



MINUTES of

ORDINARY MEETING OF COUNCIL

Held on 27 September 2022 at 4:00pm

Attendance at Meeting:

Councillors:

Mayor Robert Bell (Chair)
Cr R Crouch (Deputy Mayor)
Cr T Bower
Cr S Burrows
Cr L Doran
Cr B McMullen
Cr O'Connor (Zoom)
Cr L Petrov
Cr T Toomey

Staff:

Ms K Jessep, General Manager
Mr C Weber, Interim Director Corporate Services
Mr C Bennett, Interim Director Infrastructure & Development
Ms C Valencius, Director Community Services
Ms N Heaton, Manager Governance
Ms W Westbrook, Minute Clerk

UINT/22/12027

MINUTES

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CONFIRMED

1 OPENING & WELCOME

The Chair declared the meeting opened at 4:02pm.

The Mayor acknowledged the passing of Queen Elizabeth II and asked all present at the meeting to observe a minute's silence for Her Majesty.

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 and reminded attendees to refrain from making defamatory statements.

5 APOLOGIES & APPLICATION FOR LEAVE OF ABSENCES BY COUNCILLORS

The Chair advised there were no apologies received.

6 DISCLOSURES & DECLARATIONS OF INTERESTS

The Chair advised there were no disclosures or declarations.

ANNOUNCEMENTS

The Mayor announced the appointment of the senior officers commencing on 4 October 2022:

Executive Director Corporate and Community – Mrs Christine Valencius

Executive Director Infrastructure and Development – Mr Paul Gallagher

7 CONFIRMATION OF MINUTES

7.1 MINUTES 23 AUGUST 2022 ORDINARY MEETING

MOTION Moved: Cr Crouch /**Seconded:** Cr Petrov

That Council adopt the minutes Ordinary Meeting held 23 August 2022, as a true and correct record.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

01.09/22 **CARRIED**

8 URGENT, SUPPLEMENTARY & LATE ITEMS/REPORTS OF BUSINESS (including Petitions)

The Chair advised there were no urgent, supplementary or late items of business.

9 PUBLIC FORUM/PRESENTATION

Nil

10 WRITTEN REPORT FROM DELEGATES

10.1 WINTERBOURNE WIND FARM COMMUNITY CONSULTATIVE COMMITTEE MEETING 29 AUGUST 2022

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

That Council receives Winterbourne Wind Farm Community Consultative Committee Meeting 29 August 2022 Delegate Report.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

02.09/22 CARRIED

10.2 RURAL SKILLS FORUM UPDATE

MOTION Moved: Cr Crouch /Seconded: Cr Doran

That Council receives Rural Skills Forum Update Delegate Report.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

03.09/22 CARRIED

10.3 ACTIVITIES SUMMARIES

As tabled.

11 MAYORAL MINUTE

11.1 ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS REPLY – CORRESPONDENCE RECEIVED

MOTION Moved: Mayor Bell /Seconded: Cr Toomey

- i. **That Council receives the Mayoral Minute and notes the information presented by the Office for Police and Emergency Services;**
- ii. **That Council write to the Premier and Leader of the Opposition in an ongoing effort to overturn the illogical advice on the management of RFS assets.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

04.09/22 CARRIED

12 MOTIONS ON NOTICE QUESTIONS WITH NOTICE

12.1 QUESTIONS ON NOTICE

As listed with Answers in the Agenda.

12.2 NOTICE OF MOTION - UTEC REPORT TO COUNCIL SEPTEMBER 2022

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Doran

To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

05.09/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Bower

To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

06.09/22 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Toomey /Seconded: Cr Burrows

That Council:

- i. Receive the recommendations from the UTEC Meeting held on 5th September 2022; and**
- ii. Note the staff response on the status of actions as discussed at the 27 September 2022 Ordinary meeting including Council discussion on item 3 updates on expressions of interest for volunteers, item 5 paint colours, items 9, 13 & 14 requiring further investigations.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

07.09/22 CARRIED

12.3 NOTICE OF MOTION — PIONEER PARK TENDERS DOCUMENTS AND PROCESS

MOTION Moved: Cr Toomey /Seconded: Cr Burrows

That Council:

- i. Receive written assurance from the General Manager that the artist responsible for various elements of the design has authorised the use of their work as part of this project; and
- ii. All future tender documents be published on Council's website, and give notice on social media and in local print media, inviting tenders for 30 days in accordance with resolution 38.10/18.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

08.09/22 CARRIED

12.4 NOTICE OF MOTION - S68 SERVICE VEHICLES PARKED ON COUNCIL ROADS

MOTION Moved: Cr Crouch /Seconded: Cr Petrov

That Council:

- i. Recognise that registered motor vehicles, that are not selling any article in a public place and that are legally parked on council roads, do not require approval under s68 of the Local Government Act (1993) as amended.
- ii. Refund the Rotary Club of Uralla any charges made in relation to parking of the MHERV clinic in Uralla CBD on or about 22 September 2022.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

09.09/22 CARRIED

12.5 NOTICE OF MOTION - HERITAGE ADVISOR

MOTION Moved: Cr Toomey /Seconded: Cr Burrows

That Council:

- i. Seek advice from Graham Wilson AO as part of developing a set of criteria for a Heritage Advisor; and
- ii. Present a report on this to Council November meeting, or sooner, prior to calling for expressions of interest across Council's website, social media pages and in local print media to engage a qualified Heritage Advisor.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, , O'Connor, Petrov, Toomey

Against: Cr McMullen

Against: Nil

Absent: Nil

10.09/22 CARRIED

13 REPORT OF COMMITTEES

13.1 FINANCE ADVISORY COMMITTEE MEETING MINUTES FOR MEETING HELD 20 SEPTEMBER 2022

MOTION Moved: Cr Crouch /Seconded: Cr Toomey

That Council adopt the Minutes of the Financial Advisory Committee Meeting held 20 September 2022 as a true and correct record.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

11.09/22 CARRIED

14 REPORTS TO COUNCIL

14.1 DIVISION DECISION - DA- 32/2022 – HOUSE ALTERATIONS – 13 BRIDGE ST URALLA

MOTION Moved: Cr Crouch /Seconded: Cr Petrov

That Council approve Development Application 32/2022 for house alterations, at 13 Bridge Street Uralla (Lot 4 DP 536207) 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

Please Note: *This does not apply in relation to:*

- (a) *building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or*
- (b) *Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*
- (c) *a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.*

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 certifier 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.

Notification of *Home Building Act 1989* requirements

Please Note: *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

6. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the relevant owner-builder permit.
7. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.

GENERAL CONDITIONS

8. 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.

9. 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.*
10. 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 6.18 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.*
11. A Construction Certificate must be obtained from a Certifier before work commences.
- Reason: To ensure compliance with Cl.146 of the Environmental Planning and Assessment Regulation 2000.*
12. Occupancy of the building is not to take place until the Principal Certifier (PC) 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.*
13. 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 to the street gutter.
 - (b) By piping to a rainwater tank and then via the overflow to the street gutter.
- Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*
14. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.
- The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.
- Reason: Statutory requirement.*

15. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.

Reason: Statutory requirement.

Note: A certificate of compliance is a written document, in an approved form, that certifies that the plumbing and drainage work to which it relates is code compliant.

16. On completion of plumbing and drainage work that consists of or includes carrying out work on a sanitary drainage system, the responsible person for the work must supply a plan of the work, in the approved form, to the following persons:

- (a) The owner of the land or the owner's agent,
- (b) The Council.

Reason: Statutory requirement.

17. Not required

18. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The application must be approved prior to the issue of a Construction Certificate.

Reason: To ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

19. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifier (if the PC 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

20. 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.

21. 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.

22. 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.

23. All construction materials, sheds, skip bins, spoil, temporary water closets etc. shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

Reason: To preserve the amenity of the locality and protect stormwater systems.

24. Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with council's drainage system shall not be used.

Reason: To ensure that Council's stormwater system is protected.

25. 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.

26. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.

Reason: Requirement of Council as the Road Authority.

27. Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles onto roads,
- (d) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To prevent pollution from detrimentally affecting the public or environment.

28. 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.

29. Development involving bonded asbestos material and friable asbestos material:

- (a) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011,
- (b) the person having the benefit of the development consent must provide the principal certifier with a copy of a signed contract with such a person before any development pursuant to the consent commences,
- (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
- (d) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the development consent must give the principal certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

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

CONFIRMED

ADVISORY NOTES – GENERAL

30. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
31. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
32. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
33. Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
34. Telecommunications Act 1997 (Commonwealth). Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
35. Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 of *Roads Act 1993* approval must be obtained from Council. Please contact Council to obtain an application form.
36. Pursuant to Section 94(1)(a) of the *Local Government Act 1993 (General) Regulation 2005*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

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

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

12.09/22 CARRIED

14.2 REGIONAL HOUSING STRATEGIC PLANNING FUND GRANT APPLICATION

MOTION Moved: Cr Toomey /Seconded: Cr Crouch

That Council endorse the application for grant funding under the NSW Government's Regional Housing Strategic Planning Fund.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

