



MINUTES of

ORDINARY COUNCIL MEETING

Held on 19 December 2023 at 4:00pm

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

Staff: Ms T Averay, General Manager
Mr S Williams, Interim Executive Director Corporate & Community
Mr M Ahammed, Manager Finance & IT
Ms K Blackwood, Manager, Development & Planning
Dr Isaac Arah, Interim Manager Environment & Waste
Ms W Westbrook, Executive Assistant

Apologies: Mr M Raby, Interim Director Infrastructure

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UNCONFIRMED

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 the attendees from making defamatory statements.

5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

Nil

7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES HELD 28 NOVEMBER 2023 ORDINARY MEETING

RESOLUTION 01.12/23

Moved: Cr Lone Petrov

Seconded: Cr Sarah Burrows

That Council adopt the minutes of the Ordinary Meeting held 28 November 2023 as a true and correct record and note the minutes from the CNRL be added to the report.

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

PROCEDURAL MOTION

RESOLUTION 02.12/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Sarah Burrows

That Council move items 14.10 Presentation of Financial Statement 2023, Item 10 Public Forum and Item 14.3 DA-57-2023 to be heard before Item 9.

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 Mayor introduced Mr Paul Cornall (service Provider to the Audit Office) and Mr Michael Kharzoo of the Audit Office and invited them to present to Council the Audited Financial Statements 2023.

Mr Cornall made a verbal presentation to the Council.

The Mayor thanked the Audit Office and Mr Cornall and Mr Jacob Sauer of Forsyth's, for their attention to the Audit Process and for Mr Cornall's verbal presentation to Council.

14.10 PRESENTATION OF 2023 FINANCIAL STATEMENTS

RESOLUTION 03.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Bruce McMullen

That Council:

- i. **Notes the amendments made to the endorsed draft financial statements resulting in a \$2.22mil variance between the endorsed draft 2022/2023 Annual Financial Statements and the audited 2022/2023 Annual Financial Statements.**
- ii. **Receives the Annual Financial Statements and the Auditors report for the financial year ended 30 June 2023.**
- iii. **Pursuant to Section 420 (2) of the Local Government Act, receives submission from the public for a further period of 7 days.**
- iv. **Write to the Auditor General outlining Council concerns.**

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

The Chair Introduced the speaker:

Speaker: Susan McPhee

The speaker made a presentation to Council against the matter being resolved at the meeting wishing it to be deferred.

The Chair thanked the speaker for her presentation.

The Chair Introduced the speaker:

Speaker: Angus Witherby

The speaker made a presentation to Council against the matter being resolved at the meeting wishing it to be deferred.

The Chair thanked the speaker for his presentation.

The Chair Introduced the speaker:

Speaker: Matthew Varley - Developer

The speaker made a presentation to Council in favour of the matter presented to Council and being resolved at the meeting.

The Chair thanked the speaker for his presentation.

14.3 DEVELOPMENT APPLICATION - DA-57-2023 - 19 LOT SUBDIVISION - LOT 4 DP 590685 - MUNDAYS LANE SAUMAREZ PONDS

RESOLUTION 04.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Leanne Doran

Following a division decision the following has been resolved:

That Council defer the matter to the next ordinary Council meeting for determination pending receipt of a revised lot layout and road design with two (2) intersections on Mondays Lane.

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 WRITTEN REPORTS FROM DELEGATES

9.1 MAYORS DELEGATE REPORT OCTOBER & NOVEMBER 2023

RESOLUTION 05.12/23

Moved: Mayor Robert Bell

Seconded: Cr Leanne Doran

That Council received the Mayor's Delegate Activity Report for October & November 2023 noting the Country Mayor's Association Dinner held on the night of 23 November 2023 sponsored by Statewide Mutual Insurance.

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

CR DORAN – ARTS NORTH WEST DELEGATE REPORT

RESOLUTION 06.12/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That Cr Doran presents the Arts North West Delegate report to Council for the February Meeting.

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

Moved to be heard before item 9 and after report Item 14.10.

11 MAYORAL MINUTE

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

Nil

13 REPORT OF COMMITTEES

13.1 MINUTES BUNDARRA SCHOOL OF ARTS HALL AND COMMUNITY CONSULTATIVE S355 COMMITTEE FROM 22 NOVEMBER 2023

RESOLUTION 07.12/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That Council

1. Receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 22 November 2023 noting:
 - Amendment is required for item 4.1 - The Committee does not wish to purchase new chairs and trestle tables at this time; and
2. Receives a further report on proposed works and entrance signage; and
3. Writes to relevant telecommunication providers regarding future mobile phone coverage for the Bundarra area.

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 REPORTS TO COUNCIL

14.1 UTEC MINUTES MEETING HELD 4 DECEMBER 2023

RESOLUTION 08.12/23

Moved: Cr Tara Toomey

Seconded: Cr Leanne Doran

That Council

1. Receives the minutes of the Uralla Township and Environs S355 (UTEC) Committee meeting held 4 December 2023; and
2. Refers the proposal for funding for maintenance of town centre gardens and blisters for consideration in the 2024/25 draft budget.

