



## MINUTES of

### ORDINARY MEETING OF COUNCIL

Held on 22 February 2022 at 9:30am

#### Attendance at Meeting:

##### Councillors:

Mayor Robert Bell (Chair)  
Cr R Crouch (Deputy Mayor)  
Cr T Bower  
Cr S Burrows  
Cr L Doran (departed 2:33pm)  
Cr B McMullen  
Cr O'Connor  
Cr L Petrov  
Cr T Toomey

##### Staff:

Ms K Jessep, General Manager  
Mr S Paul, Chief Financial Officer/ Director Corporate Services  
Mr T Seymour, Director Infrastructure & Development  
Ms C Valencius, Director Community Services  
Ms N Heaton, Manager, Governance  
Ms W Westbrook, Minute Clerk  
Ms Louise Waters, Corporate Accountant  
Mr Matt Clarkson, Manager Development & Planning

UNIT/22/1654

MINUTES

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## 1 OPENING & WELCOME

The Chair declared the meeting open at 9:30am.

## 2 PRAYER

The Chair recited the Uralla Shire Council prayer.

## 3 ACKNOWLEDGEMENT OF COUNTRY

Prior to the meeting Aunty Pam gave a Welcome to Country outside the Library for the new council with Uncle Les and Uncle Trevor in attendance.

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 participants not to make defamatory comments.

## 5 APOLOGIES & APPLICATION FOR LEAVE OF ABSENCES BY COUNCILLORS

The Chair advised there were no apologies received.

## 6 DISCLOSURES & DECLARATIONS OF INTERESTS

The Chair received the following declarations of pecuniary and non-pecuniary Conflict of Interest Declarations in relation to the 22 February 2022 Meeting.

COUNCILLOR	ITEM OR REPORT NUMBER	PECUNIARY OR NON-PECUNIARY INTEREST	NATURE OF INTEREST
Tara Toomey	15.9	Non-Pecuniary Interest	Family member submitted submission

## 7 CONFIRMATION OF MINUTES

### 7.1 MINUTES ORDINARY MEETING OF COUNCIL HELD 24 DECEMBER 2021

Minutes of, Ordinary Meeting of Council held 24 December 2021, the Chair called for any amendments.

#### AMENDMENTS

Cr Toomey requested that the record of Councillor voting be included in the public minutes for Item 17.

**MOTION Moved: Cr Toomey /Seconded: Cr Burrows**

**That Council adopt the minutes of the Ordinary Meeting of Council held 24 December 2021, with amendments as noted, as a true and correct record.**

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

**Against:** Nil

**Absent:** Nil

**01.02/22 CARRIED**

Cr Doran requested a note be included in the minutes that she voted in error at the meeting on Item 17. The Chair advised that he would consider this request as a once-off exception and sought leave of the meeting to include the note. Leave of the meeting was given.

## **7.2 MINUTES EXTRAORDINARY MEETING OF COUNCIL HELD 25 JANUARY 2022**

**MOTION Moved: Cr Crouch /Seconded: Cr O'Connor**

**That Council adopt the minutes of the Extraordinary Meeting of Council held 25 January 2022, as a true and correct record.**

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

**Against: Nil**

**Absent: Nil**

**02.02/22 CARRIED**

## **7.3 MINUTES EXTRAORDINARY MEETING OF COUNCIL HELD 1 FEBRUARY 2022**

**MOTION Moved: Cr Doran /Seconded: Cr Burrows**

**That Council adopt the minutes of the Extraordinary Meeting of Council held 1 February 2022, as a true and correct record.**

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

**Against: Nil**

**Absent: Nil**

**03.02/22 CARRIED**

## **7.4 MINUTES EXTRAORDINARY MEETING OF COUNCIL HELD 8 FEBRUARY 2022**

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

**That Council adopt the minutes of the Extraordinary Meeting of Council held 8 February 2022, as a true and correct record.**

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

**Against: Nil**

**Absent: Nil**

**04.02/22 CARRIED**

## **8 TABLING OF REPORTS & PETITIONS**

There were no reports or petitions tabled.



