



## MINUTES of

### ORDINARY MEETING OF COUNCIL

Held on 24 August 2021 at 12:30pm

#### Attendance at Meeting:

##### Councillors:

Cr M Pearce (Mayor)  
Cr I Strutt (Deputy Mayor) –Via Zoom  
Cr R Bell–Via Zoom  
Cr R Crouch–Via Zoom  
Cr M Dusting–Via Zoom  
Cr N Ledger–Via Zoom  
Cr T O’Connor–Via Zoom  
Cr T Toomey–Via Zoom

##### Staff:

Ms K Jessep, General Manager  
Mr S Paul, Chief Financial Officer/ Director Corporate Services –Via Zoom  
Mr T Seymour, Director Development & Infrastructure–Via Zoom  
Ms C Valencius, Interim Executive Manager Corporate Services–Via Zoom  
Ms N Heaton, Manager, Governance –Via Zoom  
Ms W Westbrook, Minute Clerk  
Mr M Clarkson, Manager Development & Planning–Via Zoom

##### Apologies:

Cr L Sampson

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CONFIRMED

## 1 OPENING & WELCOME

The chair declared the meeting opened at 12:32pm.

## 2. PRAYER

The Chair read the 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 & APPLICATION FOR LEAVE OF ABSENCES BY COUNCILLORS

The Chair advised there were no applications for leave of absence received and noted Cr Sampson's absence. (notified at 1:17pm Cr Sampson unable to attend meeting – personal issue).

**Moved: Cr Dusting /Seconded: Cr Strutt**

**That Cr Sampson leave of absence for the meeting be approved.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

01.08/21 CARRIED

## 6. DISCLOSURES & DECLARATIONS OF INTERESTS

The Chair advised there were no disclosures or declarations made.

## 7. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 24 August 2021 Meeting:

7.1. ORDINARY MEETING OF COUNCIL HELD 27 JULY 2021

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

**That Council adopt the minutes of the Ordinary Meeting held 27 July 2021 as a true and correct record.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

02.08/21 CARRIED

## 7.2. EXTRAORDINARY MEETING OF COUNCIL HELD 17 AUGUST 2021

The chair called for any amendments.

### AMENDMENTS

Cr Strutt noted 7.2 Procedural Motion Cr Bell had not joined the meeting at that point, Cr Bell to be noted as absent.

**MOTION Moved: Cr Ledger /Seconded: Cr Strutt**

**That Council adopt the minutes of the Extraordinary Meeting held 17 August 2021, with amendments as noted, as a true and correct record.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

03.08/21 CARRIED

## 8. TABLING OF REPORTS & PETITIONS

There were no tabling of reports or petitions.

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

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

### LATE REPORT TO COUNCIL

#### URALLA 7.11 AND 7.12 DEVELOPER CONTRIBUTIONS PLANS

PROCEDURAL MOTION Moved: Cr Ledger /Seconded: Cr Strutt

To hear Late Items of Business as additions to the Meeting Agenda.

That the late item of business be heard following Report 15.10 in the Meeting Agenda to become item 15.11.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell,

Against: Cr O'Connor

Absent: Nil

04.08/21 CARRIED

## 10. WRITTEN REPORT FROM DELEGATES

There were no written reports from Delegates.

### ACTIVITIES SUMMARIES

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

<b>COUNCILLOR NAME:</b>	Mark Dusting	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
27 July 2021	NEWA	Armidale
28 July 2021	NEWA	Armidale
29 July 2021	GM Performance Review	Uralla
29 July 2021	Adam Marshall's Office	Armidale

3 August 2021	NEWA	Phone
4 August 2021	DPI (Phil Blackmor)	Armidale
5 August 2021	Regional Wees Committee	Armidale
10 August 2021	Budget Review & Finance Committee Zoom (did not work)	ZOOM
17 August 2021	Extraordinary Meeting of Council	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
Expense Claims Total		\$0

