



ORDINARY MEETING OF COUNCIL

**Held at 12 noon
On 26 May 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 D Williams, Minute Clerk

MINUTES

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Assignment of Action Items

GLOSSARY OF ACTION OWNERS	
GM	Mr D Connor, General Manager
DES	Mr R Bell, Director of Engineering Services
DAS	Ms J Michie, Director of Administrative Services
MP	Ms L Cumming, Manager of Planning
EA	Mrs D Williams, Executive Assistant

The Meeting Commenced at: 12:10pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr B Crouch (Deputy Mayor) and Councillors, L Cooper, K Disting, M Disting, D Field, F Geldof, 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), Minute Clerk (Mrs D Williams).

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGY

There were no Apologies declared.

ADVICE OF LATE ARRIVALS

There were no Late Arrivals advised.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for Leave of Absence received.

CONFIRMATION OF MINUTES

Ordinary Meeting of 28 April 2014

173/14 MOVED/ CARRIED (Crs L Cooper / I Strutt)

That the Minutes of the Ordinary Meeting held on 28 April 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

Closed Session of Ordinary Meeting of 28 April 2014

174/14 MOVED/ CARRIED (Crs K Disting / L Cooper)

That the Minutes of the Closed Session of the Ordinary Meeting held on 28 April 2014 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

DECLARATIONS OF CONFLICT OF INTEREST

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 26 May 2014 meeting.

Submitted By:	Interest Declared:
Cr F Geldof	<i>Non-Pecuniary interest as the relative of a Person named in Item number 3 of the General Manager's Planning Report to Council.</i>

RESPONSES TO QUESTIONS ON-NOTICE

Questions On-Notice Received and From Previous Meetings

The Chair referred Councillors to the responses provided to "Questions On-Notice" raised at the Ordinary meeting of Council held Monday, 28 April 2014:

RESPONSES TO QUESTIONS RAISED ON-NOTICE

Questions Raised at the 28 April 2014 Meeting of Council:

At the 28 April 2014 Meeting, Councillors raised the following "Questions On-Notice" for response at the 26 May 2014 Meeting of Council:

Cr L Cooper

QUESTION:

Uralla Visitor Information Centre/Cafe

As the café operators have been asked to vacate, does Council have a plan of action, if so, what is it?

RESPONSE:

Please see report in the General Managers section of this months Business Paper addressing the proposed refurbishment of the Uralla Visitor Information Centre.

Cr L Cooper

QUESTION:

Landfill

As residents are being charged to use the Landfill, does Council have a Schedule of Fees for the Landfill?

RESPONSE:

The charges are listed in the Council Operational Plan and are on the sign on the shed at the Landfill.

Cr B Crouch

QUESTION:

On-Site Sewer Management Systems

1. *In response to Councillor K Dusting's question late last year regarding multiple systems on rural properties the General Manager advised us that where systems were in "close" proximity only one inspection fee would be charged. I was remiss in not requesting Council Staff to define "close proximity". Could we please have a definition of "close proximity"?*

RESPONSE:

From five to ten minutes travel time on the same property is considered "close proximity."

2. *When did Council "resolve to invoice all inspections for high risk systems upon completion of the desktop assessment" as stated in Council's letter U13/15 of 28 March 2014.*

RESPONSE:

Council resolution 63/14 at its meeting 24 February 2014.

3. *I would appreciate advice on the position of Council if systems Council previously approved and licenced are now found to be deficient and require substantial additional work?*

RESPONSE:

Council staff have been directed to work with the property owners to allow reasonable time to correct any minor deficiencies. Any system less than three years old will be issued a low risk licence.

4. *Who has responsibility for enforcing the legislation regarding the use of systems that are not licenced? Council or EPA?*

RESPONSE:

Council under Section 68 of the Local Government Act. The Health Department and/or the EPA can also respond to complaints regarding non-performing systems.