## 9 URGENT, SUPPLEMENTARY & LATE ITEMS/REPORTS OF BUSINESS

Procedural MOTION: Moved: Cr Petrov/Seconded: Cr Toomey

That

- i. Item 15.1 be heard at Item 9.1; and
- ii. Items 16.1 and 16.2 be heard before Item 15.17.

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

Against: Nil

Absent: Nil

05.02/22 CARRIED

### 9.1 15.1 AUDITOR PRESENTATION ON THE ANNUAL FINANCIAL STATEMENTS JUNE 2021

Procedural MOTION: Moved Cr Crouch /Seconded: Cr Toomey

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

Under section 10A (2) (b) 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:
  - (f) matters affecting the security of the council, councillors, council staff or council property

Reason: to enable question about the interim management letter to be asked of the Auditor

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

Against: Nil

Absent: Nil

06.02/22 CARRIED

Procedural MOTION: Moved Cr Crouch /Seconded: Cr McMullen

To move to open session.

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

Against: Nil

Absent: Nil

07.02/22 CARRIED

There were no decisions made during the closed session.

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

- i. That the presentation by the Auditor on the Annual Financial Statements and Auditor's Reports for the year ended 30 June 2021 be accepted, and
- ii. That Cr O'Connor's questions and answers be included in the March report to Council in reference to the agenda item 15.1 of the February meeting, and
- iii. That Councillors draft a letter to the Auditor General and Minister regarding the process of Council engagement with the auditor during the preparation of the financial statements prior to adoption by Council.

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

**Against:** Nil

**Absent:** Nil

08.02/22 CARRIED

### 13 Speakers:

13.1 SPEAKER 1: CAROL BARNDEN – ITEM 16.1 URALLA NEIGHBOURHOOD CENTRE ....

The Chair introduced the Speaker.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

13.2 SPEAKER2: ANNE RIX - ITEM 16.1 - URALLA NEIGHBOURHOOD CENTRE.

The Chair introduced the Speaker.

The Chair invited questions from Councillors.

The Chair thanked the Speaker for her presentation to Council.

**Procedural MOTION: Moved: Cr Doran/ Seconded: Cr Burrows**

That the meeting be adjourned for a short break at 11.07am and be resumed in 20 minutes.

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

**Against:** Nil

**Absent:** Nil

09.02/22 CARRIED

Meeting resumed 11:28am

## **10 WRITTEN REPORT FROM DELEGATES**

### **10.1 WINTERBOURNE WIND FARM COMMUNITY CONSULTATIVE COMMITTEE**

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

**That report on Winterbourne Wind Farm Community Consultative Committee be noted.**

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

**Against: Nil**

**Absent: Nil**

**10.02/22 CARRIED**

### **10.2 NEW ENGLAND REGIONAL ENERGY ZONE REGIONAL REFERENCE GROUP**

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

**That report on New England Regional Energy Zone Regional Reference Group be noted.**

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

**Against: Nil**

**Absent: Nil**

**11.02/22 CARRIED**

### **10.3 ACTIVITIES SUMMARIES**

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

## **11 ITEMS PASSED IN BULK**

The Mayor sought leave of the meeting to not have any items to be passed in bulk. Leave of the meeting was given.



## 12 MAYORAL MINUTE

### 12.1 MAYORAL MINUTE - INTERNATIONAL WOMEN'S DAY

**MOTION Moved: Mayor**

- i. That Council provide sponsorship for 4 tickets to attend the Uralla Historical Society "Golden Girls" International Women's Day event on Saturday 19 March 2022 for McCrossin's Mill to determine community members to be allocated the tickets, with costs allocated against Council donations, and
- ii. That Councillors be encouraged to attend under their own resources, and
- iii. That Council send up to two staff delegates to the Uralla Historical Society "Golden Girls" International Women's Day event on Saturday 19 March 2022 with costs allocated against Council's respective professional development budgets.

