



## ORDINARY MEETING OF COUNCIL

Held at 12:30pm  
26 November 2019

### ROLL CALL

#### Councillors:

Cr M Pearce (Mayor)  
Cr R Crouch (Deputy Mayor)  
Cr R Bell  
Cr M Dusting  
Cr N Ledger  
Cr T O'Connor  
Cr L Sampson  
Cr I Strutt  
Cr T Toomey

#### Staff:

Mr D Aber, Acting General Manager  
Mr T Seymour, Director Infrastructure & Development  
Ms S Glasson, Executive Manager Corporate Services  
Mr S Paul, Chief Financial Officer  
Minute Clerk

# MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 12:30pm on 26 November 2019

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**ATTENDANCE**

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, T Toomey, Acting General Manager (Mr D Aber), Director Infrastructure and Development (Mr T Seymour), Executive Manager Corporate Services (Ms S Glasson), Manager Planning and Development (Mr M Clarkson), Minute Clerk (B White).

**1. OPENING & WELCOME**

*The Chair declared the meeting opened at 12:31pm.*

**2. PRAYER**

*The Chair recited the Uralla Shire Council prayer.*

**3. ACKNOWLEDGEMENT TO COUNTRY**

*The Uralla Shire Council recognises the traditional custodians of the land on which this meeting is being held and acknowledge Aboriginal Elders past and present and we pay respect to them and their heritage.*

**4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

*The Chair advised receipt of an apology from the Chief Financial Officer, Simon Paul.*

**MOTION (Crs N Ledger / T Toomey)**

That;

Council accept the apology from Chief Financial Officer, Simon Paul for the ordinary meeting held 26 November 2019.

**01.11/19 CARRIED**

*The Chair advised receipt of a request for Leave of Absence from Mayor, Cr Michael Pearce.*

*The Chair advised receipt of a request for Leave of Absence from Cr Tom O'Connor.*

*The Chair advised receipt of a request for Leave of Absence from Cr Dusting.*

**MOTION (Crs T Toomey / L Sampson)**

That;

Council accept the Leave of Absence from:

- Mayor, Cr Michael Pearce
- Cr Tom O'Connor
- Cr Mark Dusting

**02.11/19 CARRIED**

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**5. DISCLOSURES & DECLARATION OF INTERESTS**

*The Chair outlined details of the pecuniary and non-pecuniary Conflict of Interest Declarations received in relation to the 26 November 2019 Meeting.*

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Cr T O'Connor	Item 8 - Presentation	Non-Pecuniary	Office Bearer of Z-Net Uralla, Treasurer
Cr R Bell	Item 12 – Notice of Motion 3	Pecuniary	Work for a company interested in acquiring water

**6. CONFIRMATION OF MINUTES**

Minutes to be confirmed at the 26 November 2019 Meeting:

- Minutes of Ordinary Meeting held 22 October 2019 (to be confirmed)
- Minutes of Extraordinary Meeting held 12 November 2019 (to be confirmed)

**AMENDMENTS**

*The Chair referred Councillors to the Minutes of the Ordinary Meeting held 22 October 2019 and called for any amendments.*

*Cr T O'Connor made reference to resolution 12.10/19 in the Minutes of the Ordinary Meeting held 22 October 2019 and requested to move into close session at the end of the meeting to discuss as business arising from the minutes.*

**MOTION (Crs T O'Connor / N Ledger)**

That;

Council adopt the Minutes, as a true and correct record of the Ordinary Meeting held 22 October 2019. And discuss the business arising from the minutes in closed session.

**03.11/19 CARRIED**

**AMENDMENTS**

*The Chair referred Councillors to the Minutes of the Extraordinary Meeting held 12 November 2019 and called for any amendments.*

*There were no amendments requested by Councillors.*

**MOTION (Crs M Dusting / N Ledger)**

That;

Council adopt the Minutes, as a true and correct record of the Extraordinary Meeting held 12 November 2019.

