

ORDINARY MEETING OF COUNCIL

**Held at 1:00pm
On 25 October 2016**

ROLL CALL

Councillors:

Cr M Pearce (Mayor)
Cr R Bell (Deputy Mayor)
Cr B Crouch
Cr M Dusting
Cr N Ledger
Cr I Strutt
Cr L Sampson
Cr T Toomey
Cr K Ward

Staff:

Mr A Hopkins, General Manager
Mr R Lloyd, Acting Director-Infrastructure & Regulation
Mrs R Leahy, Governance & Information Manager
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 25 October 2016

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The Meeting Commenced at: 1:03pm

ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Bell (Deputy Mayor) and Councillors, B Crouch, M Dusting, L Sampson, I Strutt, T Toomey, K Ward, General Manager (Mr A Hopkins), Acting Director-Infrastructure & Regulation (Mr R Lloyd), Chief Financial Officer (Mr S Paul), Governance and Information Manager (Mrs R Leahy), Minute Clerk (Mrs D Williams).

Cr N Ledger was absent at commencement of meeting.

1. OPENING & WELCOME

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

Cr K Ward requested a leave of absence

01.10/16 MOVED/CARRIED (B Crouch/T Toomey)

Motion to approve Cr K Wards leave of absence requested for a twelve day period in November 2016.

ADVICE OF LATE ARRIVALS

There were no late arrivals advised.

DISCLOSURES & DECLARATION OF INTERESTS

There were no disclosures or declarations of interest.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of 27 September 2016

02.10/16 MOVED/CARRIED (Crs K Ward/I Strutt)

That the Minutes of the Council Meeting held 27 September 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

- Draft Financial Statements – Refer to Report 1.25.10.02
- Minutes of Namoi Region of Councils
- Disclosure Register

4. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

- Corporate & Community Report – Disclosure of Interest Returns – Annual Completion and Tabling

PROCEDURAL MOTION

03.10/16 MOVED/CARRIED (Crs I Strutt/K Ward)

Motion to hear the above Corporate & Community Report – Disclosure of Interest Returns at end of Item 10 (Corporate & Community Reports) on Agenda.

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5. PRESENTATIONS

There were no presentations to Council.

6. DEPUTATIONS

There were no presentations 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:-

Cr B Crouch

DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC
25/10/2016	Ordinary Council Meeting	USC

Cr I Strutt

DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC
15/10/2016	Fete at Grace Munro Aged Care Facility	Bundarra
17/10/2016	Opening of pergola at McMaugh Gardens Aged Care	Uralla
25/10/2016	Ordinary Council Meeting	USC

Cr L Sampson

DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC
19/10/2016	Australia Day Committee Meeting	Uralla

Cr R Bell

DATE	COMMITTEE/MEETING/EVENT	LOCATION
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC
17/10/2016	Opening of pergola at McMaugh Gardens Aged Care	Uralla

Cr N Ledger – No report submitted for October.

Cr K Ward – No events attended.

Cr M Dusting

DATE	COMMITTEE/MEETING/EVENT	LOCATION
27/09/2016	Ordinary Council Meeting	USC
29/09/2016	Police Remembrance Day	Armidale
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC
19/10/2016	Australia Day Committee Meeting	Uralla
25/10/2016	New England Weeds County Council	Armidale

Cr T Toomey

DATE	COMMITTEE/MEETING/EVENT	LOCATION
21/09/2016	Councillors Induction	USC
27/09/2016	Ordinary Council Meeting	USC
11/10/2016	Strategic Planning Workshop on Visitor Information Centre	USC

