



ORDINARY MEETING OF COUNCIL

**Held at 1:00pm
On 26 April 2016**

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 G Cowan, Acting General Manager
Mr O Johns, Acting Director-Infrastructure & Regulation
Mrs O Wood, Executive Manager-Community & Culture
Mr S Paul, Chief Financial Officer
Mrs D Williams, Minute Clerk

MINUTES

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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, L Cooper, K Disting, M Disting, D Field, F Geldof, I Strutt, K Ward, Acting General Manager (Mr G Cowan, Acting Director-Infrastructure & Regulation (Mr O Johns), Chief Financial Officer (Mr S Paul), Executive Manager Community & Culture (Mrs O Wood), Minute Clerk (Mrs D Williams).

1. OPENING & WELCOME

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

There were no apologies received.

ADVICE OF LATE ARRIVALS

There were no Late Arrivals advised.

REQUESTS FOR LEAVE OF ABSENCE

A request for Leave of Absence was submitted by Cr M Pearce, Cr M Disting and Cr K Disting.

MOTION

Leave of Absence

01.04/16 MOVED/ CARRIED (Crs F Geldof / K Ward)

That the request for Leave of Absences for Cr M Pearce, from 9 May to 25 May, and Cr M Disting and Cr K Disting be approved.

DISCLOSURES & DECLARATION OF INTERESTS

There were no disclosures or declarations of interest.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 29 March 2016

02.04/16 MOVED/ CARRIED (Crs I Strutt/D Field)

That the Minutes of the Ordinary Meeting held on 29 March 2016 (copies have been circulated to Members) be adopted as a true and correct record of proceedings, with the amendment on page 22, listing all the Councillors names, as opposed to reading, "All Councillors".

03.04/16 MOVED/ CARRIED (Crs I Strutt/B Crouch)

That the Minutes of the Closed Session of the Ordinary Meeting held on 29 March 2016 (copies have been circulated to Members) be adopted as a true and correct record of proceedings.

ANNOUNCEMENTS

There were no announcements.

3. TABLING OF REPORTS & PETITIONS

There were no reports or petitions tabled.

4. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

Item 1: National Local Government Assembly – Notices of Motion (General Manager's Report)

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Item 2: Planning Report

Procedural Motion

04.04/16 **MOVED (Crs M Dusting/B Crouch)**

Move to hear the late item of business from the General Manager's Report at Item 9 on the Agenda, and move to hear the late item of business, Planning Report, at 11 on the Agenda.

5. PRESENTATIONS

Have Your Say

Speakers in Order of Presentation:

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

1. Name: Ms Bron Wilson

Subject: Uralla Shire Council – current state of Council finances and the potential merger.
The Speaker delivered a presentation on the subject of Council's current financial position.

The Chair and Cr I Strutt thanked Ms Wilson for her Presentation to Council.

6. DEPUTATIONS

There were no deputations 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:-

Councillor	Activity Date:	Activity Detail:
<hr/>		
Cr D Field		
	29 March	Ordinary Council Meeting, USC
		Councillors Workshop, USC
	1 April	International Women's Day, Uralla
		Hats off to the Ladies Exhibition – Opening, McCrossins Mill, Uralla
	7 April	Public Meeting re: Four Council Proposed Merger, Uralla
	18 April	Community & Culture Committee Meeting, USC
		Environment, Development & Infrastructure Committee Meeting, USC
	19 April	Disability & Access Community Consultative Panel Meeting, Uralla
Cr F Geldof		
	26 April	Ordinary Council Meeting

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DELEGATE REPORTS (continued)

Councillor

Activity Date:

Activity Detail:

Cr B Crouch

07/04/2016	Delegate Presentations Walcha	Walcha
07/04/2016	Delegate Presentations Uralla	Uralla
08/04/2016	Delegate Presentations Armidale	Armidale
18/04/2016	Environment, Development and Infrastructure Committee	Uralla
18/04/2016	Corporate and Community Committee	Uralla
26/04/2016	Ordinary meeting of Council	Uralla
26/04/2016	Strategic Directions Workshop	Uralla
26/04/2016	Community Grants Assessment	Uralla

