

MINUTES of

ORDINARY COUNCIL MEETING Held on 26 April 2023 at 4 pm

Attendance at Meeting:

Councillors:

Mayor R Bell (Chair) Deputy Mayor R Crouch

Cr T Bower
Cr S Burrows
Cr L Doran
Cr McMullen
Cr T O'Connor
Cr L Petrov
Cr T Toomey

Apologies:

Staff:

Nil

Mrs K Jessep, General Manager

Ms T Averay, Executive Director Infrastructure & Development Mrs C Valencius, Executive Director Corporate & Community

Mr S Williams, Manager Governance Mr M Raby, Interim Director Infrastructure

Ms W Westbrook, Executive Assistant (Minute Clerk)

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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 and reminded attendees to refrain from making defamatory statements.

5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

MOTION

RESOLUTION 01.04/23

Moved: Cr Sarah Burrows Seconded: Cr Tim Bower

That applications for leave of absence from Cr O'Connor for 11 May – 7 July 2023 and Cr Petrov for 5 May- 28 May 2023 be accepted.

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

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

Nil

7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES 28 MARCH 2023 ORDINARY MEETING

RESOLUTION 02.04/23

Moved: Cr Tara Toomey Seconded: Cr Leanne Doran

That Council adopt the minutes of the Ordinary Meeting 28 March 2023 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

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

Nil

9 WRITTEN REPORTS FROM DELEGATES

9.1 WRITTEN DELEGATE ACTIVITY REPORT FROM THE MAYOR FOR MARCH 2023

RESOLUTION 03.04/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

That Council receive the Mayor's Delegate Activity Report for March 2023.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

9.2 FOLLOW UP REPORT FROM COUNCIL RESOLUTION 03.08/22 DELEGATE REPORT – RURAL SKILLS FORUM HELD 4 AUGUST 2022

RESOLUTION 04.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tom O'Connor

That Council receive the follow up report from Council Resolution 03.08/22 Delegate Rural Skills Forum held 4 August 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

9.3 FOLLOW UP REPORT FROM COUNCIL RESOLUTION 04.08/22 - DELEGATE REPORT – COUNTRY MAYORS ASSOCIATION MEETING HELD 5 AUGUST 2022

RESOLUTION 05.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Bruce McMullen

That Council write to Homes North Armidale to explore the opportunity for further interactions, such as a presentation to 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

10 PUBLIC FORUM

Nil

11 MAYORAL MINUTE

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

12.1 NOTICE OF MOTION - RECOMMENDED STREET AND OPEN SPACE TREE SELECTION LIST

RESOLUTION 06.04/23

Moved: Cr Bruce McMullen Seconded: Cr Lone Petrov

That Council:

- 1. Note Council's existing intention to create a guidance document called the Uralla Street and Open Space Tree Management Plan which will detail the selection and maintenance of allowable tree species which can be planted in public open space including streets into the future.
- 2. Note the attached list of tree species (Attachment 1) which has been produced in consultation with local interested parties and tree suppliers and future consultation will include Znet and Uralla Township Environs Committee.
- 3. Note the attached list of tree species be incorporated into the upcoming Uralla Street and Open Space Tree Management Plan.
- 4. Note that further staff research to identify other potentially appropriate street trees including deciduous species is continuing.
- 5. Note that the final recommended list of tree species (including Attachment 1) will be presented to Council prior to the final public consultation and adoption of the Management Plan occurring.

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

12.2 NOTICE OF MOTION – NORTHERN INLAND REGIONAL WASTE AND URALLA SHIRE COUNCIL

RESOLUTION 07.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tara Toomey

That Council

i. receive the report on Northern Inland Regional Waste; and

ii. request a presentation from Northern Inland Regional Waste Executive Officer

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

13 REPORT OF COMMITTEES

13.1 RECOMMENDATIONS FROM 21 MARCH 2023 FINANCE ADVISORY COMMITTEE

RESOLUTION 08.04/23

Moved: Cr Tom O'Connor Seconded: Cr Bruce McMullen

That Council:

- i. Lay on the table, pending the draft 2023/24 resourcing strategy (budget and long term financial plan), the request for a quote and engagement of an independent consultant service to commence the assessment and community engagement process (July October 2023) for a possible special rate variation and, if required, to enable a council decision by November 2023 to apply to the Independent Pricing and Regulatory Tribunal for the 2024-25 financial year; and
- ii. Note that the Finance Advisory Committee acknowledge the need to have significant improvement in the Water Fund and request further advice on options to achieve a balanced Water Fund.