<b>COUNCILLOR NAME:</b>	Robert Crouch	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
29 July 2021	General Manager Performance Review	Uralla
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
17 August 2021	Extraordinary Council Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total		\$0

<b>COUNCILLOR NAME:</b>	Levi Sampson	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
17 August 2021	Extraordinary Council Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom

24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total- No report		

<b>COUNCILLOR NAME:</b>		Natasha Ledger
<b>COUNCIL MEETING DATE:</b>		24 August 2021
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
3 August 2021	NEON Wind Farm	
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
17 August 2021	Extraordinary Council Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
17 August 2021	Thunderbolts Wind Farm	
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total- not tabled		\$0

<b>COUNCILLOR NAME:</b>		Tara Toomey
<b>COUNCIL MEETING DATE:</b>		24 August 2021
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
17 August 2021	Extraordinary Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total		\$0

<b>COUNCILLOR NAME:</b>	Robert Bell	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Uralla
17 August 2021	Extraordinary Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total		\$0

<b>COUNCILLOR NAME:</b>	Tom O'Connor	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
17 August 2021	Extraordinary Council Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total		\$0

<b>COUNCILLOR NAME:</b>	Isabel Strutt	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
29 July 2021	GM Annual Performance Review	Chambers
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
17 August 2021	Extraordinary Council Meeting	Zoom
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Zoom
24 August 2021	Ordinary Council Meeting	Zoom
Expense Claims Total		\$0



<b>COUNCILLOR NAME:</b>	Michael Pearce	
<b>COUNCIL MEETING DATE:</b>	24 August 2021	
<b>DATE</b>	<b>COMMITTEE/MEETING/EVENT</b>	<b>LOCATION</b>
28 July 2021	Mayor's Office - Admin	Uralla
29 July 2021	Mayor's Office – Admin. General Manager Annual Review with consultant, Christian Morris via ZOOM and Review Panel.	Uralla
2 August 2021	Mayor's Office – Admin.	Uralla
3 August 2021	Mayor's Office – Admin.	Uralla
4 August 2021	Mayor's Office – Admin. 2AD interview. NSW Department Planning Industry and Environment, study on Renewable Energy Sector Supply Chains, Employment and Training – New England Region Stakeholder workshop – via Zoom with General Manager.	Uralla
5 August 2021	Mayor's Office – Admin. Meeting with Executive Office, New England Joint Organisation.	Uralla
10 August 2021	GM Strategic Workshop & Briefing Sessions - Black Summer Funding Opportunities - s7.11 & s7.12 Draft Plans - Bundarra Sewerage Public Meeting - Draft Capital Road Works Program 2021/22	Zoom
16 August 2021	Mayor's Office - Admin	Uralla
17 August 2021	Mayor's Office – Admin. Extraordinary Council meeting.	Uralla
17 August 2021	GM Strategic Workshop & Briefing Sessions - Winterbourne Farm - Courthouse Options & Consultation process - The Glen & Pioneer Park Projects – Consultation Process - Long Term Financial Plan	Uralla
18 August 2021	2AD interview	Home.
23 August 2021	Mayor's Office - Admin	Uralla
24 August 2021	August Council meeting via Zoom.	Uralla
Expense Claims Total		\$299.20

The Chair advised the Delegates report have been tabled.

## 11. ITEMS PASSED IN BULK

The Mayor called for agenda items dealt with, in bulk, by exception – as per Section 13 of Council’s Code of Meeting Policy.