Cr M Dusting

29 March	Councillors Workshop, USC
30 March	Jobs Australia, Armidale
7 April	Public Meeting, Walcha
	Public Meeting, Uralla
8 April	Public Meeting, Armidale
	Public Meeting, Guyra

Cr K Dusting

29 March	Councillors Workshop, USC
30 March	Jobs Australia, Armidale
1 April	Hats off to the Ladies Exhibition – Opening, McCrossins Mill, Uralla
7 April	Public Meeting, Walcha
	Public Meeting, Uralla
8 April	Public Meeting, Armidale
	Public Meeting, Guyra

Cr L Cooper

30 March	Jobs Australia Board Meeting, Armidale
1 April	International Women's Day, Uralla
	Hats off to the Ladies Exhibition – Opening, McCrossins Mill, Uralla
7 April	Public Meeting re: Four Council Proposed Merger, Uralla
25 April	Anzac Day March & Service, Uralla
26 April	Council Meeting, USC

Cr K Ward

7 April	Community Mutual Business Breakfast, Uralla
7 April	Public Meeting re: Four Council Proposed Merger, Uralla
7 April	Public Meeting re: Four Council Proposed Merger, Walcha
18 April	Community & Culture Committee Meeting, USC
	Environment, Development & Infrastructure Committee Meeting, USC
25 April	Anzac Day March & Service, Uralla

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DELEGATE REPORTS (continued)

Activity Date: Activity Detail:

Cr I Strutt

1 April	International Women's Day, Uralla
	Hats off to the Ladies Exhibition – Opening, McCrossins Mill, Uralla
7 April	Public Meeting re: Four Council Proposed Merger, Uralla
18 April	Community & Culture Committee Meeting, USC
	Environment, Development & Infrastructure Committee Meeting, USC
19 April	Disability & Access Community Consultative Panel Meeting, Uralla
25 April	Anzac Day March & Service, Uralla
26 April	Community Grants Assessment, Uralla

Cr M Pearce

DATE	COMMITTEE/MEETING/EVENT	LOCATION
30/03/16	Mayor's Office - Admin	Uralla
31/03/16	Mayor's Office - Admin	Uralla
04/4/16	Mayor's Office - Admin/Corro	Uralla
05/4/16	Mayor's Office - Admin	Uralla
06/4/16	Mayor's Office - Admin	Uralla
	Senior Citizens Luncheon	
07/4/16	Mayor's Office - Admin.	Uralla
	Boundaries Commission Review Public meeting.	
08/4/16	Boundaries Commission Review Public meeting.	Armidale
08/4/16	Mayors Office - Meeting.	
11/4/16	Mayor's Office - Admin	Uralla
12/4/16	Mayor's Office -Admin	Uralla
13/4/16	2AD Interview/ - Admin	Uralla
14/4/16	Mayor's Office - Admin	Uralla
16/4/16	Promotion visit with Australian Cutting Horse and Youth group of Uralla town area and Uralla Shire precinct.	Uralla
18/4/16	Mayor's Office Admin	Uralla
	Standing Committee Meetings x 2	
19/4/16	Mayor's Office - Admin	Uralla
20/4/16	Mayor's Office - Admin	Uralla
21/4/16	Mayor's Office - Admin	Uralla
22/4/16	UNE Graduation Day	UNE, Armidale.
25/4/16	Anzac Day Activities	Uralla
26//4/16	Admin/April Council Meeting	
	Councillor Workshop	

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8. MAYORAL MINUTE

There was no Mayoral Minute.