**04.11/19 CARRIED**

Minutes to be received and noted at the 26 November 2019 Meeting:

- Budget Review and Finance Committee Meeting held 10 September 2019
- Friends of McMaugh Gardens Meeting held 14 October 2019
- Australia Day Meeting held 9 October 2019
- Country Mayors Association Meeting held 1 November

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**MOTION (Crs T O'Connor / I Strutt)**

That;

Council receive and note the following Minutes:

- Budget Review and Finance Committee held 10 September 2019
- Friends of McMaugh Gardens Meeting held 14 October 2019
- Australia Day Meeting held 9 October 2019
- Country Mayors Association Meeting held 1 November 2019

**05.11/19 CARRIED**

**7. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS**

*The Chair referred Councillors to the urgent, supplementary and/or late items of business recommended for addition to the published Meeting Agenda.*

Late Reports to Council:

Late Notice of Motion 5 – Water saving measures for rate payers and residents

**PROCEDURAL MOTION (Crs T O'Connor / I Strutt)**

That the motion be heard without further debate.

**06.11/19 CARRIED**

**PROCEDURAL MOTION (Crs B Crouch / T Toomey)**

**To hear Late Items of Business as additions to the Meeting Agenda.**

That;

The late items of business be heard following Notice of Motion 4 in the Meeting Agenda as;

- Notice of Motion 5 – Water saving measures for rate payers and residents

**07.11/19 CARRIED**

**8. PRESENTATIONS**

Speaker 1:	Carol Shantal
Subject:	Z-Net Plus Uralla

*The Chair introduced the Speaker, Carol Shantal*

*The Speaker made a presentation to Council in relation to Z-Net Plus Uralla*

*The Chair invited questions from Councillors.*

*The Chair thanked the Speaker for his/her presentation to Council.*

*Cr L Sampson left the meeting at 12:53pm*

*Cr L Sampson returned to the meeting at 12:54pm*

**9. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)**

**Councillors provided a verbal account of activities/meetings they have attended for the month.**

<b>COUNCILLOR NAME:</b>	Mark Dusting	
<b>COUNCIL MEETING DATE:</b>	26 November 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
06/11/2019	NEWA Council Meeting	Walcha
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
19/11/2019	Northern Tablelands Regional Weed Committee	Armidale
26/11/2019	Ordinary Meeting of Council	Uralla

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<b>COUNCILLOR NAME:</b>		Bob Crouch
<b>COUNCIL MEETING DATE:</b>		26 November 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
16/11/2019	Uralla Swimming Pool Official Opening	Uralla
19/11/2019	Bundarra Hall Committee	Bundarra
26/11/19	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>		Levi Sampson
<b>COUNCIL MEETING DATE:</b>		26 November 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
12/11/2019	Uralla Township & Environs Committee (Postponed)	Uralla
13/11/2019	Australia Day Committee	Uralla
26/11/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>		Natasha Ledger
<b>COUNCIL MEETING DATE:</b>		26 November 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
26/10/2019	Thunderbolt's Festival	Uralla
04/11/2019	Meeting in Mayor's Office	Uralla
11/11/2019	Remembrance Day Service	Uralla
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
12/11/2019	Show Society Meeting	Uralla
13/11/2019	Australia Day Committee	Uralla
13/11/2019	Office administration	Uralla
16/11/2019	Uralla Swimming Pool Official Opening	Uralla
18/11/2019	Arts North West Strategic Advisory Meeting	Narrabri
19/11/2019	Bundarra School of Arts Hall Meeting	Bundarra
23/11/2019	Friends of Munday's Reserve Meeting	Invergowrie
26/11/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>		Tara Toomey
<b>COUNCIL MEETING DATE:</b>		26 November 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Extraordinary Meeting of Council	Uralla
26/11/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>		Rob Bell
<b>COUNCIL MEETING DATE:</b>		26 November 2019
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
04/11/2019	Mid North weight of Loads	Uralla
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Extraordinary Meeting of Council	Uralla
16/11/2019	Uralla Swimming Pool Official Opening	Uralla
26/11/2019	Ordinary Meeting of Council	Uralla

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<b>COUNCILLOR NAME:</b>	Tom O'Connor	
<b>COUNCIL MEETING DATE:</b>	26 November 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
16/11/2019	Uralla Swimming Pool Official Opening	Uralla
26/11/2019	Ordinary Meeting of Council	Uralla