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

**Against:** Crs McMullen, O'Connor

**Absent:** Nil

12.02/22 CARRIED

## 14 REPORT OF COMMITTEES

### 14.1 MINUTES - AUDIT RISK & IMPROVEMENT COMMITTEE MEETING 10 FEBRUARY 2022

**MOTION Moved: Cr Toomey /Seconded: Cr O'Connor**

**That the Minutes from Audit Risk & Improvement Committee Meeting 10 February 2022 be noted.**

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

**Against:** Nil

**Absent:** Nil

13.02/22 CARRIED

## 15 REPORTS TO COUNCIL

### 15.2 & 15.3 CASH AT BANK AND INVESTMENTS – DECEMBER 2021 & JANUARY 2022

**MOTION Moved: Cr O'Connor /Seconded: Cr Doran**

**That Council note:**

- I. 15.2 The Cash Position as at 31 December 2021 consisting of cash and overnight funds of \$1,726,235, term deposits of \$13,912,580 totalling \$15,638,815 of readily convertible funds ; and
- II. 15.2 The loan position as at 31 December 2021 totalling \$1,859,363; and
- III. 15.3 The Cash Position as at 31 January 2022 consisting of cash and overnight funds of \$2,702,285, term deposits of \$13,412,458 totalling \$16,114,743 of readily convertible funds ; and
- IV. 15.3 The loan position as at 31 January 2022 totalling \$1,849,012.

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

**Against:** Nil

**Absent:** Nil

**14.02/22 CARRIED**

### 15.4 REPORT ON COMPLAINTS

**MOTION Moved: Cr O'Connor /Seconded: Cr Crouch**

**That the report relating to complaints from 1 July 2021 to 31 December 2021 be noted.**

**For:** Mayor Bell, Crouch,

**Against:** Crs Bower, Burrows, Doran, McMullen, O'Connor, Petrov, Toomey

**Absent:** Nil

**LOST**

## 15.5 POSITIVE WORKING RELATIONSHIP AND GENERAL CONDUCT POLICY

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

**That**

- i. **the Positive Working Relationship Policy with the following amendments:**
  - a. **"Act reasonably and justly in accordance with the law" be added to all subsections under accountabilities, and**
- ii. **be placed on public exhibition for 28 days and if no submissions are received that the policy be adopted.**

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

**Against: Crs Doran, Toomey**

**Absent: Nil**

**15.02/22 CARRIED**

## 15.6 INTEGRATED PLANNING AND REPORT UPDATE: DRAFT COMMUNITY STRATEGIC PLAN 2022-2031

**MOTION Moved: Cr Crouch /Seconded: Cr O'Connor**

- i. **That the *draft Community Strategic Plan 2022 – 2031* be placed on public exhibition for 28 days; and**
- ii. **Council expresses its appreciation for the staff input to co-ordinate the creation of the document.**

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

**Against: Nil**

**Absent: Nil**

**16.02/22 CARRIED**

## 15.7 EXPRESSION OF INTEREST FOR PANEL OF CONDUCT REVIEWERS

The Manager Governance left the meeting due to conflict of interest, declared within the report.

**Procedural MOTION Moved: Cr Toomey /Seconded: Cr Burrows**

**That report lay on the table pending advice on whether the staff member conflict of interest would affect use of one of the reviewers in the future.**

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

**Against:** Nil

**Absent:** Nil

**17.02/22 CARRIED**

## **15.8 GRAVEL ROADS UPGRADE PRIORITISATION SURVEY RESULTS AND SUBMISSIONS**

**MOTION Moved: Cr Toomey /Seconded: Cr Doran**

**That the gravel roads upgrade prioritisation community submissions and survey results be returned to Council during consideration of the Transport Asset Management Plan.**