9. REPORTS FROM THE GENERAL MANAGER

LATE REPORT FROM GM

Department: General Manager's Office

Reference: Item 1

Subject: National General Assembly of Local Government

Submitted by: George Cowan - Acting General Manager

Attachment: Nil

05.04/16 MOVED (Crs B Crouch/I Strutt)

OFFICER'S RECOMMENDATION:

That: The Acting General Manager's report be received and noted and further that Council endorse the three motions for lodgement with the ALGA.

Motion 1:

That the NGA call upon the Federal Government to restore the level of Financial Assistance grants to local government to at least 1% of Commonwealth tax revenue and to reintroduce full indexation on this amount for the future.

Objective:

To see grant levels restored to pre 2014/2015 budget levels and to bring an end to the stagnation of this grant before the full effects of the freeze permanently damage local government's capacity to meet its objectives.

Argument:

In 1995/96 Financial assistance Grants to local governments stood at approximately 1% of Commonwealth tax revenues a significant reduction from the levels of grants when FAGS was first introduced. As part of the austerity budget in 2014/2015 the Financial Assistance Grants had been allowed to fall to just .67% of Commonwealth tax revenue and a freeze was applied to the indexation of the grants which will see the level fall to as low as .60% next financial year. This is coming at a time when councils generally are being asked to improve efficiencies and lift the level of own source revenue.

Unfortunately the effect of the freeze is to permanently reduce the amounts paid to local government because the longer it goes on the less likely it becomes that a future government would restore funding to the level that it would otherwise have been. Any further reduction in real terms of these most significant of all grants will damage the local council's ability to meet community expectation and capacity to implement the objectives of both State and Federal Governments.

Motion 2:

That the NGA calls upon the Federal Government to significantly increase the Roads to Recovery

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Funding program and to index the level of the grant in future years.

Objective:

To equip Councils to manage the local roads system that now makes up 75% of the national roads system and to meet the national interest

Argument:

The local roads system in Australia is the level of road that most impacts on the capacity of rural residents to engage in community activities, access services and to transport goods and products to markets. In many local government areas these roads are often relatively poor quality bitumen or gravel roads. Councils are responsible for the maintenance and upkeep of this part of the road system and at the same time have the least capacity to raise funds to meet those costs. As the pressure mounts on local councils to provide more and more services to residents particularly services on behalf of other levels of government the impact on funding of the local roads system can easily be seen. The Roads to Recovery program plays such a vital role in supporting councils in funding the upgrade of this infrastructure it should be recognised and made a permanent feature of the Commonwealth budget.

Motion 3:

That this National General Assembly calls upon the Commonwealth Government to hold a referendum to decide the financial recognition of local government in the Australian constitution and further that the NGA seek bi-partisan support for the proposal.

Objective:

To protect the future flow of commonwealth funding to local government and to have the importance of local government recognised in the system of federation

Argument:

Local government has long been recognised as the system of government closest to the people yet it continues to be dependent upon the other levels of government for its very existence. Financial support for services delivered by local councils is provided by the Commonwealth and it is important that the flow of funds to councils be recognised and protected.

Financial recognition of local government in the constitution would protect this most important flow of funds from further challenge.

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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/Subject:	1.18.04.01 / Cash at Bank and Investments
Attachments:	Council's Investments as 31 March, 2016

06.04/16 MOVED (Crs M Disting/ F Geldof)

COUNCIL RESOLUTION:

That:

Council note the cash position as at 31 March, 2016 consisting of cash and overnight funds of \$1,244,960, term deposits of \$9,000,000 totalling \$10,244,960 of readily convertible funds and note that the deficit reported in the main account is an artefact of timing.

COMMITTEE'S RECOMMENDATION:

That:

Council note the cash position as at 31 March, 2016 consisting of cash and overnight funds of \$1,244,960, term deposits of \$9,000,000 totalling \$10,244,960 of readily convertible funds.

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 31 March, 2016 consisting of cash and overnight funds of \$1,244,960, term deposits of \$9,000,000 totalling \$10,244,960 of readily convertible funds.