MINUTES OF COMMITTEE MEETINGS

Minutes of Meeting for Council and Community Committees

Item 1

Minutes of Council Committees

Various

175/14 MOVED/ CARRIED (Crs L Cooper / K Ward)

That Council note the following Minutes of Meeting of Committees of Council:

- McMaugh Gardens Aged Care Centre Advisory Committee, Minutes for Meeting held 10 April 2014

MAILOUT TO COUNCILLORS

Weekly Mailout Forwarded for the Information of Councillors

Item 1

Mailouts forwarded to Councillors for the Period Thursday 24 April 2014 to Friday 16 May 2014

U07/23

176/14 MOVED/ CARRIED (Crs L Cooper / I Strutt)

That the Mailouts forwarded to Councillors for the Period Thursday 24 April 2014 to Friday 16 May 2014 be noted.

STAFF REPORTS

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Visitor Information Centre Refurbishment

U07/4410

PROCEDURAL MOTION – To Suspend Standing Orders

Deferral of Consideration in the Matter of Item 1 Visitor Information Centre Refurbishment

177/14 MOVED/ CARRIED (Crs F Geldof / M Disting)

That Item 1 be deferred for consideration following Presentations to Council given that Speaker 3 is scheduled to make a presentation on this matter.

STAFF REPORTS (continued)

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Administration and Finance

Item 1

Cash at Bank and Investments

U12/1

178/14 MOVED/ CARRIED (Crs K Dusting / I Strutt)

That Council note the cash position at 30 April 2014 consisting of; cash and overnight funds of \$582,297.40, term deposits of \$6,500,000.00 totalling \$7,082,297.40 of readily convertible funds.

Item 2

Uralla Shire Council Finance Committee

U07/01

179/14 MOVED/ CARRIED (Crs F Geldof / M Dusting)

That Council note the minutes of the meeting of the Uralla Shire Council Finance Committee, held on Tuesday 13 May 2014 and adopt the following recommendations:

1. That the Financial Reports consisting of the Budget Review by Resource Code and Budget Review by Function, Collection of Rates and Outstanding Debtor Report to 30 April 2014 for the year to 30 June 2014, be noted.
2. That the Draft Budget be amended to reflect 2014/2015 operating surplus of \$28,951 comprised of: General Fund deficit of \$101,698; Water Fund surplus of \$57,996; Sewer Fund surplus of \$33,927; and McMaugh Gardens surplus of \$38,7261, be noted.

**Finance
Manager**

Manager of Planning left the room at 12:30pm, returning at 12:39pm.

DIRECTOR OF ADMINISTRATIVE SERVICES' REPORT

Community Services

Item 1

Visitor Information Centre Monthly Report for March/April 2014

U12/273

180/14 MOVED/ CARRIED (Crs L Cooper / I Strutt)

That Council note the Community Development Officer's Report on activities at the Uralla Visitor Information Centre for March/April 2014.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Environment and Waste Management

Item 1

Recommendations from the Environmental Committee Meeting held 6 May 2014.

U12/150

181/14 MOVED/ CARRIED (Crs M Dusting / D Field)

That Council:

1. note the minutes of the Environmental Committee meeting held Tuesday 6 May 2014.

ADJOURNMENT

Luncheon Recess

MOTION

Lunch Adjournment (1:00pm to 1:30pm)

182/14 MOVED/ CARRIED (Crs K Dusting / L Cooper)

That Council break for a 30 minute Lunch Adjournment (1:00pm – 1:30pm).

The Meeting resumed at 1:33pm.