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

**Against:** Nil

**Absent:** Nil

**18.02/22 CARRIED**

**Procedural MOTION Moved: Cr O'Connor/ Seconded: Cr Doran**

**That the meeting be adjourned for a short break at 1:02pm and be resumed in 30 minutes.**

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

**Against:** Nil

**Absent:** Nil

**19.02/22 CARRIED**

**Meeting resumed at 1:31pm**

## **15.9 PROPOSED PROJECT LIST – SUBMISSION FROM PUBLIC EXHIBITION PERIOD AND SURVEY RESULTS**

**Cr Toomey declared an insignificant non-pecuniary interest.**

**MOTION Moved: Cr O'Connor /Seconded: Cr Bower**

**That Council note the Proposed Project List community submissions and survey results for consideration by Council when future grant funding opportunities arise.**

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

**Against:** Nil

**Absent:** Nil

**20.02/22 CARRIED**

## **15.10 15.11 & 15.12 DRAFT TERMS OF REFERENCE FOR SECTION 355 COMMITTEES**

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

**That Council lay Items 15.10, 15.11 and 15.12 on the table until Councillors undertake further engagement with community members before an updated draft is considered by Council for public exhibition.**

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

**Against: Nil**

**Absent: Nil**

**21.02/22 CARRIED**

## **15.13 WORKS PROGRESS REPORT AS AT 31 JANUARY 2022**

**MOTION Moved: Cr O'Connor /Seconded: Cr Doran**

**That Council note the report for the works completed or progressed during December 2021 and January 2022, and works programmed for February 2022.**

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

**Against: Nil**

**Absent: Nil**

**22.02/22 CARRIED**

## **15.14 BUNDARRA SEWERAGE SCHEME – PROJECT UPDATE REPORT – DEC 21 TO JAN 22**

**PROCEDURAL MOTION Moved: Cr O'Connor /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:**

**23.02/22 CARRIED**

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

**PROCEDURAL MOTION Moved: Cr Doran /Seconded: Cr McMullen**

**To resume Standing Orders.**

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

**Against:**

**Absent:**

**24.02/22 CARRIED**

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



**MOTION Moved: Cr McMullen /Seconded: Cr Doran**

**That Council:**

- I. Note the Bundarra Sewerage Scheme – Project Update Report – December 2021 and January 2022, and
- II. Note the private works undertaken in the months of December, 2021, and January, 2022 (Attachments 3 & 4) for works carried out under the *Local Government Act 1993* Section 67 Private Works Agreement Part (2)(b) and (4).

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

**Against:** Nil

**Absent:** Nil

**25.02/22 CARRIED**

#### **15.15 OBJECTION TO SUNNY JIM MACKAY PARK PLACE NAME PROPOSAL**

**MOTION Moved: Cr O'Connor /Seconded: Cr Doran**

**That Council support the name change to 'Sunny Jim Mackay Park', having considered the confidential submissions to the Sunny Jim Mackay Park place name proposal, based on:**

- I. A name for the oval within the park is not consistent with the NSW Geographical Names Board Place Naming Policy (multiplication of names for different parts of the same topographical feature shall be avoided).
- II. The proposed name relates to the park's historical connection and significance to James Rainey Munro Mackay ('Sunny Jim'). The place name proposal celebrates local history and heritage by naming the reserve after a local historical resident with ties to the town and region.
- III. Council is satisfied there is substantive and sufficient community support for the Sunny Jim Mackay Park proposal and has resolved to endorse the place name proposal.

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

**Against:** Nil

**Absent:** Nil

**26.02/22 CARRIED**

## 16-1 NOTICE OF MOTION – URALLA NEIGHBOURHOOD CENTRE

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

**That Council:**

1. Continue to lease the RSL Memorial Hall to the Uralla Neighbourhood Centre for two years (Feb 2022 to Feb 2024) at the current rent of \$8,000 per year, paid quarterly in advance.
2. That the Uralla Neighbourhood Centre benefit from all hire charges associated with the use of the Returned Services Memorial Hall, including council functions.
3. Insert the fee in the 2021/22 fees and charges.
4. Remove the sentence "Rental fees for new leases or licences on Council properties negotiated during the year will be based on valuation advice and other relevant factors, such as community benefit." Page 16 of 48, from the fees and charges
5. Place the revised fees and charges on public exhibition for 28 days. If no submissions are received council adopt the revised fees and charges.

