



ORDINARY MEETING OF COUNCIL

Held at 12:30pm
26 May 2020

ROLL CALL

Councillors:

Cr M Pearce (Mayor)
Cr R Crouch (Deputy Mayor)
Cr R Bell
Cr M Dusting
Cr N Ledger
Cr T O'Connor
Cr L Sampson
Cr I Strutt
Cr T Toomey

Staff:

Mr S Phillips, Acting General Manager
Mr T Seymour, Director Infrastructure & Development
Ms S Glasson, Executive Manager Corporate Services
Mr S Paul, Chief Financial Officer
Mr M Clarkson, Manager Planning and Development
Minute Clerk

MINUTES

Minutes of the Uralla Shire Council at an Ordinary Meeting
held at 12:30pm on 26 May 2020

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ATTENDANCE

Present were the Chairperson Cr M Pearce (Mayor), Cr R Crouch (Deputy Mayor), and Councillors, R Bell, M Dusting, N Ledger, T O'Connor, L Sampson, I Strutt, T Toomey, Acting General Manager (Mr S Phillips), Director Infrastructure and Development (Mr T Seymour), Executive Manager Corporate Services (Ms S Glasson), Chief Financial Officer (Mr S Paul), Manager Planning and Development (Mr M Clarkson), Minute Clerk.

1. OPENING & WELCOME

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

2. PRAYER

The Chair recited the Uralla Shire Council prayer.

3. ACKNOWLEDGEMENT TO COUNTRY

The Uralla Shire Council recognises the traditional custodians of the land on which this meeting is being held and acknowledge Aboriginal Elders past and present and we pay respect to them and their heritage.

4. WEBCAST INFORMATION

This meeting is being live streamed with the recording also being made available on Council's website after the meeting.

5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

The Chair advised there were no apologies received.

6. DISCLOSURES & DECLARATION OF INTERESTS

The Chair advised there were no disclosures or declarations made.

7. CONFIRMATION OF MINUTES

Minutes to be confirmed at the 26 May 2020 Meeting:

- Minutes of Ordinary Meeting held 05 May 2020

AMENDMENTS

The Chair referred Councillors to the Minutes and called for any amendments.

Cr T O'Connor made reference to the minuted statement in 05 May 2020 which incorrectly reflected his meaning. This wording is to be changed in the minutes to 'Cr T O'Connor made a statement in respect to a comment made at Council's March Meeting.'

MOTION (Crs T O'Connor / T Toomey)

That:

Council adopt the Minutes, together with amendments as noted, as a true and correct record of the Ordinary Meeting held 05 May 2020.

24.05/20 CARRIED

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Minutes to be received and noted at the 26 May 2020 Meeting:

- New England Joint Organisation Board Minutes held 06 April 2020
- Audit, Risk & Improvement Committee Meeting held 25 February 2020

MOTION (Crs N Ledger / I Strutt)

That:

Council receive and note the Minutes of the New England Joint Organisation Board Minutes held 06 April 2020 and the Audit, Risk & Improvement Committee Meeting held 25 February 2020.

25.05/20 CARRIED

8. URGENT, SUPPLEMENTARY & LATE ITEMS OF BUSINESS

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

9. WRITTEN REPORTS FROM DELEGATES (Activity Summaries)

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

COUNCILLOR NAME:	Mark Dusting	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
12/05/2020	New England Weeds Authority Administration	Phone
13/05/2020	New England Weeds Authority Administration	Phone
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Bob Crouch	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
15/05/2020	Audit, Risk & Improvement Committee Zoom Test	Uralla
19/05/2020	Audit, Risk & Improvement Committee	Uralla (Audio Visual Link)
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Levi Sampson	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Natasha Ledger	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Tara Toomey	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
19/05/2020	Audit, Risk & Improvement Committee	Uralla (Audio Visual Link)
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

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COUNCILLOR NAME:	Robert Bell	
COUNCIL MEETING DATE:	26 May 2020	
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26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Tom O'Connor	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Isabel Strutt	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

COUNCILLOR NAME:	Michael Pearce	
COUNCIL MEETING DATE:	26 May 2020	
DATE	COMMITTEE/MEETING/EVENT	LOCATION
06/05/2020	Mayor's Office - Admin	Uralla
07/05/2020	Mayor's Office - Admin	Uralla
11/05/2020	Mayor's Office - Admin	Uralla
12/05/2020	Mayor's Office - Admin	Uralla
13/05/2020	Mayor's Office – Admin and 2AD Interview	Uralla
14/05/2020	Mayor's Office - Admin	Uralla
18/05/2020	Mayor's Office - Admin	Uralla
19/05/2020	Mayor's Office - Admin	Uralla
20/05/2020	Mayor's Office - Admin	Uralla
21/05/2020	Mayor's Office - Admin	Uralla
25/05/2020	Mayor's Office - Admin	Uralla
26/05/2020	Ordinary Meeting of Council	Uralla (Audio Visual Link)

10. ITEMS PASSED IN BULK

MOTION (Crs L Sampson / N Ledger)

That Council resolved to adopt the following items of business on the agenda together by way of a single resolution:

- Report 1 - Cash at Bank and Investments

26.05/20 CARRIED

PROCEDURAL MOTION (Crs T O'Connor / T Toomey)

That council change the order of Items of Business on the Meeting Agenda:

- Reports to Council 7, 8 and 9 be heard before Report to Council 2 in the Meeting Agenda.