PRESENTATIONS TO COUNCIL

Have Your Say

Speakers in Order of Presentation:

The Chair introduced the Speakers in order of Presentation as follows:-

1. Denise Doran

Resident

*The Speaker delivered a presentation on the subject of **The Sale Process and Re-zoning of 42 Maitland Street.***

2. Myles Doran

Resident

*The Speaker delivered a presentation on the subject of **The Sale Process and Re-zoning of 42 Maitland Street.***

3. Maureen Watson

Resident

*The Speaker delivered a presentation on the subject of **The Visitor Information Upgrade and Café Lease.***

Meeting returned to deferred Item 1 of General Manager's Report

GENERAL MANAGER'S REPORT

Governance and Administration

Item 1

Visitor Information Centre Refurbishment

U07/4410

**PROCEDURAL MOTION – To Suspend Standing Orders and have Council
Move in to Committee of the Whole**

Move to Committee of the Whole

183/14 MOVED/ CARRIED (Crs F Geldof / M Dusting)

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

Councillors held a detailed discussion in relation to the Visitor Information Centre Refurbishment.

PROCEDURAL MOTION - Resumption of Standing Orders

184/14 MOVED/ CARRIED (Crs K Ward / L Cooper)

That Council resume Standing Orders.

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

MOTION

MOVED/ SECONDED (Crs M Dusting / F Geldof)

That:

1. A comprehensive report on the potential redevelopment of Councils Visitor Information Centre precinct be constructed addressing the following items:
 - The objective of the proposed works and the business case for such;
 - The scope of works proposed to be undertaken; and
 - Preliminary designs, costings and project timeframes.
2. Appropriate stakeholder engagement be undertaken in the development of the preliminary project scoping;
3. Communication be provided to the public that the proposed construction works identified to begin on the 1st of July, have been deferred pending the undertaking of further investigation, planning and assessment;
4. Council authorise the General Manager to negotiate with the current lessees of the commercial café space for a short term lease for the period until the end of June 2015 at commercial leasing rates.

FORESHADOWED MOTION

MOVED/ SECONDED (Crs K Ward / D Field)

That:

1. A comprehensive report on the potential redevelopment of Councils Visitor Information Centre precinct be constructed addressing the following items:
 - The objective of the proposed works and the business case for such;
 - The scope of works proposed to be undertaken; and
 - Preliminary designs, costings and project timeframes.
2. Appropriate stakeholder engagement be undertaken in the development of the preliminary project scoping;
3. Communication be provided to the public that the proposed construction works identified to begin on the 1st of July, have been deferred pending the undertaking of further investigation, planning and assessment;
4. Council authorise the General Manager to negotiate with the current lessees of the commercial café space for a twelve month lease until 30 June 2015 under existing conditions.

The SUBSTANTIVE MOTION was PUT and LOST (5-4).

The FORESHADOWED MOTION then became the MOTION

185/14 The MOTION was PUT and CARRIED

That:

1. A comprehensive report on the potential redevelopment of Councils Visitor Information Centre precinct be constructed addressing the following items:
 - The objective of the proposed works and the business case for such;
 - The scope of works proposed to be undertaken; and
 - Preliminary designs, costings and project timeframes.
2. Appropriate stakeholder engagement be undertaken in the development of the preliminary project scoping;
3. Communication be provided to the public that the proposed construction works identified to begin on the 1st of July, have been deferred pending the undertaking of further investigation, planning and assessment;
4. Council authorise the General Manager to negotiate with the current lessees of the commercial café space for a twelve month lease until 30 June 2015 under existing conditions.

GM

Crs M Dusting, K Dusting, I Strutt and F Geldof made formal requests that their Vote against the Motion be recorded.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Environment and Waste Management (continued)

Item 2

Waste 2014 – Waste Conference Report

U14/6423

186/14 MOVED/ CARRIED (Crs M Dusting / D Field)

That Council note the Waste 2014 Conference report provided by Manager Waste and Resource Recovery.

DIRECTOR OF ENGINEERING SERVICES' REPORT

Technical Services

Item 1

Works Planning

U07/3041

Item 2

Works Progress for Period Ended 9 May 2014

U07/3041

PROCEDURAL MOTION

187/14 MOVED/ CARRIED (Crs K Ward / L Cooper)

That Council hear Item 1 and Item 2 together. Being that the Works Progress for the period ended 9 May 2014 and the Planned Works be noted.