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

14.2 MINUTES BUNDARRA SCHOOL OF ARTS HALL AND COMMUNITY CONSULTATIVE S355 COMMITTEE 30 AUGUST 2023 MEETING**RESOLUTION 09.12/23****Moved: Cr Tim Bower****Seconded: Cr Leanne Doran****That Council receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 30 August 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****14.4 PROJECT UPDATES - PUBLIC SPACES LEGACY PROGRAM****RESOLUTION 10.12/23****Moved: Cr Tom O'Connor****Seconded: Cr Lone Petrov****That Council**

- 1. Note the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project; and**
- 2. Ask the General Manager to circulate the 'Advertising Uralla' draft content to Councillors for their information prior to finalising for display at The Glen**

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**

14.5 RATIONALISATION OF WASTE SERVICES AREAS**RESOLUTION 11.12/23**

Moved: Cr Leanne Doran

Seconded: Cr Tara Toomey

That Council:

- 1) Endorses the proposed waste service areas for consultation with community effective from 1st July 2024 for Bundarra, Invergowrie, Uralla, and Kentucky as follows:
 - Bundarra – All existing routes (as per Attachment 1) plus an additional route comprising the Bundarra stretch of the Thunderbolts Way.
 - Invergowrie - All existing routes (as per Attachment 2) plus the additional routes comprising the Bundarra Road (the USC section of Bundarra Road and Thunderbolts Way); the remaining part of Thunderbolts Way; the entire Hawthorn Drive; and the entire Rocky River Road.
 - Uralla - All existing routes (as per Attachment 3) plus the additional routes comprising of Rifle Range Road; Flat Rock Road; Castle Drive; and the entirety of Kliendienst Road.
 - Kentucky - All existing routes as per Attachment 4 with no further changes.
- 2) Undertakes a comprehensive community engagement program in early 2024 to ensure residents are fully informed prior to the implementation date.
- 3) Supplies all future red lid waste bins to new customers directly to ensure and control the quality and uniformity of kerbside collection bins, and to existing customers as damaged or failed bins are identified by staff, with the cost to be incorporated into the waste service charge.
- 4) Receives a further report on completion of community engagement.

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 - BREAK**RESOLUTION 12.12/23**

Moved: Cr Leanne Doran

Seconded: Cr Lone Petrov

The Chair called for a break at 6:10pm

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 - RETURN

RESOLUTION 13.12/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

The Chair reconvened the meeting after a break at 6:43pm

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 DRAFT POLICY FOR LIQUID TRADE WASTE

RESOLUTION 14.12/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tom O'Connor

That the report on the Draft Liquid Trade Waste Policy be deferred to the February 2024 Ordinary meeting.

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

14.7 MONTHLY FINANCE REPORT FOR NOVEMBER 2023

RESOLUTION 15.12/23

Moved: Cr Tom O'Connor

Seconded: Deputy Mayor Robert Crouch

That Council receives the attached Monthly Finance Report for November 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 LOANS AS AT 30 NOVEMBER 2023**RESOLUTION 16.12/23****Moved: Cr Tom O'Connor****Seconded: Cr Bruce McMullen****That Council notes the loan position as at 30 November 2023 totalling \$1,401,103.****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 INVESTMENTS AT 30 NOVEMBER 2023****RESOLUTION 17.12/23****Moved: Cr Tim Bower****Seconded: Cr Tom O'Connor****That Council notes the cash position as at 30 November 2023 consisting of cash and overnight funds of \$6,077,019 and term deposits of \$19,968,862 totalling \$26,045,881 of convertible funds, including restricted funds.****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 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 14 DECEMBER 2023****RESOLUTION 18.12/23****Moved: Cr Leanne Doran****Seconded: Cr Sarah Burrows****That Council notes the Resolutions Action Status Report as at 14 December 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**RESOLUTION 19.12/23**

Moved: Cr Sarah Burrows

Seconded: Deputy Mayor Robert Crouch

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 Thunderbolt Wind Farm Proposed Planning Agreement

This matter is considered to be confidential under Section 10A(2) - d(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.2 Industrial Land - report at conclusion of marketing

This matter is considered to be confidential under Section 10A(2) - 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 as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the 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

RESOLUTION 20.12/23

Moved: Cr Sarah Burrows

Seconded: Cr Leanne Doran

That Council return to Open Session of 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

16 COMMUNICATIONS OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session.

15.1 THUNDERBOLT WIND FARM PROPOSED PLANNING AGREEMENT

RESOLUTION 21.12/23

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council

1. Notes the update provided on the Thunderbolt Windfarm proposed voluntary planning agreement.
2. Authorises the Mayor and GM to continue negotiations with the proponent and Tamworth Regional Council to finalise the proposed VPA.

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 INDUSTRIAL LAND - REPORT AT CONCLUSION OF MARKETING

RESOLUTION 22.12/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Leanne Doran

That Council

1. Receives and notes this report detailing the outcome of the marketing campaign undertaken by Bluemarq Commercial for the sale of the Rowan Avenue industrial land in Uralla; and
2. Terminates the exclusive marketing contract at the end of the current contracted period.

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 7:37pm.

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