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Cr M Pearce

DATE	COMMITTEE/MEETING/EVENT	LOCATION
28/09/2016	Breakfast meeting with outdoor staff	Depot, Uralla
29/09/2016	Administration & Correspondence	USC
	Police Remembrance Day	Armidale
4/10/2016	Administration & Correspondence	USC
5/10/2016	Administration & Correspondence	USC
	2AD Radio Interview	USC
6/10/2016	Namoi Region of Councils, AGM	Gunnedah
7/10/2016	Administration & Correspondence	USC
	Library – judging of robot competition	Uralla
10/10/2016	Administration & Correspondence	USC
11/10/2016	Meeting with Adam Marshall	USC
	Administration & Correspondence	USC
12/10/2016	Administration & Correspondence	USC
13/10/2016	Administration & Correspondence	USC
16/10/2016	NSW Local Government Conference	Wollongong
17/10/2016	NSW Local Government Conference	Wollongong
18/10/2016	NSW Local Government Conference	Wollongong
19/10/2016	Opening – Thunderbolt on the Rocks, Print Gallery	Uralla
20/10/2016	Wonthella Group, CWA Annual Conference	Uralla
21/10/2016	UNE Spring Graduation	Armidale
24/10/2016	Administration & Correspondence	USC
25/10/2016	Administration & Correspondence	USC
	Meeting with General Manager	USC
	Ordinary Council Meeting	

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8. MAYORAL MINUTE

There was no Mayoral Minute.

RECOMMENDATIONS FOR ITEMS TO BE CONSIDERED IN CONFIDENTIAL SECTION OF COUNCIL MEETING

04.10/16 **MOVED/CARRIED (Crs M Dusting /B Crouch)**

PROCEDURAL MOTION

Motion to hear the following item, **General Managers Performance Review Panel**, in Closed Session at Item 14 on the Agenda.

Department: **General Manager's Office**

Submitted by: **Andrew Hopkins**

Reference: **Item 1 – Closed Session**

Subject: **General Managers Performance Review Panel**

This report is presented to the CLOSED section of the meeting under section 10A (2(a)) 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:

- (a) personnel matters concerning particular individuals (other than councillors),

05.10/16 **PROCEDURAL MOTION – REQUEST FROM GALLERY TO MAKE PRESENTATION TO COUNCIL MOVED/CARRIED (Crs K Ward/M Dusting)**

Motion to give permission for Mr Tom O'Connor to make a presentation to Council on the subject of the Draft Financial Reports.

PRESENTATION TO COUNCIL

Speaker: **Mr Tom O'Connor**

Subject: **Draft Financial Reports**

Mr O'Connor made a presentation to Council raising several issues which he is seeking clarification on regarding the Draft Financial Reports. Mr O'Connor indicated he would follow up with an email to the General Manager on these issues.

9. REPORTS FROM THE GENERAL MANAGER

There were no reports to open session of council from the General Manager.

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10. CORPORATE & COMMUNITY REPORTS

Department: Organisational Services - Finance
Submitted by: Simon Paul – Chief Financial Officer
Reference: 1.25.10.1
Subject: Cash at Bank and Investments

06.10/16 **MOVED/CARRIED (Crs M Disting/ R Bell)**

COUNCIL RESOLUTION:

That:

Council note the cash position as at 30 September, 2016 consisting of cash and overnight funds of \$2,589,582, term deposits of \$8,500,000 totalling \$11,089,582 of readily convertible funds.

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 30 September, 2016 consisting of cash and overnight funds of \$2,589,582, term deposits of \$8,500,000 totalling \$11,089,582 of readily convertible funds.

Department: Governance and Information
Submitted by: Rechelle Leahy
Reference: 1.25.10.02
Subject: Payment of Fees and Expenses and the Provision of Facilities for Councillors

07.10/16 **MOVED/CARRIED (Crs R Bell / T Toomey)**

COUNCIL RESOLUTION:

That:

Council adopt the attached policy and amendments as described for the Payment of Fees and Expenses and the Provision of Facilities for Councillors.

OFFICER'S RECOMMENDATION:

That:

Council adopt the attached policy and amendments as described for the Payment of Fees and Expenses and the Provision of Facilities for Councillors.

Department: Community and Culture
Submitted by: Manager Governance and Information / Community and Culture
Reference: 1.25.10.03
Subject: Visitor Information Centre - Survey

PROCEDURAL MOTION

Move to Committee of the Whole

08.10/16 **MOVED/CARRIED (Crs I Strutt/R Bell)**

Motion to move into committee of the whole to have a detailed discussion about the above

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report.

PROCEDURAL MOTION

Resume Standing Orders

09.10/16 MOVED/CARRIED (Crs R Bell/ M Dusting)

Motion to move out of committee and resume standing orders.