**Councillors indicated which items of business they wished to speak on or may vote against. The following item(s) were then moved in bulk.**

**MOTION Moved: Cr Dusting /Seconded: Cr O’Connor**

**That Council adopt the Officer’s Recommendation of the following items of business on the agenda by way of a single resolution:**

**15.1 Cash at Bank and Investments**

**15.7 Transfer of Crown Road – Flat Rock, Rocky River**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O’Connor**

**Against: Nil**

**Absent: Nil**

**05.08/21 CARRIED**

### 15.1 CASH AT BANK AND INVESTMENTS

**MOTION Moved: Cr Dusting /Seconded: Cr O’Connor**

**That Council note:**

- I. The cash position as at 31 July 2021 consisting of cash and overnight funds of \$3,540,172 term deposits of \$14,107,319 totalling \$17,647,491 of readily convertible funds; and**
- II. The loan position as at 31 July, 2021 totalling \$1,967,522; and**
- III. The projected unrestricted cash position as at 30 June, 2021 totalling \$2,395,000**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O’Connor**

**Against: Nil**

**Absent: Nil**

**06.08/21 CARRIED**

### 15.7 TRANSFER OF CROWN ROAD – FLAT ROCK, ROCKY RIVER

**MOTION Moved: Cr Dusting /Seconded: Cr O’Connor**

**That Council advises the Department of Planning, Industry and Environment – Crown Lands that Council has no objection for the transfer of a section of the Crown road, Flat Rock Road at Rocky River, located within the Uralla Sewerage Treatment Plant Grounds to Uralla Shire Council.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O’Connor**

**Against: Nil**

**Absent: Nil**

**07.08/21 CARRIED**

## 12. MAYORAL MINUTE

### 12.1 MAYORAL MINUTE - CONDOLENCES TO CR O'CONNOR

**MOTION Moved: The Chair /Seconded: Cr Strutt**

**That Council express its condolences to Cr Tom O'Connor at the passing of his wife, Marcella, and as a mark of respect that the Council observe a minute's silence.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**08.08/21 CARRIED**

### 12.2 MAYORAL MINUTE - REVIEW OF COUNCIL DELEGATIONS

**MOTION Moved: The Chair /Seconded: Cr Strutt**

**That Council request the General Manager have the Manager Governance prepare a report to Council on delegations to the General Manager. As a result of this report Council seek independent legal advice to review Council's delegation to the General Manager.**

**For: Crs Strutt, Pearce**

**Against: Crs Dusting, Ledger, Toomey, Bell, O'Connor, Crouch**

**Absent: Nil**

**LOST**

**ALTERNATE MOTION: Moved Cr Ledger/ Seconded Cr Bell**

**That Council request the General Manager have the Manager Governance prepare a report to Council on delegations to the General Manager and to bring the report back to Council for consideration.**

**For: Crs Strutt, Dusting, Ledger, Toomey, Bell, O'Connor, Crouch**

**Against: Cr Pearce**

**Absent: Nil**

**09.08/21 CARRIED**

## 13. PUBLIC FORUM/PRESENTATIONS

The Chair advised there were no Speakers.

## 14. REPORT OF COMMITTEES

No Report of Committees presented to Meeting.

## 15. REPORTS TO COUNCIL

### 15.2 PROPOSED DATES - BUDGET REVIEW AND FINANCE COMMITTEE MEETING SCHEDULE 2021-2022

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

To move to Committee of the Whole.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

10.08/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

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

To resume Standing Orders.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

11.08/21 CARRIED

The Chair outlined details of the discussion held in committee.

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

**That Council:**

- I. **Determine that the Budget Review and Finance Committee meet bi-monthly during 2021-22, to be held in the Council Chambers commencing at 12:30pm, with the schedule of meeting dates for the 2021-22 financial year as follows:**

<b>Bi</b>	<b>Tuesday, 14 September 2021</b>
<b>Monthly</b>	<b>Tuesday 9 November 2021</b>
	<b>Tuesday, 8 February 2022</b>
	<b>Tuesday 12 April 2022 (note Good Friday 15 April)</b>
	<b>Tuesday, 14 June 2022 (note Queens Birthday 13 June )</b>
	<b>Tuesday, 9 August 2022</b>

- II. **Publish the schedule of Committee meetings by public notice in Council's newsletter, website, social media, and in local print; and**
- III. **Convene further meetings of the Budget Review and Finance Committee to the above schedule as required.**

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

12.08/21 CARRIED

### 15.3 DRAFT POLICY: DISPOSAL OF ASSETS 2021

PROCEDURAL MOTION Moved: Cr Toomey / Cr O'Connor

To lay the matter on the table pending clarification that Council has responded to the ARIC recommendations.