<b>COUNCILLOR NAME:</b>	Isabel Strutt	
<b>COUNCIL MEETING DATE:</b>	26 November 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
26/10/2019	Thunderbolt's Festival	Uralla
12/11/2019	Extraordinary Meeting of Council	Uralla
12/11/2019	Budget Review and Finance Committee	Uralla
16/11/2019	Uralla Swimming Pool Official Opening	Uralla
11/11/2019	Remembrance Day Service	Uralla

<b>COUNCILLOR NAME:</b>	Michael Pearce	
<b>COUNCIL MEETING DATE:</b>	26 November 2019	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
23/10/19	Mayor's Office- Admin	Uralla
24/10/19	Mayor's Office – Admin. Uralla RSL sub-branch meeting.	Uralla
26/10/19	Opening Thunderbolt festival	Uralla
28/10/19	Mayor's Office - Admin	Uralla
29/10/19	Mayor's Office - Admin	Uralla
30/10/19	Mayor's Office – Admin. 2AD interview	Uralla
31/10/19	Joint Organisation Chair meeting,	Sydney
1/11/19	Country Mayors Association AGM and General meeting.	Sydney
4/11/19	Mayor's Office - Admin	Uralla
5/11/19	Mayor's Office - Admin	Uralla
6/11/19	Mayor's Office - Admin	Uralla
7/11/19	Mayor's Office - Admin	Uralla
11/11/19	Remembrance Day	Uralla
12/11/19	Extraordinary Meeting of Council	Uralla
12/11/19	Budget Review & Finance Committee	Uralla
13/11/19	Mayor's Office – Admin. 2AD Radio interview	Uralla
14/11/19	Mayor's Office – Admin. Uralla Central School presentation.	Uralla
16/11/19	Uralla Swimming Pool Official Opening	Uralla
18/11/19 to 20/11/19	National Local Roads and Transport conference.	Hahndorf, SA
21/11/19	NIRW – Northern Inland Regional Waste meeting	Armidale
25/11/19	New England Joint Organisation Board meeting	Armidale
26/11/19	Mayor's Office - Admin	Uralla
26/11/19	Ordinary Meeting of Council	Uralla

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**10. WRITTEN REPORTS FROM DELEGATES (Reports to Council)**

Submitted by: Cr Robert Bell  
Reference/Subject: Mid North Weight of Loads Group

COUNCILLOR'S RECOMMENDATION:

*That;*

- *the report be noted.*
- *Council sign the new Agreement when it is forwarded to Council in early 2020.*

**MOTION (Crs R Bell / M Dusting)**

*That;*

- *the report be noted.*
- *Council sign the new Agreement when it is forwarded to Council in early 2020.*

**08.11/19 CARRIED**

**11. MAYORAL MINUTE**

Submitted by: Mayor, Cr Michael Pearce  
Reference/Subject: Mayoral Minute – 26 November 2019

MAYOR'S RECOMMENDATION:

*That;*

*The mayoral minute be received and noted.*

**MOTION (Crs M Dusting / I Strutt)**

*That the mayoral minute be received and noted.*

**09.11/19 CARRIED**

**12. REPORTS OF COMMITTEES**

Department: **Corporate Services**  
Submitted by: Executive Manager Corporate Services  
Reference/Subject: Report 1 – Report of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019

COMMITTEE'S RECOMMENDATION:

*That;*

- 1. Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 at Attachment A.*
- 2. Council note the Motion as made by the Committee relating to Report 1 - Enterprise Risk Management Progress Report:*
  - a. That the Audit, Risk and Improvement Committee note to Council the current status and progress of Councils enterprise-wide risk management framework and workplace safety system, and future actions to be undertaken.*
- 3. Council note the Motion as made by the Committee relating to Report 2 - Risk Management Action Plan (July 2018 - June 2019):*
  - a. That the Audit, Risk and Improvement Committee recommend that Council note the proposed improvement /actions plans resulting from the StateWide Mutual 'Continual Improvement Pathway Workbooks'.*