Item 3

Works Progress Advisory Unit

U07/172

188/14 MOVED/ CARRIED (Crs I Strutt / L Cooper)

(i) That Council note the minutes of the Works Progress Advisory Unit meeting held on 13 May 2014 and;

(ii) That Council note the Capital Works Program.

Item 4

Draft Liquid Trade Waste Plan

U08/6449

189/14 MOVED/ CARRIED (Crs D Field / L Cooper)

That Council endorse the Draft Liquid Trade Waste Plan 2014 and place on public exhibition.

EA

GENERAL MANAGER'S REPORT

Planning Services

Item 1

Planning Application Approvals and Refusals for the Month of April 2014

U12/168

190/14 MOVED/ CARRIED (Crs I Strutt / L Cooper)

That Council note the information contained within the Planning Application Approvals and Refusals Report for the Month of April 2014.

Item 2

Heritage Advisors Report

U12/6279

191/14 MOVED/ CARRIED (Crs D Field / L Cooper)

That Council notes the contents of the Heritage Advisor's report for the visit held on 6 May 2014.

Cr F Geldof, having earlier declared a non-pecuniary interest as the relative of a Person named in Item 3 of the General Manager's Planning Report, left the meeting at this time (2:58pm).

GENERAL MANAGER'S REPORT

Planning Matters for Determination

Item 3 DIVISION DECISION

Application of Council Seal to Section 88b Instrument

21 East Street, Uralla

Lot 15 Section 21 DP 759022

DA 71/2013

192/14 MOVED/ CARRIED (Crs K Dusting / L Cooper)

Council endorse the fixing of the Council Seal on the Section 88b Instrument relating to Development Application 71/2013 on land known as 21 East Street, Uralla being Lot 15 Section 21 DP 759022.

MP

A Division was called and the result was as follows:

*FOR: B Crouch, L Cooper, K Dusting, M Dusting, D Field,
M Pearce, I Strutt, K Ward.*

AGAINST: Nil

ABSENT: F Geldof

Manager of Planning left the meeting at 3:00pm.

DELEGATE REPORTS

Councillors in turn provided a brief verbal summary of their Council related activities during the reporting period and submitted written Delegate Reports comprising details as follows:-

Councillor	Activity Date:	Activity Detail:
Cr D Field		
	19 May 2014	CBS
	21	Community Meeting Re: McMaugh Gardens, USC
	26 May	Draft Budget Workshop, Uralla Shire Council (USC)
		Ordinary Council Meeting
Cr F Geldof		
	13 May 2014	Business Breakfast, Top Pub Uralla
		Finance Meeting, USC
		Works Progress Advisory Unit (WPAU), USC
	26 May	Draft Budget Workshop, Uralla Shire Council (USC)
		Site Inspection, 42 Maitland Street Uralla
		Ordinary Council Meeting, USC
Cr B Crouch		
	5 May 2014	Councillor Briefing Session (CBS), USC
	19 May	CBS
		Bundarra 355, Bundarra
	26 May	Draft Budget Workshop, Uralla Shire Council (USC)
		Ordinary Council Meeting, USC
Cr M Dusting		
	30 April 2014	New England Weeds County Council, Armidale
	5 May	CBS, USC
	6 May	Environmental Committee Meeting, USC
	13 May	Finance Committee Meeting, USC
	15 May	Zone Meeting Public Libraries and Dinner, Nundle
	19 May	CBS
	22 May	Local Land Services (LLS) Tour, Dangars Lagoon, Uralla
Cr K Dusting		
	5 May 2014	CBS, USC
	15 May	Zone Meeting Public Libraries and Dinner, Nundle
	22 May	Local Land Services (LLS) Tour, Dangars Lagoon, Uralla
Cr L Cooper		
	21 May 2014	Community Meeting Re: McMaugh Gardens, USC
	24 May	Thunderbolt Festival Meeting, Espresso Cafe
	25 May	Inspection of 44 Maitland Street, Denise Doran's property.
	26 May	Residents Meeting, McMaugh Gardens, Uralla
	26 May	Ordinary Council Meeting, USC
Cr K Ward		
	6 May 2014	Environmental Committee Meeting, USC
	13 May	WPAU, USC
	13 May 2014	Business Breakfast, Top Pub Uralla
	19 May	CBS, USC
	21 May	Community Meeting Re: McMaugh Gardens, USC
	25 May	Inspection of 44 Maitland Street, Denise Doran's property.
	26 May	Site Inspection, 42 Maitland Street Uralla
		Draft Budget Workshop, Uralla Shire Council (USC)