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

**Against:** Nil

**Absent:** Cr Doran

**27.02/22 CARRIED**

### **15.16 PROPOSED CHANGES TO REVENUE POLICY FOR SEWER AND TRADE WASTE CHARGES**

**Cr Crouch MOVED an Alternate Motion:-**

**That Council resolve to:**

1. Amend Resolution 32.06/21 by
  - a. Inserting after the table in point 1.e. "Non-Residential Sewerage Usage Charges to be calculated according to Department of Planning, Industry and Environment, Liquid Trade Waste Management Guidelines – 2021"
  - b. Insert after the table in Point 1.f. "Trade Waste Non-Residential Sewerage Usage Charges to be calculated according to Department of Planning, Industry and Environment, Liquid Trade Waste Management Guidelines – 2021"
2. Revise the non-residential water and sewerage notices issues in December, 2021/January, 2022 to:
  - a. Remove Trade Waste Usage Charges, Non-Res Sewerage Usage Charges and Trade Waste Fixed Fee from businesses that do not discharge any trade waste into the sewerage system.
  - b. Revise Trade Waste Usage Charges to reflect the proportion of water that is discharged as trade waste, as per Department of Planning, Industry and Environment, Liquid Trade Waste Management Guidelines – 2021.
  - c. Revise Non-Res Sewerage Usage Charges to reflect the proportion of water that is discharged as non-residential sewerage as per Department of Planning, Industry and Environment, Liquid Trade Waste Management Guidelines – 2021.

3. Advise all non-residential property owners that may discharge sewerage and/or trade waste into council's sewerage system that they may apply to have the Sewerage and/or Trade Waste Discharge Factors used to estimate the volume of Sewerage or Trade Waste discharged to the system, varied from those in the 2002 DPIE water supply, Sewerage and Trade Waste Pricing Guidelines. Any variation will need to be justified by the applicant.
4. Develop a Trade Waste Policy based on the Model Policy for Discharge of Trade Waste to the Sewerage System
5. Credit premises with any Trade Waste and Non-Residential Sewerage Usage charges paid in response to the recent notices and waive interest being payable on these charges until the issues are resolved and corrected statements (including consideration of requests to vary Discharge Factors) issued.

**The Mayor ruled that the alternate motion be taken on notice.**

2:33pm Cr Doran left the meeting.

**16.2 NOTICE OF MOTION – BACKYARD BURNING POLICY AND 15.17 DRAFT POLICY: BACKYARD BURNING 2022**

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

**That Council lay Items - 16.2 and 15.17 on the table pending further input to the draft policy by councillors.**

**For: Crs Bower, Burrows, Crouch, Doran, Petrov, Toomey**

**Against: Mayor Bell, Crs McMullen, O'Connor,**

**Absent: Cr Doran**

**28.02/22 CARRIED**

**15.18 URALLA MEMORIAL HALL—MANAGEMENT ARRANGEMENTS**

Item 15.18 was not moved. Refer to Item 16.1 Uralla Neighbourhood Centre for resolution.

### **15.19 VISITOR INFORMATION CENTRE POP-UP SPACE**

**PROCEDURAL MOTION Moved: Cr Toomey /Seconded: Cr Petrov**

**To move to Committee of the Whole.**

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

**Against: Cr O'Connor**

**Absent: Cr Doran**

**29.02/22 CARRIED**

Cr O'Connor left the meeting at 2:50pm

Cr O'Connor returned to the meeting at 2:51pm

Cr O'Connor left the meeting at 2:52pm

Cr O'Connor returned to the meeting at 2:53pm

Cr O'Connor moved to gallery area 2:54pm

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION Moved: Cr McMullen /Seconded: Cr Bower**

**To resume Standing Orders.**

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

**Against: Nil**

**Absent: Cr Doran**

**30.02/22 CARRIED**

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Toomey /Seconded: Cr Bower**