For: Crs Crouch, Toomey, Bell, O'Connor

Against: Crs Dusting, Ledger, Strutt, Pearce

Casting vote: The Chair voted AGAINST the motion.

Absent: Nil

13.08/21 LOST

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

**I. That the draft Policy: Disposal of Assets 2021 be placed on public exhibition for a period of 28 days (from 30 August 2021 to 26 September 2021) and if no submissions are received, that the Policy be adopted, subject to the addition to 4.6 (page 57) the returns of disposal of assets be reported to Council.**

**II. Following adoption of the draft Policy: Disposal of Assets 2021, that the following policies be repealed:**

**a. Disposal of Council Assets 2013;**

**b. Major Plant Equipment – Purchases and Sale Policy; and**

**c. Motor Vehicles Including Utilities – Purchase and Sale Policy**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Bell, O'Connor**

**Against: Cr Toomey**

**Absent: Nil**

14.08/21 CARRIED

### 15.4 CONSIDERATION OF CONSTITUTIONAL REFERENDUM FOR NUMBER OF COUNCILLORS AND WARDS QUESTIONS

PROCEDURAL MOTION Moved: Cr Strutt /Seconded: Cr Dusting

To move to Committee of the Whole.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

15.08/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Dusting /Seconded: Cr Ledger

To resume Standing Orders.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

16.08/21 CARRIED

The Chair outlined details of the discussion held in committee – no motion put (no mover) and the Chair moved to the next item of business.

## 15.5 OPERATIONAL PLAN 2020-21 QUARTERLY PROGRESS REPORT AS AT 30 JUNE 2021

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

To move to Committee of the Whole.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

17.08/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Dusting /Seconded: Cr Ledger

To resume Standing Orders.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

18.08/21 CARRIED

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Strutt /Seconded: Cr Ledger**

**That the 2020-21 Operational Plan Progress Report at 30 June 2021 be received.**

**For: Crs Dusting, Ledger, Strutt, Pearce**

**Against: Crouch, Toomey, Bell, O'Connor**

**Casting vote: The Chair voted FOR the motion.**

**Absent: Nil**

19.08/21 CARRIED

The Chair called for a short adjournment at 2:30pm.

The Chair resumed the meeting at 2:40pm.

## 15.6 URALLA SHIRE COUNCIL DROUGHT MANAGEMENT PLAN – UPDATED AUGUST 2021

**MOTION Moved: Cr Bell /Seconded: Cr Ledger**

**I. That Council adopt the revised Uralla Shire Council Drought Management Plan Revision 3 – August 2021 containing the following revisions:**

- a) Drought management action plan set out in Table 2;
- b) Usage targets and emergency water restriction triggers contained in Tables 3 and 4;
- c) Specific water restriction measures as set out in Table 5; and
- d) Section 5.8 detailing firefighting requirements.

**For: Crs Dusing, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**21.08/21 CARRIED**

## 15.8. WORKS PROGRESS REPORT AS AT 31 JULY 2021

**MOTION Moved: Cr Ledger /Seconded: Cr Strutt**

**That Council:**

- I. receive the report for the works completed or progressed during July 2021 and works programmed for August 2021,**
- II. approve the reallocation of the funding for Regional Road reseals of \$287,361 to Regional Roads rehabilitation,**
- III. otherwise endorse the Capital Works Program for 2021-22, and**
- IV. endorse the proposal to submit a nomination to the 2022/23 NSW Safer Roads Program and the Federal Road Safety Program for safety improvement works on Kingstown Road.**

