



## 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

Minutes of the Uralla Shire Council at an Ordinary Meeting  
held at 1:00pm on 26 April 2016

Resolution  
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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:**

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**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:**

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**Cr B Crouch**

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

**Cr M Dusting**

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

**Cr K Dusting**

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

**Cr L Cooper**

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

**Cr K Ward**

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

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**DELEGATE REPORTS (continued)**

**Activity Date:      Activity Detail:**

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**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**

<b>Department:</b>	<b>Organisational Services - Finance</b>
<b>Submitted by:</b>	<b><i>Simon Paul – Chief Financial Officer</i></b>
<b>Reference/Subject:</b>	<b>1.18.04.01 / Cash at Bank and Investments</b>
<b>Attachments:</b>	<b>Council's Investments as 31 March, 2016</b>

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**

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

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.

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

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 Dusing, B Crouch, F Geldof, D Field, K Dusing, L Cooper, K Ward, I Strutt

Against: Nil

Absent: Nil

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

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

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.

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

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

<b>Department:</b>	<b>Infrastructure &amp; Regulation</b>
<b>Submitted by:</b>	Interim Director Infrastructure & Regulation
<b>Reference / Subject</b>	2.18.04.07 / Works Progress Report to 31 March 2016
<b>Attachments:</b>	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.

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

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

14.04/16      MOVED (Crs M Dusting/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 Dusting, B Crouch, F Geldof, D Field, K Dusting, 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