**MOTION (Crs T Toomey / N Ledger)**

*That;*



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1. Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 at Attachment A.
2. Council note the Motion as made by the Committee relating to Report 1 - Enterprise Risk Management Progress Report:
  - a. That the Audit, Risk and Improvement Committee note to Council the current status and progress of Councils enterprise-wide risk management framework and workplace safety system, and future actions to be undertaken.
3. Council note the Motion as made by the Committee relating to Report 2 - Risk Management Action Plan (July 2018 - June 2019):
  - a. That the Audit, Risk and Improvement Committee recommend that Council note the proposed improvement /actions plans resulting from the StateWide Mutual 'Continual Improvement Pathway Workbooks'.

**10.11/19 CARRIED**

**PROCEDURAL MOTION (Crs R Bell / I Strutt)**

To move the Notice of Motion's to be the next items heard.

**11.11/19 CARRIED**

**13. MOTIONS ON NOTICE / QUESTIONS WITH NOTICE (Rescheduled Item)**

Submitted by:

**Cr Bob Crouch**

Reference/Subject:

Notice of Motion 1 – Council Position on A New Risk Management and Internal Audit Framework for Local Councils

NOTICE of MOTION

*That;*

*Further review of the Discussion Paper is required to provide for a submission to be lodged with the Office of Local Government by 31 December 2019. With this in mind however the following should be noted:*

- *The statement in the above report "The ARIC will be required, on some issues, to consult with Council, but it has the legislative right to use council resources, which the Governing body will be obliged to supply; It will be given the power to approve, rather than recommend to Council" appears to conflict with the statements on page 30 of the Discussion Paper "The Audit, Risk and Improvement Committee is to provide an advisory and assurance role only, and is to have no administrative function, delegated financial responsibility or any management functions".*
- *Further, the statement in the above report "The ARIC ... Not accountable to anyone", appears to conflict with page 20 of the Discussion Paper which states "... each council to establish an Audit, Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of the council about" certain matters.*

**PROCEDURAL MOTION (Crs M Disting / I Strutt)**

To move to Committee of the Whole

**12.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

**PROCEDURAL MOTION (Crs L Sampson / M Disting)**

To resume Standing Orders

**13.11/19 CARRIED**

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*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs B Crouch / I Strutt)**

That;

Council form a sunset committee of the whole terminating on the 20<sup>th</sup> of December 2019 to:

- Develop a Council position on a new risk management and internal audit framework for local councils in NSW, September 2019 and
- Develop a submission for consideration at Councils December meeting for submission to the Office of Local Government.

**14.11/19 CARRIED**

Submitted by: **Cr Natasha Ledger**  
Reference/Subject: Notice of Motion 2 - Mundays Lane Community Group

NOTICE of MOTION

*That Council staff:*

- *liaise with the community regarding the community's intentions for the Barry Munday Reserve;*  
*and*
- *report back to Council regarding a proposed management structure.*

**PROCEDURAL MOTION (Crs I Strutt / T Toomey)**

**To move to Committee of the Whole**

**15.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the Councillor's Motion.*

**PROCEDURAL MOTION (Crs B Crouch / I Strutt)**

**To resume Standing Orders**

**16.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs I Strutt / T O'Connor)**

That Council staff liaise with the Munday Lane community group regarding the community's intentions for the Barry Munday Reserve and report back to Council regarding their proposal.

**17.11/19 CARRIED**

*Cr Ledger requested that her vote against the motion be recorded.*

Submitted by: **Cr Natasha Ledger**  
Reference/Subject: Notice of Motion 3 - Water motion sewage treatment options

NOTICE of MOTION

*That Council finds a way to make available and utilise the treated water at our Rifle Range Rd sewerage treatment works facility, before it is released into the environment.*

**PROCEDURAL MOTION (Crs R Bell / M Dusting)**

**To move to Committee of the Whole**

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**18.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the Councillor's Motion.*

*Cr Bell left the meeting at 2:02pm and declared pecuniary interest.*

**PROCEDURAL MOTION (Crs N Ledger / B Crouch)  
To resume Standing Orders**

**19.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs T O'Connor / T Toomey)**

*That council explore avenues to reuse water from the treated sewage effluent.*

**20.11/19 CARRIED**

*Cr Bell was absent at the time of voting. Cr Bell returned to the meeting at 2:32pm.*