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

Department:	Infrastructure & Regulation
Submitted by:	Director of Infrastructure & Regulation
Reference / Subject	2.18.04.01 / Development Approvals and Refusals for March 2016
Attachments:	Nil

07.04/16 MOVED/ CARRIED (Crs K Ward/ I Strutt)

COUNCIL RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

Department:	Infrastructure & Regulation
Submitted by:	Consultant Town Planner
Reference / Subject:	2.18.04.02 / Multi Dwelling Housing (3 dwellings)
Attachments:	A. Concept dwelling plans prepared by Team Design Australia and draft Strata Plan prepared by Survey Doodson. B. Development Assessment Report C. Submissions (2)

08.04/16 MOVED/ CARRIED (Crs K Ward/D Field)

That:

COUNCIL RESOLUTION:

That Council approve Development Application DA-03-2016 for Multi dwelling housing (3 dwellings) and Strata Subdivision on land known as No. 14 Salisbury Street, Uralla, being Lot 2 DP 1193433 subject to the conditions listed in the report.

COMMITTEE'S RECOMMENDATION:

That Council approve Development Application DA-03-2016 for Multi dwelling housing (3 dwellings) and Strata Subdivision on land known as No. 14 Salisbury Street, Uralla, being Lot 2 DP 1193433 subject to the conditions listed in the report.

OFFICER'S RECOMMENDATION:

That Council approve Development Application DA-03-2016 for Multi dwelling housing (3 dwellings) and Strata Subdivision on land known as No. 14 Salisbury Street, Uralla, being Lot 2 DP 1193433 subject to the conditions listed in the report.

Division Decision

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

Against: Nil

Absent: Nil

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Department:	Infrastructure & Regulation – Division Decision
Submitted by:	Contract Town Planner
Reference / Subject:	2.18.04.03 / Planning Proposal – D & J Heagney - Part Lot 12 DP 529709 – Rowan Avenue, Uralla
Attachments:	Nil

09.04/16 MOVED/ CARRIED (Crs M Dusing/F Geldof)
That:

COUNCIL RESOLUTION:

That the following be received and noted in regards to the Planning Proposal affecting land known as Part Lot 12 DP 529709, Rowan Avenue, Uralla:

1. Public Exhibition has been finalised.
2. A section 59 report is currently being drafted for NSW Planning approval.

COMMITTEE'S RECOMMENDATION:

That the following be received and noted in regards to the Planning Proposal affecting land known as Part Lot 12 DP 529709, Rowan Avenue, Uralla:

1. Public Exhibition has been finalised.
2. A section 59 report is currently being drafted for NSW Planning approval.

OFFICER'S RECOMMENDATION:

That the following be received and noted in regards to the Planning Proposal affecting land known as Part Lot 12 DP 529709, Rowan Avenue, Uralla:

1. Public Exhibition has been finalised.
2. A section 59 report is currently being drafted for NSW Planning approval.

Division Decision

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

Against: Nil

Absent: Nil

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Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference / Subject:	2.18.04.04 / Heritage Advisors Report – April 2016
Attachments:	A. Heritage Advisors Report dated 5 April 2016

10.04/16 MOVED/ CARRIED (Crs D Field /I Strutt)

That:

COUNCIL RESOLUTION:

That the Heritage Advisor's report dated 5 April 2016 be received and noted by Council.

COMMITTEE'S RECOMMENDATION:

That the Heritage Advisor's report dated 5 April 2016 be received and noted by Council.

OFFICER'S RECOMMENDATION:

That the Heritage Advisor's report dated 5 April 2016 be received and noted by Council.