13.09/22 CARRIED

14.3 WORKS PROGRESS REPORT AS AT 31 AUGUST 2022

MOTION Moved: Cr Doran /Seconded: Cr McMullen

That Council notes the Works Progress Report as at 31 August 2022.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

14.09/22 CARRIED

14.4 TOLLEYS GULLY BRIDGE FUNDING

MOTION Moved: Cr Crouch /Seconded: Cr Bower

That Council:

- i. **Note the progress of the request to the NSW Government for additional funding to complete the Tolleys Gully Bridge project; and**
- ii. **Should a commitment of funding not be secured by early October 2022 from the State Government, funding from Block Grant Rehabilitation Program in the amount of \$268,000 be reallocated to allow the completion of the Tolleys Gully Bridge project prior to the end of 2022 as detailed in the report.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

15.09/22 CARRIED

The Chair called for a short adjournment at 5:52pm.

The Chair resumed the meeting at 6:02pm.

14.5 NSW ENVIRONMENTAL RESTORATION AND REHABILITATION GRANT 2022/2023

MOTION Moved: Cr Burrows /Seconded: Cr Petrov

That Council:

- i. **Apply for \$149,054 in grant funding under the Environmental Restoration and Rehabilitation Program for ecological restoration activities at the Racecourse Lagoon noting that restoring and protecting this lagoon is an opportunity to enhance associated ecological, flora and fauna values; and**
- ii. **Continue working with the New England Upland Lagoon specialist researchers in the Dynamic Lagoons Project and include consultation with them in developing the grant funding application.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

16.09/22 CARRIED

14.6 DRAFT BUILDINGS ASSET MANAGEMENT PLAN

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Burrows
To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

17.09/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Petrov
To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

18.09/22 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

That Council place the Draft Buildings Asset Management Plan on public exhibition for 28 days to encourage community engagement in the Council's further development of the draft Plan, including a workshop before returning to Council for consideration prior to adoption.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

19.09/22 CARRIED

14.7 DRAFT STORMWATER DRAINAGE ASSET MANAGEMENT PLAN

MOTION Moved: Cr McMullen /Seconded: Cr O'Connor

That Council place the Draft Stormwater Drainage Asset Management Plan on public exhibition for 28 days to encourage community engagement in the Council's further development of the draft Plan, including a workshop before returning to Council for consideration prior to adoption.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

20.09/22 **CARRIED**

14.8 DRAFT OPEN SPACES AND RECREATION FACILITIES ASSET MANAGEMENT PLAN

MOTION Moved: Cr Burrows /Seconded: Cr Toomey

That Council place the Draft Open Spaces and Recreation Facilities Asset Management Plan on public exhibition for 28 days to encourage community engagement in the Council's further development of the draft Plan, including a workshop before returning to Council for consideration prior to adoption.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

21.09/22 **CARRIED**

The Chair called an adjournment at 6.29pm.

The Chair resumed meeting at 6:54pm.

14.9 URALLA LOCAL ENVIRONMENT PLAN REVIEW

MOTION Moved: Cr Crouch /Seconded: Cr Doran

That Council note the legislated Local Environmental Plan amendment process as set out in the report and the attachment which includes an additional community engagement in stage 1.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

22.09/22 **CARRIED**

14.10 CODE OF MEETING PRACTICE

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Doran

To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

23.09/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Doran /Seconded: Cr Burrows

To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

24.09/22 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Burrows /Seconded: Cr Toomey

That the Code of Meeting Practice be adopted with the following minor amendments:

- I. Add new clause 5.38, 5.39 & 5.40 regarding staff at council meetings via zoom
- II. Reinstate section 4 per the council's current Code of Meeting Practice with the addition of the new clause 4.2
- III. Reinstate clause 5.36 per the model code
- IV. Edit clause 14.11 change to 1 day
- V. Edit clause 14.13 & 14.16 change to 3 speakers (not 2)
- VI. Reinstate clause 20.24 per the model code

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

25.09/22 CARRIED

14.11 ELECTION OF DEPUTY MAYOR

MOTION Moved: Cr Doran /Seconded: Cr Petrov

That Cr Crouch be appointed as Deputy Mayor for the period from 27 September 2022 until the end of the Council term of office.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

26.09/22 CARRIED

14.12 COUNCILLOR COMMITTEE REPRESENTATION

MOTION Moved: Cr Toomey /Seconded: Cr Petrov

That delegates be appointed to each of the committees for the period September 2022 to the end of the Council term of office as detailed in the report with the following changes:

- i. **McMaugh Gardens expansion steering group Cr Petrov to replace Cr Crouch**
- ii. **Arts North West Cr Doran to replace Cr Toomey**
- iii. **Australia Day Committee add Cr McMullen noting that Cr Doran is a community representative on this Committee.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