Submitted by: **Cr Natasha Ledger**  
Reference/Subject: Notice of Motion 4 - Water Supply to Rural Residential Subdivision

NOTICE of MOTION

*That Council:*

- *Include alternative methods of providing water distribution points for rural residents;*
- *Seek to lessen the price per kilolitre; and*
- *Seek appropriate funding from the Drought Assistance fund to implement this strategy.*

**PROCEDURAL MOTION (Crs T O'Connor / L Sampson)  
To move to Committee of the Whole**

**21.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the Councillor's Motion.*

*Cr L Sampson left the meeting at 2:24pm.*

*Cr L Sampson returned to the meeting at 2:27pm*

*Cr Crouch left the meeting at returned at 2:47pm.*

*Cr Crouch returned to the meeting at 2:49pm.*

**PROCEDURAL MOTION (Crs T Toomey / I Strutt)  
To resume Standing Orders**

**22.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs R Bell / T Toomey)**

*That Council investigate the provision of water for rural residents and our future Bundarra and Uralla town water security.*

**23.11/19 CARRIED**

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NOTICE of MOTION

Submitted by: **Cr Tara Toomey**  
Reference/Subject: Late Notice of Motion - Water Saving Measures for rate payers and residents

*That Council:*

*Consider the options to support people struggling with the impact of the drought and the increased water restrictions.*

*These might include:*

- 1. Rebates for those with no access to town water needing to access laundry services,*
- 2. Rebates for those in town who decide to reduce the load on the town water supply by installing a water tank to connect toilets and washing machines.*

**PROCEDURAL MOTION (Crs T Toomey / B Crouch)**

**To move to Committee of the Whole**

**24.11/19 CARRIED**

*Cr M Dusting left the meeting at 3:16pm.*

*Cr M Dusting returned to the meeting at 3:20pm.*

*Cr L Sampson left the meeting at 3:18pm.*

*Cr N Ledger left the meeting at 3:22pm.*

*Cr N Ledger returned to the meeting at 3:24pm.*

*Cr L Sampson returned to the meeting at 3:28pm.*

**MOTION (Crs Toomey / O'Connor)**

**That Council report to the December 2019 meeting and on an ongoing basis about drought relief and economic recovery measures implemented by state and federal government, to inform council to enable lobbying of state and federal governments for more targeted drought relief and recovery measures now and in the future.**

**25.11/19 CARRIED**

**PROCEDURAL MOTION (Crs M Dusting / M Pearce)**

**Meeting Adjournment (3:30pm to 3:40pm).**

**26.11/19 CARRIED**

*The Meeting resumed at 3:40pm.*

**14. REPORTS TO COUNCIL (Scheduled Reports)**

Department: **Organisational Services – Finance**  
Submitted by: Chief Financial Officer  
Reference/Subject: Report 1 – Cash at Bank and Investments

OFFICER'S RECOMMENDATION:

That;

- 1. Council note the cash position as at 31, October 2019 consisting of cash and overnight funds of \$2,426,755, term deposits of \$14,500,000 totalling \$16,926,755 of readily convertible funds.*
- 2. Council note the loan position as at 31, October 2019 totalling \$2,348,191.*

**MOTION (Crs T O'Connor / I Strutt)**

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That;

1. Council note the cash position as at 31, October 2019 consisting of cash and overnight funds of \$2,426,755, term deposits of \$14,500,000 totalling \$16,926,755 of readily convertible funds.
2. Council note the loan position as at 31, October 2019 totalling \$2,348,191.