Department:	Infrastructure & Regulation – Division Decision
Submitted by:	Manager of Town Planning & Regulation (Relief)
Reference / Subject:	2.18.04.06 / Standard Instrument LEP amendments
Attachments:	A. Local Environmental Plan (Regional LEPs Consequential Amendments)2016 NSW Planning and Environment Media Release 12 March 2016 LEP Land Use Matrix

11.04/16 MOVED/ CARRIED (Crs K Ward/ B Crouch)

That:

COUNCIL RESOLUTION

1. That the NSW Planning and Environment Media Release and information provided in this report be received and noted.
2. That Council's website is updated to link to the Uralla LEP 2012 as published on the NSW Legislation website and that an amended LEP Land Use Matrix is uploaded to the website.
3. That Council endorse a minor amendment to the Uralla Development Control Plan (DCP) 2011 to ensure consistency with the Uralla LEP 2012 as part of the next advertised amendment to the DCP.

COMMITTEE'S RECOMMENDATION:

1. That the NSW Planning and Environment Media Release and information provided in this report be received and noted.
2. That Council's website is updated to link to the Uralla LEP 2012 as published on the NSW Legislation website and that an amended LEP Land Use Matrix is uploaded to the website.
3. That Council endorse a minor amendment to the Uralla Development Control Plan (DCP) 2011 to ensure consistency with the Uralla LEP 2012 as part of the next advertised amendment to the DCP.

OFFICER'S RECOMMENDATION:

1. That the NSW Planning and Environment Media Release and information provided in this report be received and noted.
2. That Council's website is updated to link to the Uralla LEP 2012 as published on the

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NSW Legislation website and that an amended LEP Land Use Matrix is uploaded to the website.

3. That Council endorse a minor amendment to the Uralla Development Control Plan (DCP) 2011 to ensure consistency with the Uralla LEP 2012 as part of the next advertised amendment to the DCP.

Division Decision

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

Against: Nil

Absent: Nil

Department:	Infrastructure & Regulation
Submitted by:	Interim Director Infrastructure & Regulation
Reference / Subject	2.18.04.07 / Works Progress Report to 31 March 2016
Attachments:	Nil

12.04/16 MOVED/ CARRIED (Crs D Field/B Crouch)

That:

COUNCIL'S RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

Department:	Infrastructure & Regulation
Submitted by:	Interim Director Infrastructure & Regulation
Reference / Subject:	2.18.04.08 / Works Planning Report April 2016
Attachments:	Nil

13.04/16 MOVED/ CARRIED (Crs I Strutt/B Crouch)

That:

COUNCIL RESOLUTION:

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

COMMITTEE'S RECOMMENDATION:

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

OFFICER'S RECOMMENDATION:

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

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Department:	Infrastructure & Regulation – Division Decision
Submitted by:	Consultant Town Planner
Reference:	Item 2
Subject:	Development Application 11/2016 – Commercial Hotel, 16 Bendemeer Street, Bundarra – Alterations & Additions
Attachments:	D. Development Assessment Report E. Plans F. Heritage Advisory Report G. Disability Access Report H. Review on Disability Access Report

14.04/16 MOVED (Crs M Dusing/D Field)

COUNCIL RESOLUTION:

That Council approve Development Application DA-11-2016 for alterations and addition on land known as 16 Bendemeer Street, Bundarra, being Lot 1 DP 307206 subject to the conditions listed in the report.

OFFICER'S RECOMMENDATION:

That Council approve Development Application DA-11-2016 for alterations and addition on land known as 16 Bendemeer Street, Bundarra, being Lot 1 DP 307206 subject to the following conditions:

Division Decision

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

Against: Nil

Absent: Nil

12. MOTIONS ON NOTICE

There were no Motions on Notice.

13. SCHEDULE OF ACTIONS

As at 21 April 2016.

14. CONFIDENTIAL BUSINESS

There was no Confidential Business to deal with.

15. AUTHORITY TO AFFIX THE COMMON SEAL

There were no Authority to Affix the Common Seal requests.

16. CLOSURE OF MEETING

There being no further business, the Chair declared the meeting closed at: 2:09pm