



MINUTES of

ORDINARY COUNCIL MEETING

Held on 25 October 2022 at 4:00 pm

Attendance at Meeting:

Councillors: Mayor R Bell (Chair – arrived at 4:37pm)
Deputy Mayor Cr R Crouch (Chair from 4:00pm – 4:37pm)
Cr T Bower (arrived at 4:05pm)
Cr S Burrows
Cr L Doran
Cr B McMullen
Cr T O'Connor
Cr L Petrov
Cr T Toomey
Nil

Apologies:

Ms K Jessep, General Manager (arrived at 4:37pm)
Ms C Valencius, Executive Director Corporate & Community
(Acting GM 4:00pm-4:37pm)

Staff:

Mr C Bennett, Acting Executive Director Infrastructure & Development
Ms N Heaton, Manager Governance
Mr M Clarkson, Manager Development & Planning (Zoom left meeting after item 14.4)
Ms W Westbrook, Executive Assistant (Minute Clerk)

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CONFIRMED

1 OPENING & WELCOME

The Chair declared the meeting opened at 4:00pm.

2 PRAYER

The Chair recited the Uralla Shire Council prayer.

3 ACKNOWLEDGEMENT OF COUNTRY

The Chair read the acknowledgement of country.

4 WEBCAST INFORMATION

The Chair advised the meeting was recorded, with the recording to be made available on Council's website following the meeting.

5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Advised of late attendees– Cr Bower, Mayor, General Manager

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

The Chair advised there were no disclosures.

MOTION**RESOLUTION 01.10/22**

Moved: Deputy Mayor Cr Robert Crouch

Seconded: Cr Tara Toomey

That under clause 15.24 of the Code of Meeting Practice Councillors be permitted to take photographs of resolutions.

For: Crs Robert Crouch, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 7/0

Cr Bower arrived 4:05pm

7 CONFIRMATION OF MINUTES

MOTION

Resolution 02.10/22

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Item 7.1 Confirmation of Minutes 27 September 2022 Ordinary Meeting be deferred until Mayor and General Manager arrive at the meeting.

For: Crs Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 8/0

8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)

The Chair advised the Mayor would be delivering the late report in the Confidential Session.

9 WRITTEN REPORTS FROM DELEGATES

9.1 MAYOR'S DELEGATE ACTIVITY REPORT FOR SEPTEMBER

RESOLUTION 03.10/22

Moved: Cr Tom O'Connor

Seconded: Cr Tim Bower

That Council received the Delegate Activity report from the Mayor.

For: Crs Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 8/0

10 PUBLIC FORUM

Nil

11 MAYORAL MINUTE

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

Nil

13 REPORT OF COMMITTEES

Nil

CONFIRMED

14 REPORTS TO COUNCIL

SUSPENSION OF STANDING ORDERS

RESOLUTION 04.10/22

Moved: Cr Sarah Burrows

Seconded: Cr Tom O'Connor

A motion was moved that Council suspend standing orders.

For: Crs Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 8/0

RESUMPTION OF STANDING ORDERS

RESOLUTION 05.10/22

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

A motion was moved that Council resume standing orders.

For: Crs Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 8/0

14.1 DEVELOPMENT APPLICATION 41/2022 - QUARRY, 863 KINGSTOWN ROAD BALALA

RESOLUTION 06.10/22

Moved: Cr Sarah Burrows

Seconded: Cr Tara Toomey

That Council lay the matter on the table to be returned to the November Ordinary Meeting subject to the report reaching an adequate standard for Councillors' determination.

Following debate a DIVISION DECISION was called with the result recorded below:

For: Crs Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 8/0

The Chair (Deputy Mayor) called for a short adjournment at 4:37pm

The Chair (Mayor) called the meeting to resume at 4:37pm

SUSPENSION OF STANDING ORDERS

RESOLUTION 07.10/22

Moved: Cr Tara Toomey
Seconded: Cr Sarah Burrows

A motion was moved that Council suspend standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

RESUMPTION OF STANDING ORDERS

RESOLUTION 08.10/22

Moved: Deputy Mayor Cr Robert Crouch
Seconded: Cr Tom O'Connor

A motion was moved that Council resume standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

7.1 CONFIRMATION OF MINUTES HELD 27 SEPTEMBER 2022 ORDINARY MEETING**RESOLUTION 09.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Bruce McMullen**That Council**

- i. adopt the minutes of the Ordinary Meeting held 27 September 2022 with correction to the unconfirmed minutes of:

adopt the resolution 36.09/22 with the voting as recorded at the meeting,

MOTION Moved: Cr Petrov /Seconded: Cr Burrows

- 1) *That Council authorise the General Manager to negotiate the tender from Wallace Constructions for the refurbishment of Pioneer Park in Uralla up to the value of \$464,678.90 ex GST less the following two components that are to become separable portions:
 - i) *landscape planting component subject to a separate engagement; and*
 - ii) *spiral path subject to a separate engagement.**
 - 2) *That the addition of the gateway slabs and the ferro cement picnic shelter be added following completion of this contract subject to additional design work and available funds at the completion of all the projects under the Public Spaces Legacy Program.*
- ii. **that items 15,16,17 be renumbered sequentially;**

as a true and correct record.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.2 MEMBERSHIP FOR URALLA TOWNSHIP AND ENVIRONS COMMITTEE**RESOLUTION 10.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Bruce McMullen