For: Crs Robert Bell, Robert Crouch, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom

O'Connor, Lone Petrov and Tara Toomey

Against: Cr Tim Bower

CARRIED 8/1

13.2 FINANCE ADVISORY COMMITTEE MEETING MINUTES 18 APRIL 2023 – PART 1

RESOLUTION 09.04/23

Moved: Cr Tara Toomey Seconded: Cr Tom O'Connor

That the Finance Advisory Committee minutes of 18 April 2023 meeting be adopted 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

13.2 FINANCE ADVISORY COMMITTEE MEETING MINUTES 18 APRIL 2023 – PART 2

RESOLUTION 10.04/23

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

That Council

- i. Utilise the new valuation at a common rate in the dollar and a base rate raising no more than 50% in any rating category (Uralla Shire Council Rates Modelling AEC Scenario Summary April 2023 Revised for 6th Scenario) with the amendment of the Base Rate being \$282.80 in place of \$282.00, be included in the draft resourcing strategy; and
- ii. a review the rate modelling options be undertaken in two years, in preparation for the three yearly revaluations, as a matter of course. Particularly to enable consideration of any positive response by the State Government to the effect of development of renewable energy zone business across New South Wales in general and the Uralla Shire in particular.

For: Crs Robert Bell, Robert Crouch, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom

O'Connor, Lone Petrov and Tara Toomey

Against: Cr Tim Bower

CARRIED 8/1

Please find the link to *Uralla Shire Council Rates Modelling AEC Scenario Summary – April 2023 Revised for* 6th Scenario below

https://www.uralla.nsw.gov.au//files/assets/public/hptrim/governance-meetings-council-and-committees-section-355-committees-of-council-finance-advisory-committee-of-the-whole-proceedings-of-the-committee-includes-records-of-business-papers-agenda-minutes-reports-submissions-corresponden/uralla-shire-council-rates-modelling-aec-scenarios-summary-april-2023 revised-for-6th-scenario received-18-april-2023.pdf

14 REPORTS TO COUNCIL

14.1 DRAFT - SEWER ASSET MANAGEMENT PLAN (VERSION 4.4)

RESOLUTION 11.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tim Bower

That Council adopt the Sewer Asset Management Plan (V4.4).

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

14.2 DRAFT - WATER SUPPLY NETWORK ASSET MANAGEMENT PLAN (VERSION 2.4)

RESOLUTION 12.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tom O'Connor

That Council adopt the Water Supply Network Asset Management Plan (Version 2.4).

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 DRAFT KERB, GUTTER, AND FOOTPATH PAVING POLICY

RESOLUTION 13.04/23

Moved: Cr Bruce McMullen Seconded: Cr Tara Toomey

That Council:

- 1. Endorse the Draft Kerb, Gutter, and Footpath Paving Policy to be put on public exhibition for a period of 28 days in order to elicit community feedback.
- 2. Receive a future report to consider adoption of the Policy and any amendments made as a result of feedback.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

14.4 UPDATE ON COUNCIL RESOLUTION 17.03/21 - BUNDARRA WASTE MANAGEMENT FACILITY

RESOLUTION 14.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tom O'Connor

That Council note the progress on the seven (7) action items arising from Council's resolution 17.03/21 of 23 March 2021 and resolve the following future actions:

- 1. Complete the design phase and apply for grant funding in June 2023 to construct a waste transfer station at the Bundarra Waste Management Facility.
- 2. Terminate landfilling operations at the Bundarra Waste Management Facility upon reaching capacity of the current cell and hire shallow hook bins for the temporary collection and transport of waste from Bundarra to Uralla Landfill.
- 3. Seek grant funding for the capping and rehabilitation of landfill cells at Bundarra Waste Management Facility.

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

PROCEDURAL MOTION

RESOLUTION 15.04/23

Moved: Cr Leanne Doran Seconded: Cr Sarah Burrows

Mayor called for a for 20 minute dinner break 5:58pm

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

The meeting resumed at 6.26pm.

PROCEDURAL MOTION

RESOLUTION 16.04/23

Moved: Cr Tom O'Connor

Seconded: Deputy Mayor Robert Crouch

That Council move Item 14.5 to be heard in closed session as item 15.1

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

14.6 PUBLIC SPACES LEGACY PROGRAM AND COURTHOUSE UPDATE

RESOLUTION 17.04/23

Moved: Cr Tara Toomey Seconded: Cr Sarah Burrows

That Council:

- 1. Note the Public Spaces Legacy Program and Courthouse Refurbishment Works Update; and
- 2. Receive a report to the May 2023 Ordinary Meeting about the funding allocation and costings of the Public Spaces Legacy Program in relation to Pioneer Park; and
- 3. Direct the General Manager to:
 - a. comply with Part 1, i) and ii) of Resolution 36.09/22, and treat the landscape planting component and spiral pathway as separate engagements; and
 - allocate the \$30,000 from the item noted in the information circulated to Councillors on the 19th April 2023 marked Confidential to the development of a project plan for Stage 2; and
 - c. work with Uralla Arts, UTEC and potentially also Arts Northwest to develop the art element and include the spiral pathway, artwork and tree planting in stage 2 of the Pioneer Park project; and
 - d. work with Arts Northwest to complete the remaining artwork for The Glen.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Tom

O'Connor, Lone Petrov and Tara Toomey

Against: Cr Bruce McMullen

CARRIED 8/1

At 7:09 pm, Cr Tim Bower left the meeting.

