Investments

16.02/15 **MOVED/ (Crs Geldof /M Dusting)**

That Council note the cash position at 31 January 2015 consisting of; cash and overnight funds of \$1,319,413.65, term deposits of \$6,000,000 totalling \$7,319,413.65 of readily convertible funds.

CARRIED

Item 8

1.16.02.06

2014/15 Second Quarter Budget Review Statements

17.02/15 **MOVED/ (Crs Ward /Field)**

That:

1. That the second quarter budget review summary for the 2014/15 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted.

CARRIED

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18. REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Item 9

2.16.02.01

Development Approvals and Refusals for December 2014

18.02/15 MOVED/ (Crs Geldof/Strutt)

That:

The development approvals and refusals for December 2014 be received and noted.

CARRIED

Item 10

2.16.02.02

Development Approvals and Refusals for January 2015

19.02/15 MOVED (Crs K Dusting /Strutt)

That:

The development approvals and refusals for January 2015 be received and noted.

CARRIED

Item 11

2.16.02.03

Regulatory Statistics Ending 31 December 2014

20.02/15 MOVED (Crs Cooper /Field)

That

The Regulatory Function Statistics ending 31 December 2014 be received and noted.

CARRIED

Item 12

2.16.02.04

Amendment 2 to the Uralla Local Environmental Plan 2012

21.02/15 MOVED (Crs Ward /Geldof)

That

The Council notes the gazettal of Amendment 2 to the Uralla Local Environmental Plan 2012 on 6 February 2015.

CARRIED

Item 13

2.16.02.05

Works Progress Report to 31 January 2015

22.02/15 MOVED (Crs Field / Cooper)

That

The report be received and noted.

CARRIED

Item 14

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2.16.02.06

Works Planning Report February 2015

23.02/15 **MOVED (Crs K Dusting /Crouch)**
That the report be received and noted.

CARRIED

19. MOTIONS ON NOTICE

Item 15

2.16.01.07

Change to Council Meeting times

MOTION

24.02/15 **MOVED (Crs Geldof/Strutt)**

That:

1. Council meets from 1pm to 5pm each month, with an opportunity for a thirty (30) minute extension on resolution.
2. Lunch be served before the meeting.

FORESHADOWED MOTION

MOVED (Crs Ward/Field)

That Council meets at 6pm all year around and finish no later than 9pm, with a possible 30 minute extension.

The Motion was put to the vote and Carried 5-4.

20. SCHEDULE OF ACTIONS

As at 16 February 2015

At this point, Council paused in proceedings & observed a minute's silence for Monseigneur Peters, who passed away recently.

21. CONFIDENTIAL BUSINESS

CLOSED SESSION OF COUNCIL

MEETING PROCEDURE

Move to Closed Session

25.02/15 **MOVED (Crs M Dusting /Crouch)**
That Council move into Closed Session.

CARRIED

MEETING PROCEDURE

Move to Open Session

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28.02/15 **MOVED (Crs Field/Cooper)**
That Council move back into Open Session
CARRIED

RETURN TO OPEN SESSION OF COUNCIL

22. AUTHORITY TO AFFIX THE COMMON SEAL

Item 1

29.02/15 **Affixing of Council Seal to Section 88b instrument – DA 74/2014 – J F Kennedy**
MOVED (Crs M Dusting /Ward)
That:
Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application 74/2014 on land known as 1202 Bakers Creek Road, Bundarra, being Lots 7, 8 & 29 DP 753657.

A division was called, with the following results:

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

Cr R Crouch left the room, having earlier declared a non-pecuniary interest in this item
CARRIED

Item 2

30.02/15 **Affixing of Council Seal to Section 88b instrument – DA 8/2014 – Mr S & Mrs L Grills**
MOVED (Crs Ward / Cooper)
That:
Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application 8/2014 on land known as 7 Salisbury Street, Uralla being Lot 18 Sec 34 DP 759022.

A division was called, with the following results:

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

CARRIED

Item 3

31.02/15 **Affixing of Council Seal to Section 88b instrument – – DA 15/2014 – Mr N Cordery**
MOVED/ (Crs K Dusting/Geldof)
That:
Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 15/2014 on land known as 24 Gostwyck Street, Uralla being Lot 3 DP 6974.

A division was called, with the following results:

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

CARRIED

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23. CLOSURE OF MEETING

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