That the expression of interest submissions be considered by Council and that the following member(s) in addition to the current members, be appointed:

1. Ms Carol Shantal
2. Mr Robert Bowie
3. Ms Marlene Jacobs
4. Mr Robert Valler

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

SUSPENSION OF STANDING ORDERS**RESOLUTION 11.10/22**

Moved: Cr Tom O'Connor

Seconded: Cr Tim Bower

A motion was moved that Council suspend standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

RESUMPTION OF STANDING ORDERS**RESOLUTION 12.10/22**

Moved: Cr Tom O'Connor

Seconded: Cr Lone Petrov

A motion was moved that Council resume standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.3 WORKS PROGRESS REPORT - SEPTEMBER 2022**RESOLUTION 13.10/22**

Moved: Cr Tara Toomey

Seconded: Cr Lone Petrov

That Council:

1. Receives and notes the Works Progress Report as at 30 September 2022.
2. Note the 2022/2023 Capital Works Program as detailed in the Attachment Capital Works Progress Report as at 30 September 2022.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

SUSPENSION OF STANDING ORDERS

RESOLUTION 14.10/22

Moved: Cr Bruce McMullen
Seconded: Cr Leanne Doran

A motion was moved that Council suspend standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

RESUMPTION OF STANDING ORDERS

RESOLUTION 15.10/22

Moved: Cr Tom O'Connor
Seconded: Cr Tim Bower

A motion was moved that Council resume standing orders.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.4 PUBLIC SPACES LEGACY PROGRAM WORKS STATUS UPDATE

RESOLUTION 16.10/22

Moved: Cr Tim Bower
Seconded: Deputy Mayor Cr Robert Crouch

That Council:

1. receive the Public Spaces Legacy Program Works Status update;
2. nominates Cr Burrows, Cr O'Connor and Cr Toomey and the General Manager (or delegate) and invite Carl Merton and Fay Porter to form the Constellations of the South Sculptures Selection Panel; and
3. seek a further six month extension of time for the program.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

SUSPENSION OF STANDING ORDERS**RESOLUTION 17.10/22****Moved:** Cr Tara Toomey**Seconded:** Cr Leanne Doran**A motion was moved that Council suspend standing orders.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Lone Petrov and Tara Toomey**Against:** Cr Tom O'Connor

CARRIED 8/1

RESUMPTION OF STANDING ORDERS**RESOLUTION 18.10/22****Moved:** Cr Tim Bower**Seconded:** Cr Lone Petrov**A motion was moved that Council resume standing orders.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil

CARRIED 9/0

14.5 DEVELOPMENT WORKING GROUP - NOTES OF MEETING OF 13 OCTOBER 2022**RESOLUTION 19.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Bruce McMullen**That Council receive the notes of the Development Working Group meeting of 13 October 2022.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Cr Leanne Doran

CARRIED 8/1

The Chair called for a short adjournment 6:02pm

The Chair reconvened the meeting 6:16pm

14.6 CAPITAL WORKS WORKING GROUP - NOTES OF MEETING 12 OCTOBER 2022

RESOLUTION 20.10/22

Moved: Cr Tim Bower

Seconded: Cr Lone Petrov

That Council receive the notes of the Capital Works Working Group of 12 October 2022.

1. **Plant and Equipment - Draft Plant and Equipment Asset Management Plan (P&E AMP), major replacement, disposals and new items**

Next step:

- i. **Update P&E AMP and present to Council for adoption**
2. **Transport - Draft Transport Asset Management Plan (TAMP); draft Capital Works Program 2022/2023; and, road priorities for the next ten years.**

Next steps:

- i. **Councillors to email any specific roads to be considered for next ten year priorities.**
- ii. **Report to Council – works program - report endorsed and approval for funding reallocations.**
- iii. **Following October Council meeting, works program to website.**
3. **Overview of Water, Waste and Sewer major projects and prelim discuss on future priorities.**

Next Steps:

- i. **Seek extension to generator grant**
- ii. **Seek approval to explore other water source options with remainder of Safe And Secure Water Program funding**
- iii. **Confidential report to Council re: waste collection costs, contract and resourcing approvals required.**
- iv. **Report to Council for approval to apply for funding for Bundarra Waste Transfer station.**

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0



14.7 CODE OF CONDUCT STATISTICS 2021-2022**RESOLUTION 21.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Sarah Burrows