10.10/16 MOVED/CARRIED (Crs B Crouch/R Bell)

COUNCIL RESOLUTION:

That:

1. Council note the draft survey;
2. Council appoint a sub committee consisting of Councillor T Toomey, L Sampson, B Crouch, I Strutt to finalise the survey questions for distribution.
3. Council agree to circulation of survey in the following manner, subject to General Manager's approval:
 - (a) Online – Uralla Shire Council Website, Uralla Tourism Website, Uralla Community Services Website, Bundarra Community Website;
 - (b) Facebook;
 - (c) Hard copy – Library, Visitor Information Centre, Council Office Admin Building, TCSO, main street distribution;
 - (d) Email
 - (e) Mailout with council newsletter.
4. A public meeting to be held in January/February 2017 to:
 - (i) Brief our community on the survey results
 - (ii) Provide a forum for our community to put their views forward via a brief presentation and individual discussion with Councillors.
5. Staff invite expressions of interest for upgrade of VIC toilet.

OFFICER'S RECOMMENDATION:

That:

1. Council note and approve the survey for circulation;
2. Council approve the following consultation approach with residents to be undertaken during the month of November 2016:
 - (a) Online – Uralla Shire Council Website, Uralla Tourism Website, Uralla Community Services Website, Bundarra Community Website;
 - (b) Facebook;
 - (c) Hard copy – Library, Visitor Information Centre, Council Office Admin Building, TCSO, main street distribution;
 - (d) Email
 - (e) Mailout with council newsletter.

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Department: Finance
Submitted by: Chief Financial Officer
Reference: 1.25.10.04
Subject: Draft 2015-16 Financial Statements

11.10/16 **MOVED/CARRIED (Crs I Strutt/L Sampson)**

COUNCIL RESOLUTION:

That:

1. Council's Draft Financial Statements are prepared in accordance with:
 - the Local Government Act 1993 (as amended) and the regulations made there under,
 - the Australian Accounting Standards, and
 - the Local Government Code of Accounting Practice and Financial Reporting;
2. The report presents fairly the Councils operating result and financial position for the year;
3. The report accords with Council's accounting and other records;
4. Council is not aware of any matter that would render this report false or misleading in any way;
5. Council's Draft Financial Statements be referred to audit for finalisation;
6. Council delegate authority to the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the 'Statement by Council and Management' for inclusion with the statements;
7. Council delegate authority to the General Manager to finalise the date at which the auditors report and financial statements are to be presented to the public; and,
8. Council delegate authority to the General Manager to set the authorised 'for issue' date upon receipt of the auditors report.

OFFICER'S RECOMMENDATION:

That:

1. Council's Draft Financial Statements are prepared in accordance with:
 - the Local Government Act 1993 (as amended) and the regulations made there under,
 - the Australian Accounting Standards, and
 - the Local Government Code of Accounting Practice and Financial Reporting;
2. The report presents fairly the Councils operating result and financial position for the year;
3. The report accords with Council's accounting and other records;

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4. Council is not aware of any matter that would render this report false or misleading in any way;
5. Council's Draft Financial Statements be referred to audit for finalisation;
6. Council delegate authority to the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the 'Statement by Council and Management' for inclusion with the statements;
7. Council delegate authority to the General Manager to finalise the date at which the auditors report and financial statements are to be presented to the public; and,
8. Council delegate authority to the General Manager to set the authorised 'for issue' date upon receipt of the auditors report.

Department: Governance and Information
Submitted by: General Manager
Reference: 1.25.10.05
Subject: Disclosure of Interest Returns – Annual Completion and Tabling

12.10/16 **MOVED/CARRIED (Crs R Bell / T Toomey)**

COUNCIL RESOLUTION:

That Councils updated Register of Disclosure of Interest Returns for Councillors and all of Councils designated persons be officially tabled and noted.

OFFICER'S RECOMMENDATION:

That Councils updated Register of Disclosure of Interest Returns for Councillors and all of Councils designated persons be officially tabled and noted.