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

**That Council:**

- I. receive the report for the works completed or progressed during July 2021 and works programmed for August 2021,**
- II. approve the reallocation of the funding for Regional Road reseals of \$287,361 to Regional Roads rehabilitation, and**
- III. endorse the proposal to submit a nomination to the 2022/23 NSW Safer Roads Program and the Federal Road Safety Program for safety improvement works on Kingstown Road.**

**For: Crs Ledger, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Crs Dusing, Strutt**

**Absent: Nil**

**22.08/21 CARRIED**

The amendment became the Substantive MOTION

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

That Council:

- I. receive the report for the works completed or progressed during July 2021 and works programmed for August 2021,
- II. approve the reallocation of the funding for Regional Road reseals of \$287,361 to Regional Roads rehabilitation, and
- III. endorse the proposal to submit a nomination to the 2022/23 NSW Safer Roads Program and the Federal Road Safety Program for safety improvement works on Kingstown Road.

For: Crs, Ledger, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Crs Strutt, Dusting

Absent: Nil

23.08/21 CARRIED

#### 15.9 BUNDARRA SEWERAGE SCHEME – PROJECT UPDATE REPORT

PROCEDURAL MOTION Moved: Cr O'Connor /Seconded: Cr Dusting  
To move to Committee of the Whole.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

24.08/21 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION Moved: Cr Strutt /Seconded: Cr O'Connor  
To resume Standing Orders.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

25.08/21 CARRIED

The Chair outlined details of the discussion held in committee.

**MOTION: Moved Cr Crouch/ Cr Ledger**

That Council:

- I. Receive the Bundarra Sewerage Scheme- Project Update Report
- II. Provides Councillors with a copy of the brief on which the legal advice regarding the funding of private works is based.

For: Crs Dusting, Ledger, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Cr Strutt

Absent: Nil

26.08/21 CARRIED



## 15.10 RESOLUTIONS REGISTER ACTION STATUS

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

**That Council receive the Resolution Action Status as at 18 August 2021.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**27.08/21 CARRIED**

## 15.11 URALLA 7.11 AND 7.12 DEVELOPER CONTRIBUTIONS PLANS

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

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

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**28.08/21 CARRIED**

Councillors held a detailed discussion in committee regarding the report.

**PROCEDURAL MOTION Moved: Cr Dusting /Seconded: Cr Strutt**

**To resume Standing Orders.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**29.08/21 CARRIED**

The Chair outlined details of the discussion held in committee.

**MOTION Moved: Cr Bell /Seconded: Cr Strutt**

**That Council**

- i. Endorse the draft Uralla Section 7.11 and 7.12 Developer Contributions Plans for public exhibition for a period of not less than 28 days; and**
- ii. Provide the draft Uralla Section 7.11 and 7.12. Developer Contributions Plans to the Department of Planning, Industry and Environment for consideration and comment; and**
- iii. Subject to no submissions received, adopt the Uralla Section 7.11 and 7.12 Developer Contributions Plans.**

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

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

**30.08/21 CARRIED**

## 16 MOTIONS ON NOTICE QUESTIONS WITH NOTICE

### 16.1 NOTICE OF MOTION – AMENDMENTS TO THE 2021/2022 SCHEDULE OF FEES AND CHARGES

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

**That Council**

- I. amend the 2021/2022 Schedule of Fees and Charges by:
  - (a) replacing uncontaminated garden and wood waste charges (page 11 of 48); with Car - sedan and wagon \$Nil, Small truck or trailer \$Nil, Large trailer \$Nil and Truck \$Nil in place of \$5.00, \$12.00, \$25.00 and \$25.00 respectively.
  - (b) replacing aquatic Centre admission charges for children charges (page 14 of 48); with single admissions \$2.50, books of 10 \$22.50, books of 20 \$45.00 and books of 50 \$112.50 in place of the listed \$3.00, \$27.00, \$51.00 and \$120.00 respectively.
  - (c) Replacing construction certificate fees (page 29 of 48); with developments up to \$5,000 - \$175.00, \$5001 to \$100,00 - \$240.00, \$100,001 to \$250,000 - \$375.00 and over \$250,000 - \$375.00 plus \$1.10 per \$1,000 above \$250,000 in place of \$200.00, \$500.00, \$800,00 and \$800 plus \$1.10 per \$1,000 above \$250,000 respectively.
- II. advertise a public notice of the proposed amendments to receive public submissions for a period of at least 28 days, in accordance with Section 610F (3) (b) of the Local Government Act 1993 as amended, and
- III. subject to no objections being received, replace the existing 2021-2022 Operational Plan Part 5 Schedule of Fees and Charges with the amended 2021/2022 Schedule of Fees and Charges.