That Council provide the Office of Local Government with the Code of Conduct Annual Statistical Report for the period 1 September 2021 to 31 August 2022, by 31 December 2022. Note change to page 103 7th down changed to 2.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0**14.8 POLICY UPDATE INCLUDING FEEDBACK FROM COUNCILLORS****RESOLUTION 22.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Sarah Burrows

1. That the following policies be revoked from Council's policy register:
 - i. Policy: Aggregation of Parcels of Land for Rating Purposes
 - ii. Policy: Water Safety
 - iii. Policy: Citizenship Awards
2. That the Policy: Council's Role as a Provider of Community Services be amended to align with the aged care reforms and presented to Council for endorsement at a future meeting.
3. That the Policy: Community Store Allocation to be renamed the Community Street Stall and be amended deleting reference to Section 165 of the *Local Government Act 1993*; and that the reference to the review period ('as necessary or every four (4) years') be retained.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.9 ONGOING PROFESSIONAL DEVELOPMENT PROGRAM FOR MAYOR AND COUNCILLORS**RESOLUTION 23.10/22****Moved:** Deputy Mayor Cr Robert Crouch**Seconded:** Cr Lone Petrov

That Council adopt the ongoing training and professional development program for the Mayor and councillors for the remainder of the term of Council.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.10 INVESTMENTS AT 30 SEPTEMBER 2022**RESOLUTION 24.10/22****Moved:** Cr Tom O'Connor**Seconded:** Deputy Mayor Cr Robert Crouch

That Council note:

1. The cash position as at 30 September, 2022 consisting of cash and overnight funds of \$2,708,174, term deposits of \$17,050,000 totalling \$19,758,174 of readily convertible funds; and
2. The majority of Council's cash is externally restricted and not available for day to day operational expenditure. The unrestricted cash position as at 30 June, 2022 was forecast to be \$599,000 with the final value to be finalised upon audit of financial statements.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

14.11 LOANS AS AT 30 SEPTEMBER 2022**RESOLUTION 25.10/22****Moved:** Deputy Mayor Cr Robert Crouch**Seconded:** Cr Tim Bower

That Council note the loan position as at 30 September, 2022 totalling \$1,685,097.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

SUSPENSION OF STANDING ORDERS**RESOLUTION 26.10/22****Moved:** Cr Sarah Burrows**Seconded:** Cr Tom O'Connor**A motion was moved that Council suspend standing orders.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0**

Cr Tara Toomey left the meeting at 7:13 pm

Cr Tara Toomey returned to the meeting at 7:15 pm.

RESUMPTION OF STANDING ORDERS**RESOLUTION 27.10/22****Moved:** Cr Lone Petrov**Seconded:** Cr Bruce McMullen**A motion was moved that Council resume standing orders.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0****14.12 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 14 OCTOBER 2022****RESOLUTION 28.10/22****Moved:** Cr Tom O'Connor**Seconded:** Cr Lone Petrov**That Council note the resolution action Status at 14 October 2022 .****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0**

15 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

15.1 Complaints 1 January 2022 to 30 June 2022

This matter is considered to be confidential under Section 10A(2) - a and i of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors) and alleged contraventions of any code of conduct requirements applicable under section 440.

15.2 Mayoral Minute - General Manager Annual Performance Review

This matter is considered to be confidential under Section 10A(2) - a and e of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors) and information that would, if disclosed, prejudice the maintenance of law.

MOTION
<p>RESOLUTION 29.10/22</p> <p>Moved: Cr Leanne Doran Seconded: Cr Tim Bower</p> <p>That Council move to closed Session of Council.</p> <p>For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p>Against: Nil</p> <p style="text-align: right;">CARRIED 9/0</p>

RESOLUTION 33.10/22

Moved: Cr Tom O'Connor
Seconded: Cr Sarah Burrows

That Council return to Open Session of Council.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

16 COMMUNICATIONS OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session.

RESOLUTION 34.10/22

Moved: Cr Sarah Burrows

Seconded: Cr Lone Petrov

That resolutions of Closed Session of Council become the resolutions of Open session of Council.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

15.1 Complaints 1 January 2022 to 30 June 2022

RESOLUTION 30.10/22

Moved: Deputy Mayor Cr Robert Crouch

Seconded: Cr Lone Petrov

That the report relating to complaints from 1 January 2022 to 30 June 2022 be received.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

15.2 MAYORAL MINUTE - GENERAL MANAGER ANNUAL PERFORMANCE REVIEW

RESOLUTION 31.10/22

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Cr Robert Crouch

That Council receive the General Manager's Annual Performance Review report and that the General Manager's performance be assessed as satisfactory, and her contract be increased by 2% . The increase to be backdated to the anniversary of the contract (July 6 2022).


For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Cr Leanne Doran

CARRIED 8/1

17 CONCLUSION OF MEETING

The meeting was closed at 8:52pm.

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	32.12/22
DATE:	22 November 2022
MAYOR:	Robert Bell 

CONFIRMED