**That:**

- i. Council recognise that the Uralla Visitor Information Centre is designed to offer display space to promote the Uralla Shire inclusively; and**
- ii. Councillors undertake a workshop to further consider how the "Visitor Information Centre Space" could be used.**

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

**Against: Cr O'Connor**

**Absent: Cr Doran**

**31.02/22 CARRIED**

## 15.20 RESOLUTION REGISTER ACTION STATUS

Cr Bower left the room at 3:07pm

**MOTION Moved: Cr Toomey /Seconded: Cr Burrows**

**That Council receive the Resolution Action Status as at 16 February 2022.**

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

**Against: Nil**

**Absent: Crs Bower, Doran**

**32.02/22 CARRIED**

Cr Bower returned to the meeting at 3:18.pm

## 16 MOTIONS ON NOTICE / QUESTIONS WITH NOTICE

### 16.3 NOTICE OF MOTION – POTENTIAL COUNCILLOR LIABILITY UNDER THE HEAVY VEHICLE NATIONAL LAW

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

**That Councillors be advised of:**

1. any breach of the Heavy Vehicle National Law (NSW) involving council equipment within 24 hours of the General Manager becoming aware of the breach; and
2. the progress of any prosecution within the legal system.

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

**Against: Nil**

**Absent: Cr Doran**

**33.02/22 CARRIED**



## 17 CONFIDENTIAL MATTERS

### 17.1 ATTACHMENT - RE: ITEM 15.7 CODE OF CONDUCT REVIEWERS PANEL

### 17.2 ATTACHMENT - RE: ITEM 15.15 OBJECTION TO SUNNY JIM MACKAY PARK PLACE NAME PROPOSAL

PROCEDURAL MOTION Moved: Cr Bower/ Seconded: Cr Burrows

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

Under section 10A (2) (b) 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:
  - (b) the personal hardship of any resident or ratepayer

Reason: The report contains confidential information relating to individual financial circumstances

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

Against: Nil

Absent: Cr Doran

34.02/22 CARRIED

**17.3 – 17.6 APPLICATIONS FOR RELIEF UNDER WATER AND SEWER CHARGES REFUND  
POLICY 2017 – A – B – C – D**

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

- a. That Council refund charges for Water Billing Assessment 9786 totalling \$795.08 in accordance with Clause 1 of USC Water and Sewer Charges Refund Policy 2017, Section 607 of the Local Government Act 1993 and Regulation 131 of the Local Government (General) Regulation 2005.
- b. That Council refund charges for Water Billing Assessment 9697 totalling \$858.00 in accordance with Clause 1 of USC Water and Sewer Charges Refund Policy 2017, Section 607 of the Local Government Act 1993 and Regulation 131 of the Local Government (General) Regulation 2005
- c. That Council refund charges for Water Billing Assessment 7988 totalling \$858.00 in accordance with Clause 1 of USC Water and Sewer Charges Refund Policy 2017, Section 607 of the Local Government Act 1993 and Regulation 131 of the Local Government (General) Regulation 2005.
- d. That Council refund charges for Water Billing Assessment 9562 totalling \$1,549.60 in accordance with Clause 3 of USC Water and Sewer Charges Refund Policy 2017, Section 607 of the Local Government Act 1993 and Regulation 131 of the Local Government (General) Regulation 2005.

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

**Against: Nil**

**Absent: Cr Doran**

**35.02/22 CARRIED**

### **MOVE TO OPEN SESSION**

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Burrows

To return to OPEN Session of Council.

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

Against: Nil

Absent: Cr Doran

36.02/22 CARRIED

### **18 COMMUNICATION OF COUNCIL DECISIONS**

PROCEDURAL MOTION Moved: Cr Crouch /Seconded: Cr Burrows

The resolutions of CLOSED Session of Council become the resolutions of OPEN Session of Council.

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

Against: Nil

Absent: Cr Doran

37.02/22 CARRIED

### **19 CLOSURE OF MEETING**

The meeting was closed at 3:34pm.

### **20 COUNCIL MINUTES CONFIRMED**

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	
DATE:	22 March 2022
MAYOR:	Robert Bell 