**For: Crs Dusting, Ledger, Crouch, Toomey, Bell, O'Connor**

**Against: Crs Strutt, Pearce**

**Absent: Nil**

31.08/21

**CARRIED**

## 17 CONFIDENTIAL MATTERS

The Chair advised there were confidential matters to be heard at the 24 August 2021 Meeting.

### 17.1 CONFIDENTIAL - STATUS OF EMERGENCY ORDER DA-43-2017

**PROCEDURAL MOTION Moved: Cr Strutt/ Seconded: Cr Dusting**

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

Section 10A of the *Local Government Act 1993 (NSW)*:

- (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:
  - (a) personnel matters concerning particular individuals (other than Councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (e) information that would, if disclosed, prejudice the maintenance of law,

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Reason: report contains privileged legal advice concerning litigation risk to Council.

For: Crs Dusting, Ledger, Strutt, Pearce,

Against: Crouch, Toomey, Bell, O'Connor

Casting vote: The Chair voted FOR the motion.

Absent: Nil

32.08/21 CARRIED

PROCEDURAL Motion: Moved: Cr O'Connor/Seconded: Cr Strutt

That Council at 4:58pm move meeting to continue beyond 5pm.

For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Nil

Absent: Nil

33.08/21 CARRIED

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

**That Council**

- i. receive a report on the status of works relating to DA-43-2017 containing legal advice on the risk to Council and actions to manage that risk.
- ii. receive a further report that includes the brief for legal advice contained in this report and copies of all communication between the applicant and Council.

For: Crs Dusting, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Cr Ledger

Absent: Nil

34.08/21 CARRIED

## 17.2 CONFIDENTIAL NOTICE OF MOTION COUNCIL TO CONSIDER SUSPENSION OF DELEGATED PLANNING AUTHORITY

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

That Council move into closed session for item 17.2 and close the meeting to members of the public and press for the following reasons:-

This report (17.2) is presented to the CLOSED section of the 24 August 2021 meeting under section 10A of the *Local Government Act 1993 (NSW)*:

- (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--
  - (a) personnel matters concerning particular individuals (other than Councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (e) information that would, if disclosed, prejudice the maintenance of law,

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

Reason: The item relates to personnel matters regarding staff performance, circumstances and hardship of a ratepayer, enforcement of the law and privileged legal advice.

For: Crs Dusting, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor

Against: Cr Ledger

Absent: Nil

35.08/21 CARRIED

**MOVE TO OPEN SESSION**

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

**To return to Open Session of Council.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

36.08/21 CARRIED

**18. COMMUNICATION OF COUNCIL DECISIONS**

**PROCEDURAL MOTION Moved: Cr Dusting /Seconded: Cr Ledger**

**The resolutions of Closed Session of Council become the resolutions of Open Session of Council noting item 17.2 was debated and lost.**

**For: Crs Dusting, Ledger, Strutt, Pearce, Crouch, Toomey, Bell, O'Connor**

**Against: Nil**

**Absent: Nil**

37.08/21 CARRIED

**19. CLOSURE OF MEETING**

The meeting was closed at 5:35pm.

**20. COUNCIL MINUTES CONFIRMED**

COUNCIL MINUTES CONFIRMED BY:	
RESOLUTION NUMBER:	01.09/21
DATE:	
MAYOR:	Councillor Michael Pearce