**27.11/19 CARRIED**

Department: **Finance**  
Submitted by: Chief Financial Officer  
Reference/Subject: Report 2 - 2019/20 – 1st Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

That;

1. That the first quarter budget review summary for the 2019/20 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted;
3. That expenditure to be revoked from 2018/19 be adopted;

**PROCEDURAL MOTION (Crs T O'Connor / T Toomey)**  
**To move to Committee of the Whole**

**28.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

**PROCEDURAL MOTION (Crs Strutt / T Toomey )**  
**To resume Standing Orders**

**29.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs I Strutt / T O'Connor)**

That;

1. The first quarter budget review summary for the 2019/20 financial year be received and noted; and
2. The adjustments to budget allocations, including transfers to and from reserves, be adopted;
3. Expenditure to be revoked from 2018/19 be adopted;

**30.11/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Executive Manager Corporate Services*  
Reference/Subject: Report 3 – Monthly Report - Library

OFFICER'S RECOMMENDATION:

*That the report be received and noted.*

**MOTION (Crs I Strutt / T O'Connor)**  
**That the report be received and noted.**

**31.11/19 CARRIED**

Department: **Corporate Services**  
Submitted by: *Tourism Promotions and Operations Officer*  
Reference/Subject: Report 4 – Monthly Report – Visitor Information Centre

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OFFICER'S RECOMMENDATION:  
That the report be received and noted.

**MOTION (Crs T Toomey / I Strutt)**  
That the report be received and noted.

**32.11/19 CARRIED**

Department: **General Manager's Office**  
Submitted by: Senior Executive Officer  
Reference/Subject: Report 5 - Schedule of Actions as at 26 November 2019

OFFICER'S RECOMMENDATION:  
*That Council receive and note the Schedule of Actions as at 26 November 2019.*

**PROCEDURAL MOTION (Crs T Toomey / M Dusting)**  
**To move to Committee of the Whole**

**33.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

*Cr L Sampson left the meeting at 4:16pm.*

*Cr Bell left the meeting at 4:16pm.*

*Cr Bell returned to the meeting at 4:17pm.*

*Cr L Sampson returned to the meeting at 4:19pm.*

**PROCEDURAL MOTION (Crs I Strutt / M Dusting)**  
**To resume Standing Orders**

**34.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs M Dusting / B Crouch)**  
That Council receive and note the Schedule of Actions as at 26 November 2019.

**35.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 6 - Heritage Advisory Services Summary for November 2019

OFFICER'S RECOMMENDATION:  
*That the Heritage Advisory Services Summary for November 2019 be received and noted by Council.*

**MOTION (Crs T O'Connor / M Dusting)**  
That the Heritage Advisory Services Summary for November 2019 be received and noted by Council.

**36.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director Infrastructure & Development  
Reference/Subject: Report 7 - Works Progress Report as at 31 October 2019

OFFICER'S RECOMMENDATION:

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*That the report be received and noted for the works completed or progressed during October 2019, and works programmed for November 2019.*

**PROCEDURAL MOTION (Crs T O'Connor / M Dusting)**  
**To move to Committee of the Whole**

**37.11/19 CARRIED**

*Councillors held a detailed discussion in committee regarding the report.*

**PROCEDURAL MOTION (Crs R Bell / M Dusting)**  
**To resume Standing Orders**

**38.11/19 CARRIED**

*The Chair outlined details of the discussion held in committee.*

**MOTION (Crs R Bell / T O'Connor)**

That;

1. the report be received and noted for the works completed or progressed during October 2019, and works programmed for November 2019.
2. Council review the updated transport asset management plan in the New Year to confirm priorities.

**39.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Director of Infrastructure & Development  
Reference/Subject: Report 8 - Development Approvals and Refusals for October 2019

OFFICER'S RECOMMENDATION:

*That Council receive and note the development approvals and refusals for October 2019.*

**MOTION (Crs T O'Connor / T Toomey)**

**That Council receive and note the development approvals and refusals for October 2019.**

**40.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Environmental Management Coordinator  
Reference/Subject: Report 9 - Transfer ownership of a section of Mount Butler Lane from Department of Industry - Crown Lands and Water Division to Uralla Shire Council

OFFICER'S RECOMMENDATION:

*That council resolve to accept the transfer of ownership to Uralla Shire Council of the 1.28km section of Mount Butler Lane that is currently a Crown road as proposed by NSW Department of Industry - Crown Land & Water Division.*