27.05/20 CARRIED

11. MAYORAL MINUTE

There was no Mayoral Minute to the 26 May 2020 Meeting.

12. REPORTS OF COMMITTEES

There were no Reports of Committees to the 26 May 2020 Meeting.

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13. REPORTS TO COUNCIL (Scheduled Reports)

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 1 – Cash at Bank and Investments

OFFICER'S RECOMMENDATION:

That:

1. Council note the cash position as at 30 April, 2020 consisting of cash and overnight funds of \$1,116,739, term deposits of \$14,500,000 totalling \$15,616,739 of readily convertible funds.
2. Council note the loan position as at 30 April, 2020 totalling \$2,235,409.

MOTION (Crs L Sampson / N Ledger)

That:

1. Council note the cash position as at 30 April, 2020 consisting of cash and overnight funds of \$1,116,739, term deposits of \$14,500,000 totalling \$15,616,739 of readily convertible funds.
2. Council note the loan position as at 30 April, 2020 totalling \$2,235,409.

28.05/20 CARRIED

Department: Finance
Submitted by: Chief Financial Officer
Reference/Subject: Report 2 - 2019/20 3rd Quarter Budget Review Statements

OFFICER'S RECOMMENDATION:

1. That the third quarter budget review summary for the 2019/20 financial year be received and noted; and
2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted.

MOTION (Crs T O'Connor / Cr R Crouch)

That Council:

1. Receive and note the third quarter budget review summary for the 2019/2020 financial year as prepared by Council's Chief Financial Officer;
2. Note that the Council's projected financial position at 30 June 2020 is likely to be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure as well as the requested budget adjustments outlined in the report; and
3. Refer the Report to a meeting of the Council's Budget Review and Finance Committee for detailed examination of the budget adjustments and capital expenditure authorisations necessary to comply with Local Government (General) Regulations Clause 211.

29.05/20 CARRIED

Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 3 – New England Joint Organisation Draft Operational Plan 2020-21

OFFICER'S RECOMMENDATION:

That Council receive and note the New England Joint Organisation Draft Operational Plan 2020-21 contained at Attachment A.

MOTION (Crs T O'Connor / I Strutt)

That Council receive and note the New England Joint Organisation Draft Operational Plan 2020-21 contained at Attachment A.

30.05/20 CARRIED

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Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 4 – 2019-20 Operational Plan Third Quarter Progress Report

OFFICER'S RECOMMENDATION:
That Council receive and note the 2019-20 Operational Plan Progress Report at 31 March 2020.

PROCEDURAL MOTION (Crs T Toomey / T O'Connor)
To move to Committee of the Whole

31.05/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T Toomey / T O'Connor)
To resume Standing Orders

32.05/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T O'Connor / I Strutt)

That Council:

1. Receive and note the 2019-20 Operational Plan, as amended by this meeting, as at 31 March 2020;
2. Congratulate the management and staff of McMaugh Gardens Aged Care in maintaining our incredible record of full accreditation. This is so important in the COVID 19 to protect our valued and vulnerable community members.

33.05/20 CARRIED

Department: General Manager's Office
Submitted by: Senior Executive Officer
Reference/Subject: Report 5 - Schedule of Actions as at 26 May 2020

OFFICER'S RECOMMENDATION:
That Council receive and note the Schedule of Actions as at 26 May 2020.

PROCEDURAL MOTION (Crs T Toomey / R Crouch)
To move to Committee of the Whole

34.05/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs T Toomey / L Sampson)
To resume Standing Orders

35.05/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs T Toomey / T O'Connor)

That Council receive and note the Schedule of Actions as at 26 May 2020.

36.05/20 CARRIED

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Department: Corporate Services
Submitted by: Executive Manager Corporate Services
Reference/Subject: Report 6 – AR Bluett Memorial Award

OFFICER'S RECOMMENDATION:

That Council nominates for the 2020 AR Bluett Memorial Award in recognition of successfully resolving the arsenic contamination in the Uralla town water supply and lifting the 'Do Not Drink' alert.

PROCEDURAL MOTION (Crs I Strutt / M Dusting)

To move to Committee of the Whole

37.05/20 CARRIED

Councillors held a detailed discussion in committee regarding the report.

PROCEDURAL MOTION (Crs I Strutt / M Dusting)

To resume Standing Orders

38.05/20 CARRIED

The Chair outlined details of the discussion held in committee.

MOTION (Crs I Strutt / M Dusting)

That Council:

1. That Council nominates for the 2020 AR Bluett Memorial Award in recognition of successfully resolving the arsenic contamination in the Uralla town water supply and lifting the 'Do Not Drink' alert.
2. That the Manager Waste, Water and Sewerage be encouraged to prepare a paper on the management of Arsenic in the Uralla water supply for the LG NSW Water Management Conference to be held 6th - 8th October 2020 in Narrabri.