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11. ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE REPORTS

Department: Infrastructure & Regulation
Submitted by: Director of Infrastructure & Regulation
Reference: 2.25.10.01
Subject: Development Approvals and Refusals for September 2016

13.10/16 MOVED/CARRIED (Crs R Bell/ B Crouch)

COUNCIL RESOLUTION:

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

OFFICER'S RECOMMENDATION:

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

Department: Infrastructure & Regulation
Submitted by: Interim Director Infrastructure & Regulation
Reference: 2.25.10.02
Subject: Works Progress Report as at 30 September 2016

14.10/16 MOVED/CARRIED (Crs B Crouch/K Ward)

COUNCIL RESOLUTION:

That the report be received and noted for the works completed or progressed during September 2016, and works programmed for October 2016.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during September 2016, and works programmed for October 2016.

Department: Infrastructure & Regulation
Submitted by: Acting Director Infrastructure & Regulation
Reference: 2.25.10.03
Subject: Heritage Advisory Services Summary – October 2016

15.10/16 MOVED/CARRIED (Crs I Strutt /T Toomey)

COUNCIL RESOLUTION:

That the Heritage Advisory Services Summary dated 11 October 2016 be received and noted by Council.

OFFICER'S RECOMMENDATION:

That the Heritage Advisory Services Summary dated 11 October 2016 be received and noted by Council.

Department: Infrastructure & Regulation
Submitted by: Acting Director Infrastructure & Regulation

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Reference: 2.25.10.04
Subject: Nomination of members to the Northern Joint Regional Planning Panel

16.10/16 MOVED/CARRIED (Crs M Dusting / B Crouch)

Cr L Sampson was absent for vote.

COUNCIL RESOLUTION:

1. That Council nominate Councillor R Bell as Councils appointed member to the Northern Joint Regional Planning Panel.
2. That Council's General Manager, Mr Andrew Hopkins be appointed as the second Council member and planning expert on the Northern Joint Regional Planning Panel.
3. That Council nominate Councillor I Strutt as an alternate appointee to serve on the Northern Joint Regional Planning Panel in the event that the nominated members are unable to sit on the JRPP through absence or conflict of interest.
4. That the Minister for Planning be notified accordingly.
5. That the nominated members be appointed for a 3 year period.

OFFICER'S RECOMMENDATION:

1. That Council nominate a Councillor as one of the Council appointed members to the Northern Joint Regional Planning Panel.
2. That Council's General Manager, Mr Andrew Hopkins be nominated as the second Council appointed member and planning expert on the Northern Joint Regional Planning Panel.
3. That Council nominate a Councillor as an alternate appointee to serve on the Northern Joint Regional Planning Panel in the event that the nominated members are unable to sit on the JRPP through absence or conflict of interest.
4. That the Minister for Planning be notified accordingly.
5. That the nominated members be appointed for a 3 year period.

Department: Infrastructure and Regulation
Submitted by: Environmental Management Coordinator
Reference: 2.25.10.05
Subject: State of Environment Report

17.10/16 MOVED/CARRIED (Crs R Bell / B Crouch)

COUNCIL RESOLUTION:

That Council:

1. Adopt the Uralla Shire Council 2012 – 2016 State of Environment Report; and
2. Submit the report to the Department of Local Government as part of the End of Term reporting process.
3. Council commend staff member Stephanie McCaffrey for her efforts in compiling the report.

OFFICER'S RECOMMENDATION:

That Council:

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1. Adopt the Uralla Shire Council 2012 – 2016 State of Environment Report; and
2. Submit the report to the Department of Local Government as part of the End of Term reporting process.

Department: Infrastructure & Regulation
Submitted by: Acting Director Infrastructure & Regulation
Reference: 2.25.10.06
Subject: Bundarra Sewerage Scheme

PROCEDURAL MOTION

Move to Committee of the Whole

18.10/16 MOVED/CARRIED (Crs K Ward/B Crouch)

Motion to move into committee of the whole to have a detailed discussion about the above report.

PROCEDURAL MOTION

Resume Standing Orders

19.10/16 MOVED/CARRIED (Crs B Crouch/ M Dusting)

Motion to move out of committee and resume standing orders.