**MOTION (Crs R Bell / T O'Connor)**

**That council resolve to accept the transfer of ownership to Uralla Shire Council of the 1.28km section of Mount Butler Lane that is currently a Crown road as proposed by NSW Department of Industry - Crown Land & Water Division.**

**41.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Manager of Development and Planning

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Reference/Subject: Report 10 - Amended Uralla Development Control Plan 2011 Amendment No 5

OFFICER'S RECOMMENDATION:

*That Council;*

1. *Endorse the draft amendment No. 5 of the Uralla Development Control Plan 2011 for public exhibition for a period of not less than 28 days; and*
2. *Give the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended if no submissions are received from the public or the Department of Planning, Industry and Environment.*

**MOTION (Crs T O'Connor / B.Crouch)**

That the matter be deferred to the Strategic Planning Meeting on the 10<sup>th</sup> December 2019 for review and discussion.

42.11/19

**CARRIED**

Department: **Infrastructure and Development**  
Submitted by: Manager Planning and Development  
Reference/Subject: Report 11 - DIVISION DECISION – Development Application 63/2019 – Warehouse – 296 Noalimba Avenue, Kentucky

OFFICER'S RECOMMENDATION:

*That Council approve the Development Application 63/2019 for a warehouse at 296 Noalimba Avenue, Kentucky (Lot 78 DP 755838) subject to the areas of consent as detailed in the report.*

**MOTION (Crs R Bell / T O'Connor)**

That Council approve the Development Application 63/2019 for a warehouse at 296 Noalimba Avenue, Kentucky (Lot 78 DP 755838) subject to the following conditions of consent:

**PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)**

**Compliance with National Construction Code & insurance requirements under the Home Building Act 1989**

**Please Note:** A reference to the National Construction Code is a reference to that Code as in force on the date the application is made for the relevant:

- (a) *development consent, in the case of a temporary structure that is an entertainment venue, or*
- (b) *construction certificate, in every other case.*

1. The work must be carried out in accordance with the requirements of the *National Construction Code*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
3. For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW H102 of Volume One of the *National Construction Code*.

**Erection of signs**



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4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the site is prohibited.
5. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**GENERAL CONDITIONS**

6. The development shall be implemented in accordance with:
  - (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
  - (b) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.

*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*

7. The owner of the property is to ensure that any structure is installed:
  - (a) to meet the setback requirements of the approved plans,
  - (b) to be located within the confines of the lot, and;
  - (c) so that it does not interfere with any easements or covenants upon the land.

*Reason: To avoid any structures being erected in a location where it would be inappropriate.*

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8. The structure is to be inspected at the following stages of construction:
- before the pouring of footings\*\*
  - before covering drainage (under hydrostatic test)
  - before pouring any reinforced concrete structure \*\*
  - before covering the framework for any wall, roof or other building element \*\*
  - before covering waterproofing in any wet area\*\*
  - before covering any stormwater drainage connections
  - when the building work is completed and all conditions of consent have been addressed\*\*
- \*\* denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a \*development where a critical stage or other nominated inspection has not been carried out.
- Council has limited capacity for inspections, which may only be on specific days. Please contact Council well in advance to arrange an inspection.
- \*All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer
- Reason: To ensure compliance with appropriate standards.*
9. A Construction Certificate must be obtained from a Certifying Authority before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
10. Occupancy of the building is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued.
- Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*
11. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:
- (a) By piping into a rainwater tank then onto a hardened surface and directed away from the building.
  - (b) By piping into a rainwater tank then 3.0 metres clear of any building to a rubble pit.
- Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*
12. Existing and new dust extractor(s) must be boxed in and constructed of sound deadening material. Plans for these works must be approved by the Director of Infrastructure and Development or nominee prior to the issue of a construction certificate.
- Reason: To protect the amenity of neighbouring dwellings.*
13. Noise from the facility must not exceed +/- 5dB of ambient noise levels measured at the property boundary of neighbouring dwellings.
- Reason: To protect the amenity of neighbouring dwellings.*

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**CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING**

14. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement.

*Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000*

**CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

15. The owner of the property is to ensure that any building is constructed:

- (a) to meet the setback requirements of the approved plans,
- (b) to be located within the confines of the lot, and;
- (c) so that it does not interfere with any easements or covenants upon the land.