27.09/22 CARRIED

14.13 SCHEDULE OF ORDINARY MEETINGS 2022-2023

MOTION Moved: Cr Toomey /Seconded: Cr Crouch

That Council:

- i. **Adopt the Ordinary Meeting cycle for 2022-2023 as follows:**

Tuesday 25 October 2022

Tuesday 22 November 2022

Tuesday 13 December 2022

Tuesday 24 January 2023 (tentative)

Tuesday 28 February 2023

Tuesday 28 March 2023

Wednesday 26 April 2023

Tuesday 23 May 2023

Tuesday 27 June 2023

Tuesday 25 July 2023

Tuesday 22 August 2023

Tuesday 26 September 2023

- ii. **Place a Public Notice on council's website, social media platform and in Council's newsletter detailing the date, commencement time and venue of each Ordinary Meeting scheduled for the 2022-2023 period, in accordance with Uralla Shire Council Code of Meeting Practice.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

28.09/22 CARRIED

14.14 REPORT ON COMPLAINTS

MOTION Moved: Cr O'Connor /Seconded: Cr McMullen

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

For: McMullen, O'Connor,

Against: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, Petrov, Toomey

Absent: Nil

LOST

MOTION Moved: Cr Crouch / Seconded: Cr Doran

Council receive an expanded item 14.14 report on complaints in confidential session at the October meeting.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, Petrov, Toomey

Against: Cr O'Connor

Absent: Nil

29.09/22 CARRIED

14.15 SUPPORTING MEDICATION MANAGEMENT IN RESIDENTIAL AGED CARE INITIATIVE ELECTRONIC NATIONAL RESIDENTIAL MEDICATION CHART (ENRMC) ADOPTION GRANT

MOTION Moved: Cr Burrows /Seconded: Cr Petrov

- i. That Council submit an application to apply for \$22,000.00 Supporting Medication Management in Residential Aged Care Initiative Electronic National Residential Medication Chart (eNRMC) Adoption Grant as detailed in the report; and**
- ii. Should Council be awarded the Supporting Medication Management in Residential AgedCare Initiative Electronic National Residential Medication Chart (eNRMC) Adoption Grant authorise the General Manager to execute the funding deed.**

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

30.09/22 CARRIED

14.16 RESOLUTION REGISTER ACTION STATUS

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Doran

To move to Committee of the Whole.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

31.09/22 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Crouch

To resume Standing Orders.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against:

Absent:

32.09/22 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION Moved: Cr Toomey /Seconded: Cr Crouch

That Council note the Resolution Action Status as at 21 September 2022.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

33.09/22 CARRIED

14.17 CASH AT BANK 31 AUGUST 2022

MOTION Moved: Cr Crouch /Seconded: Cr Burrows

That Council note:

- i. The cash position as at 31 July, 2022 consisting of cash and overnight funds of \$3,325,471, term deposits of \$17,050,000 totalling \$20,375,471 of readily convertible funds; and
- ii. The loan position as at 31 July, 2022 totalling \$1,698,354; and
- iii. 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: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov,
Toomey

Against: Nil

Absent: Nil

34.09/22 CARRIED

Cr McMullen left the meeting 8:26pm.

15 CONFIDENTIAL MATTERS

15.1 CONFIDENTIAL – AWARD OF TENDER FOR PIONEER PARK REFURBISHMENT

Cr Mc Mullen returned to meeting 8:29pm.

PROCEDURAL MOTION Moved: Cr Burrows / Seconded: Cr Toomey

To move into Closed Session of Council

Reason for closing the agenda item: competitive procurement process.

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

This report is presented to the CLOSED section of the 27 September 2022 Council meeting under section 10A (2)(d)(i) of the Local Government Act (NSW) 1993.

- (1) 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:
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

35.09/22 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION Moved: Cr Burrows /Seconded: Cr O'Connor

To return to Open Session of Council.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against:

Absent:

37.09/22 CARRIED

PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Burrows

The resolution(s) of Closed Session of Council become the resolutions of Open Session of Council.

For: Mayor Bell, Crs Bower, Burrows, Crouch, Doran, McMullen, O'Connor, Petrov, Toomey

Against: Nil

Absent: Nil

38.09/22 CARRIED

15 COMMUNICATION OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session:

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.

16 CLOSURE OF MEETING

The meeting was closed at 8:59pm.

17 COUNCIL MINUTES CONFIRMED

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	09.10/22
DATE:	25 October 2022
MAYOR:	Robert Bell