20.10/16 MOVED/CARRIED (Crs R Bell/B Crouch)

OFFICER'S RECOMMENDATION:

That Council:

1. Accept, in principle, the funding offer of the NSW Government's Restart Regional Water & Waste Water Backlog Program for the Bundarra Sewerage Project subject to finalisation of a funding deed and determination of Council's funding of the cost of the balance of the project.
2. Authorise the General Manager to take the necessary steps to finalise the funding deed with the Government and execute it.
3. Note a further report is to be prepared covering funding options for the funding balance, project plans and a community consultation strategy.

OFFICER'S RECOMMENDATION:

That Council:

1. Accept, in principle, the funding offer of the NSW Government's Restart Regional Water & Waste Water Backlog Program for the Bundarra Sewerage Project subject to finalisation of a funding deed and determination of Council's funding of the cost of the balance of the project.
2. Authorise the General Manager to take the necessary steps to finalise the funding deed with the Government and execute it.
3. Note a further report is to be prepared covering funding options for the funding balance, project plans and a community consultation strategy.

Department: Infrastructure & Regulation

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Submitted by: Acting Director Infrastructure & Regulation
Reference: 2.25.10.07
Subject: Industrial Land Purchase

21.10/16 **MOVED/CARRIED (Crs K Ward/M Dusting)**

COUNCILS RESOLUTION:

That Council:

1. Note the settlement of the purchase of Lot 14 DP 787477 being industrial zoned land fronting Rowan Avenue and the New England Highway, Uralla.
2. Receive a further report setting out a strategy and detailed costing for the future development and sales of the land.

OFFICER'S RECOMMENDATION:

That Council:

1. Note the settlement of the purchase of Lot 14 DP 787477 being industrial zoned land fronting Rowan Avenue and the New England Highway, Uralla.
2. Receive a further report setting out a strategy and detailed costing for the future development and sales of the land.

12. MOTIONS ON NOTICE

There are no motions on notice.

13. SCHEDULE OF ACTIONS

As at 19 October 2016.

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**14. CONFIDENTIAL BUSINESS
CLOSED SESSION OF COUNCIL**

MEETING PROCEDURE

Move to Closed Session

- 22.10/16 MOVED/CARRIED (Crs I Strutt /M Dusting)**
Motion that Council move into Closed Session.

The Mayor outlined the reasons for the closure of the meeting to members of the Public and the Press.

This report is presented to the CLOSED section of the Uralla Shire Council, Council Meeting 25 October 2016, meeting under section 10A (2(a)) 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: (a) personnel matters concerning particular individuals (other than councillors),

**CLOSED SESSION RESOLUTIONS
MOTION**

Resolutions of Council in Closed Session

- 25.10/16 MOVED/CARRIED**
That the following Resolutions of Closed Session become Resolutions of Council in Open Session.

- 26.10/16 MOVED/CARRIED**
COUNCIL RESOLUTION:

That:

- 1) Council delegate the process of the General Manager's performance management including discussion about performance, any actions that should be taken on the determination of the new performance agreement, to a Performance Review Panel.
- 2) The General Manager's Performance Review Panel be comprised of the Mayor, the Deputy Mayor and:
 - a) Cr B Crouch selected by the governing body (ie the Council), and;
 - b) Cr I Strutt, selected by the General Manager.
- 3) There will be an external facilitator to assist with the process of performance appraisal and the development of new performance plans.
- 4) At the Council meeting preceding The Review, councillors be provided with an opportunity to table issues they wish to be considered in the review process.
- 5) The general manager's performance review panel will select the external facilitator.
- 6) Council allocate up to \$7,000 for costs associated with the external facilitator.
- 7) Members of the Performance Review Panel undertake formal training in the

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performance management of general managers.

27.10/16 PROCEDURAL MOTION

MOVED/CARRIED

Motion to move out of Closed Session and return to Open Session of Council.

The meeting was reopened to the public at 3:43pm

15. AUTHORITY TO AFFIX THE COMMON SEAL

There was no authority to affix the common seal to be heard.

Cr N Ledger was absent for the duration of the meeting.

16. CLOSURE OF MEETING

Meeting closed at 3:44pm

CONFIRMATION OF MINUTES	
RESOLUTION NUMBER	
DATE	
MAYOR, MICHAEL PEARCE	