*Reason: To avoid any buildings being erected in a location where it would be inappropriate.*

16. The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

Monday to Saturday                      7.00 AM to 5.00 PM

Sunday & public Holidays              No construction activities are to take place.

*Reason: To ensure that public amenity is not unduly affected by noise.*

17. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

*Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*

18. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of Council or the PCA.

*Reason: To ensure compliance with approved plans.*

19. All demolition work to be undertaken in accordance with Australian Standard 2601 – The Demolition of Structures.

*Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.*

**Following debate a DIVISION was called with the result recorded as follows:**

**FOR:** Cr M Pearce, Cr R Bell, Cr T Toomey, Cr T O'Connor, Cr I Strutt, Cr M Dusting, Cr B Crouch, Cr L Sampson, Cr N Ledger

**AGAINST:** Nil

**ABSENT:** Nil

**43.11/19 CARRIED**

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**15. CONFIDENTIAL MATTERS**

**PROCEDURAL MOTION (Crs T O'Connor/ I Strutt)**

**To move into Closed Session of Council**

That;

Council move into closed session and close the meeting to members of the public and press for the following reasons:-

The matters referred to the Closed Session of the 26 November 2019 meeting are received by Council under Section 10A (2) and (d)(i)-(iii) 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:**

**(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,**

**(d) commercial information of a confidential nature that would, if disclosed:**

- (i) prejudice the commercial position of the person who supplied it, or**
- (ii) confer a commercial advantage on a competitor of the council, or**
- (iii) reveal a trade secret,**

**44.11/19 CARRIED**

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**REPORTS TO CLOSED SESSION**

Department: **Infrastructure & Development**  
Submitted by: Assets Manager  
Reference/Subject: Confidential Report 1 - Tender for supply of 2 (two) 6x4 tippers

**OFFICER'S RECOMMENDATION:**

*That Council resolve to accept the tender from Preferred Tenderer for the supply of 2 (two) 6 x 4 tippers including trade ins and award the contract for the price detailed in the report.*

**MOTION (Crs R Bell / M Dusting)**

It is recommended that Council accept the tender from Peel Valley Trucks Pty Ltd to provide two Isuzu 6x4 tippers with Uralla Metal bodies and trade in of the existing tippers for \$397,418 (inc GST).

**45.11/19 CARRIED**

Department: **Infrastructure & Development**  
Submitted by: Assets Manager  
Reference/Subject: Confidential Report 2- McMaugh Gardens Aged Care – Ensuite Refurbishment

**OFFICER'S RECOMMENDATION:**

*That Council;*  
*- Accept the tender from Preferred Tenderer for the McMaugh Gardens Aged Care – Ensuite Refurbishment at the amount detailed in the attached report, and*  
*- Fund the shortfall from the 19/20 Drought Communities Extension Programme*

**MOTION (Crs R Bell / I Strutt)**

That Council;

1. Accept the tender from JNC Group Australia Pty Ltd for the McMaugh Gardens Aged Care – Ensuite refurbishment (Contract 10024661) at \$605,359.29 incl GST and;
2. Fund the shortfall from loan funds, potential aged care Federal funding or the 19/20 Drought Communities Extension Programme through an allocation of \$160,000 (exc GST).

**46.11/19 CARRIED**

**MOVE TO OPEN SESSION**

**PROCEDURAL MOTION (Crs M Dusting / T Toomey)**  
**To return to Open Session of Council.**

**47.11/19 CARRIED**

**PROCEDURAL MOTION (Crs M Dusting / B Crouch)**

**That;**  
**The resolutions of Closed Session of Council become the resolutions of Open Session of Council.**

**48.11/19 CARRIED**

**16. COMMUNICATION OF COUNCIL DECISIONS**

**CLOSURE OF MEETING**

*The meeting was closed at: 4:55pm*

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<b>COUNCIL MINUTES CONFIRMED BY:</b>	
<b>RESOLUTION NUMBER:</b>	<b>01.12/19</b>
<b>DATE:</b>	<b>17 December 2019</b>
<b>MAYOR:</b>	