DELEGATE REPORTS (continued)

Councillor	
Activity Date:	Activity Detail:
Cr I Strutt	
1 May 2014	U3CF Committee, Uralla
5 May	CBS, USC
6 May	Environmental Committee Meeting, USC
13 May	Finance Committee Meeting, USC
15 May	LLS Climate Change Road Show, Armidale
19 May	CBS, USC
21 May	Community Meeting Re: McMaugh Gardens, USC
22 May	Local Land Services (LLS) Tour, Dangars Lagoon, Uralla
26 May	Draft Budget Workshop, Uralla Shire Council (USC)
	Site Inspection, 42 Maitland Street Uralla
	Ordinary Council Meeting, USC
Cr M Pearce	
29 April 2014	Administration and Correspondence, Mayor's Office, USC
	Meeting with General Manager Re: Current Issues, USC
30 April	Radio Interview, USC
	Administration and Correspondence, Mayor's Office, USC
1 May	Administration and Correspondence, Mayor's Office, USC
	Media Release with Adam Marshall MP, Emu Crossing Bridge, Bundarra
5 May	CBS, USC
	Administration and Correspondence, Mayor's Office, USC
6 May	Environmental Committee Meeting, USC
6-8 May	Waste Avoidance and Resource Recovery Conference as Delegate/Chair of NIRW, Coffs Harbour
12 May	Meeting with General Manager Re: Current Issues, USC
	Administration and Correspondence, Mayor's Office, USC
13 May	Administration and Correspondence, Mayor's Office, USC
	Finance Meeting, USC
	WPAU, USC
15 May	Meeting with General Manager Re: Current Issues, USC
	Administration and Correspondence, Mayor's Office, USC
19 May	CBS, USC (APOLOGY)
20 May	New England Bushfire Management Committee (NEBFMC), Armidale
21 May	Community Safety Precinct Committee Meeting (CSPC), Armidale
22 May	New England Mutual Business Breakfast, Uralla
	Administration and Correspondence, Mayor's Office, USC
26 May	Draft Budget Workshop, Uralla Shire Council (USC)
	Site Inspection, 42 Maitland Street Uralla
	Ordinary Council Meeting, USC

Cr K Dusting left the room at 3:38pm, returning at 3:40pm.

QUESTIONS TAKEN ON-NOTICE

Cr K Dusting

QUESTION:

Box Forest Drive

Does Council have any plans for improving conditions/upgrading of Box Forest Drive?

DES

Cr L Cooper

QUESTION:

Rocky River Waste Collection Service

Can Council please have an update on the likelihood of a waste collection service for residents of Rocky River?

DES

Cr D Field

QUESTION:

Bus Shelter at McMaugh Gardens

Could a small shelter be constructed at McMaugh Gardens for the residents to use when waiting for transport services?

GM

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

3:50pm.

CLOSURE OF MEETING

The Meeting concluded at: 3:50pm.

The Minutes of the Uralla Shire Council at an Ordinary Meeting of Council held on 26 May 2014, consisting of Page 17 and the previous pages, were confirmed by Resolution No. [nnn/13] on [Day Month Year].

.....Mayor