At 7:10 pm, Cr Tim Bower returned to the meeting.

14.7 WORKS PROGRESS REPORT - APRIL 2023

RESOLUTION 18.04/23

Moved: Cr Tom O'Connor Seconded: Cr Lone Petrov

That Council note the Works Progress Report as at 31 March 2023.

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 AUDIT, RISK & IMPROVEMENT COMMITTEE RECRUITMENT

RESOLUTION 19.04/23

Moved: Cr Tara Toomey Seconded: Cr Sarah Burrows

Appoint Cr Toomey as the non-voting councillor member to the Uralla Shire Council's Audit Risk and Improvement Committee.

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

PROCEDURAL MOTION

RESOLUTION 20.04/23

Moved: Cr Sarah Burrows Seconded: Cr Leanne Doran

That the item 14.8 (sections 1 & 2) to be heard in closed session as item 15.2.

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

14.9 MONTHLY FINANCE REPORT FOR APRIL 2023

RESOLUTION 21.04/23

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

That Council receive the Monthly Finance Report for March 2023

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 31 MARCH 2023

RESOLUTION 22.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tara Toomey

That Council note:

1. The cash position as at 31 March 2023 consisting of cash and overnight funds of \$2,815,031 term deposits of \$20,050,000 totalling \$22,865,031 of readily convertible funds; and

2. The majority of Council's cash is externally restricted and not available for day to day operational expenditure. Unrestricted cash as at 31 March, 2023 estimated to be \$1 million with the final value to be finalised upon audit of financial statements for the year.

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 31 MARCH 2023

RESOLUTION 23.04/23

Moved: Cr Tom O'Connor

Seconded: Deputy Mayor Robert Crouch

That Council note the loan position as at 31 March, 2023 totalling \$1,567,033.41.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

14.12 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 18 APRIL 2023

RESOLUTION 24.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tara Toomey

That Council note the resolution action Status at 18 April 2023.

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 Fuel and Lubricant Supply Contract

This matter is considered to be confidential under Section 10A(2) – d (i) & d(ii) 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 if disclosed, confer a commercial advantage on a competitor of the council.

15.2 Audit Risk & Improvement Committee Recruitment

This matter is considered to be confidential under Section 10A(2) - a 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 personal matters concerning particular individuals (other than councillors).

PROCEDURAL MOTION

RESOLUTION 25.04/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

That Council move into Closed session.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce

McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

PROCEDURAL MOTION

RESOLUTION 30.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tim Bower

That Council move to open session.

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

PROCEDURAL MOTION

RESOLUTION 31.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tim Bower

That resolutions of closed session become resolutions of open session.

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

FOLLOWING ITEMS WERE MOVED FROM COUNCIL REPORTS TO A CONFIDENTIAL SESSION:

15.1 FUEL AND LUBRICANT SUPPLY CONTRACT (WAS ITEM 14.5)

RESOLUTION 27.04/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Leanne Doran

That Council, in consideration of the submissions through the Regional Procurement tender process, tender T122324URA and the analysis in the two confidential attachments:

1. Accept the offer from Campbell's Fuel Services Inverell and enter Contract 122324URA for the supply of Fuel, Kerosene and AdBlue for a period of 14 months with an option to renew for a further period of 12 months.

2. Accept the offer from Valvoline enter Contract 122324URA for the supply of Lubricants for a period of 14 months with an option to renew for a further period of 12 months.

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 AUDIT, RISK & IMPROVEMENT COMMITTEE RECRUITMENT (WAS ITEM 14.8)

RESOLUTION 27.04/23

Moved: Cr Tara Toomey Seconded: Cr Sarah Burrows

- 1. Adopt the attached Model Terms of Reference for the Uralla Shire Council's Audit Risk and Improvement Committee with the following amendments:
 - a. Authority point 7 add after General Manager '/Mayor'; and
- 2. Appoint Mr Stephen Coates as the Chair of shared Uralla Shire Council and Walcha Council Audit Risk and Improvement Committee for an initial term of 4 years; and
- 3. Appoint Cr Toomey as the non-voting councillor member to the Uralla Shire Council's Audit Risk and Improvement Committee.

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

17 CONCLUSION OF MEETING

The meeting was closed at 8:27pm.

Council Minutes confirmed by: Mayor Robert Bell on 23 May 2023. Resolution number: 07.05/23