AMENDMENT (Cr R Bell / T O'Connor)

1. That Council not nominate for the 2020 A R Bluett Award; and
2. That the Manager Waste, Water and Sewerage be encouraged to prepare a paper on the management of Arsenic in the Uralla water supply for the LG NSW Water Management Conference to be held 6th - 8th October 2020 in Narrabri.

The AMENDMENT was PUT and WON

The AMENDMENT becomes the MOTION

39.05/20 The MOTION was PUT and CARRIED without further debate

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 7 - Works Progress Report as at 30 April 2020

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during April 2020, and works programmed for May 2020.

MOTION (Crs T O'Connor / T Toomey)

That the report be received and noted for the works completed or progressed during April 2020, and works programmed for May 2020.

40.05/20 CARRIED

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Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 8 - Asset Management Status Report

OFFICER'S RECOMMENDATION:

That Council receive and note the Asset Management Policy, Strategy and Plans status update.

MOTION (Crs T O'Connor / I Strutt)

That Council receive and note the Asset Management Policy, Strategy and Plans status update.

41.05/20

CARRIED

Department: Infrastructure & Development
Submitted by: Director Infrastructure & Development
Reference/Subject: Report 9 - Kentucky Creek Dam Safety Plan

OFFICER'S RECOMMENDATION:

That Council receive and note the Kentucky Creek Dam Safety Plan status update.

MOTION (Crs R Bell / T O'Connor)

That Council receive and note the Kentucky Creek Dam Safety Plan status update.

42.05/20

CARRIED

Department: Infrastructure and Development
Submitted by: Manager Planning and Development
Reference/Subject: Report 10 - DIVISION DECISION – DA-85-2019 - Additions and alterations to supermarket, new car park, demolition of existing structures – 100 Bridge Street, Uralla

OFFICER'S RECOMMENDATION:

That Council approve the Development Application 85/2019 for additions and alterations to supermarket, new car park, demolition of existing structures at 100 Bridge Street, Uralla (Lot 2 DP 1127831) subject to the conditions of consent in Attachment 1 to this report – Development Assessment Report 85/2019.

MOTION (Crs T Toomey / T O'Connor)

That Council defer a decision on Development Application 85/2019 for additions and alterations to supermarket, new car park, demolition of existing structures at 100 Bridge Street, Uralla (Lot 2 DP 1127831), pending a Councillor workshop and the return of Council Meetings to the Council Chambers where the community and developer can address Councillors on the matters being considered.

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

FOR: Cr M Pearce, Cr R Bell, Cr T Toomey, Cr T O'Connor, Cr I Strutt, Cr M Dusting, Cr B Crouch, Cr L Sampson, Cr N Ledger.

AGAINST: Nil

ABSENT: Nil

43.05/20

CARRIED

14. MOTIONS ON NOTICE / QUESTIONS WITH NOTICE

There were no Notices of Motion or Questions with Notice addressed to the 26 May 2020 Meeting.

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15. CONFIDENTIAL MATTERS

PROCEDURAL MOTION (Crs L Sampson / M Dusting)

To move into Closed Session of Council

That:

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

The matters referred to the Closed Session of the 26 May 2020 meeting are received by Council under Section 10A (2)(d)(i) of the Local Government Act (NSW) 1993.

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:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business**

44.05/20 CARRIED

REPORTS TO CLOSED SESSION

Department: Infrastructure & Development
Submitted by: Acting General Manager
Reference/Subject: Confidential Report 1 – Ward Bros Quarry (confidential)

OFFICER'S RECOMMENDATION:

That:

1. Note the Debt Settlement Deed of Agreement between Ward Bros and Uralla Shire Council,
2. Authorise the Acting General Manager to sign the deed on behalf of Council, and
3. Review the S94 quarry operator charges and reporting arrangements to improve accountability and administrative obligations.

MOTION (Crs I Strutt / R Crouch)

That:

1. Note the Debt Settlement Deed of Agreement between Ward Bros and Uralla Shire Council,
2. Authorise the Acting General Manager to sign the deed on behalf of Council, and
3. Review the S94 quarry operator charges and reporting arrangements to improve accountability and administrative obligations.

45.05/20 CARRIED

MOVE TO OPEN SESSION

PROCEDURAL MOTION (Crs M Dusting / I Strutt)

To return to Open Session of Council.

46.05/20 CARRIED

PROCEDURAL MOTION (Crs M Dusting / N Ledger)

That:

The resolutions of Closed Session of Council become the resolutions of Open Session of Council.

47.05/20 CARRIED

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16. COMMUNICATION OF COUNCIL DECISIONS

CLOSURE OF MEETING

The meeting was closed at: 1:50pm

COUNCIL MINUTES CONFIRMED BY:

RESOLUTION NUMBER:	02.06/20
DATE:	23 June 2020
MAYOR:	