



MINUTES of

ORDINARY COUNCIL MEETING

Held on 24 October 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

Apologies: Nil

Staff: Ms Averay, Interim General Manager
Mr M Raby, Acting Executive Director Infrastructure & Development
Mr S Williams, Interim Executive Director Corporate & Community
Mr M Ahammed, Manager Finance & IT
Ms K Blackwood, Interim Manager, Development & Planning
Ms L Chalmers, Executive Support Officer, (Minute Clerk)
Ms W Westbrook, Executive Assistant

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UNCONFIRMED

1 OPENING & WELCOME

The Chair declared the meeting opened at 4:02pm.

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

LEAVE APPLICATION

RESOLUTION 01.10/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Sarah Burrows

That Council received notice of leave from Cr Crouch for 28 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

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

The Chair advised there were no disclosures.

7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES 26 SEPTEMBER 2023 ORDINARY MEETING

RESOLUTION 02.10/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That the Minutes of 26 September 2023 Ordinary Meeting be adopted with the following amendments as a true and correct record:

- a. Note amendment from Cr Doran "Non pecuniary" for Item 14.3, Resolution 15.09/23.

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)

- 8.1 Late Item - Aged Care Worker wage review (Item to be heard as confidential)

9 WRITTEN REPORTS FROM DELEGATES

9.1 MAYOR'S WRITTEN DELEGATE ACTIVITY REPORT - SEPTEMBER 2023

RESOLUTION 03.10/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

That Council received the Mayor's Delegate Activity Report for September 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

10 PUBLIC FORUM

Nil

11 MAYORAL MINUTE

11.1 MAYORAL MINUTE - UPDATE ON NSW RURAL FIRES AMENDMENT (RED FLEET) BILL 2023

RESOLUTION 04.10/23

Moved: Mayor Robert Bell

Seconded: Cr Bruce McMullen

That Council:

1. Notes the second reading of the NSW Rural Fires Amendment (Red Fleet) Bill 2023 on 12 October 2023.
2. Thanks Mr Adam Marshall for his continued support for NSW local councils on this issue.
3. Writes to Minister for Local Government, the Hon. Ron Hoenig, to express Council's support for the Private Member's Bill, and to invite Minister Hoenig to visit the Northern New England region to meet with local Mayors to discuss this issue further.

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

UNCONFIDENTIAL

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

PROCEDURAL MOTION

RESOLUTION 05.10/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Sarah Burrows

Raise the matter Item 12.1 Constitutional Referendum from the table.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Lone Petrov and Tara Toomey

Against: Crs Leanne Doran, Bruce McMullen and Tom O'Connor

CARRIED 6/3

12.1 NOTICE OF MOTION -CONSTITUTIONAL REFERENDUM - UPDATED EXECUTIVE ADVICE

RESOLUTION 06.10/23

Moved: Cr Leanne Doran

Seconded: Cr Tom O'Connor

That Council defers consideration of this item to enable further discussion with officers and community on a proposed referendum question.

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

13 REPORT OF COMMITTEES

13.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING 21 SEPTEMBER 2023 - SUMMARY REPORT

RESOLUTION 07.10/23

Moved: Cr Tara Toomey

Seconded: Deputy Mayor Robert Crouch

That Council receives and notes the summary report of the Audit, Risk and Improvement Committee meeting held 21 September 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 REPORTS TO COUNCIL

14.1 PUBLIC EXHIBITION OF DRAFT POLICY ON COUNCIL-RELATED DEVELOPMENT APPLICATIONS - MANAGING CONFLICT OF INTERESTS

RESOLUTION 08.10/23

Moved: Cr Tom O'Connor

Seconded: Cr Leanne Doran

That Council:

- i. Endorses the draft policy 'Council-related Development Applications – Managing Conflict of Interests', and places it on public exhibition for a period of 28 days with the following amendment:
 - a) Add 'the Infrastructure SEPP' to the exclusions under Section 3 Purpose and Scope.
- ii. Receives a further report following the public exhibition period in the event that submissions are received and/or the draft policy is proposed to be amended.
- iii. Authorises the adoption of the policy 'Council-related Development Applications – Managing Conflict of Interests' in the event that no submissions are received and no changes are made.

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 DRAFT GUIDELINES FOR TREE MANAGEMENT**RESOLUTION 09.10/23****Moved: Mayor Robert Bell****Seconded: Cr Tara Toomey**

That Council defers the report to enable Councillors to workshop the draft guidelines before a further report to a future Council 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**14.3 PROJECT UPDATES - PUBLIC SPACES LEGACY PROGRAM****RESOLUTION 10.10/23****Moved: Cr Leanne Doran****Seconded: Cr Tom O'Connor**

That Council notes the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project.

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 DRAFT PUBLIC INTEREST DISCLOSURE (PID) POLICY**RESOLUTION 11.10/23**

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Lone Petrov

That Council:

- 1. Adopts the model Public Interest Disclosure Policy with the following amendment:
 - a. Add 'that engage with or interact with Uralla Shire Council' to the opening statement under Section 3 'Who does this policy apply to?'****
- 2. Notes that the Public Interest Disclosure Policy supersedes the Internal Reporting Policy 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

14.5 DRAFT PRUDENTIAL COMPLIANCE POLICY**RESOLUTION 12.10/23**

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council adopts the Prudential Compliance Policy.

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 INVESTMENTS AT 30 SEPTEMBER 2023**RESOLUTION 13.10/23****Moved: Cr Tim Bower****Seconded: Cr Tara Toomey**

That Council notes the cash position as at 30 September 2023 consisting of cash and overnight funds of \$2,250,387 and term deposits of \$20,768,862 totalling \$23,019,249 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**14.7 LOANS AS AT 30 SEPTEMBER 2023****RESOLUTION 14.10/23****Moved: Cr Tim Bower****Seconded: Deputy Mayor Robert Crouch**

That Council notes the loan position as at 30 September 2023 totalling \$1,457,431.49.

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 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 19 OCTOBER 2023****RESOLUTION 15.10/23****Moved: Cr Tara Toomey****Seconded: Cr Sarah Burrows**

That Council notes the Resolutions Action Status Report as at 19 October 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

PROCEDURAL MOTION - BREAK**RESOLUTION 16.10/23****Moved:** Cr Tom O'Connor**Seconded:** Cr Tim Bower**The Chair called for a short break at 5:47pm.****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 17.10/23****Moved:** Deputy Mayor Robert Crouch**Seconded:** Cr Tara Toomey**The Chair reconvened the meeting after a short 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**

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 Mayoral Minute - Winterbourne Wind Farm - Staces Road

This matter is considered to be confidential under Section 10A(2) - c 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 person with whom the Council is conducting (or proposes to conduct) business.

8.1 Aged Care Worker wage review

This matter is considered to be confidential under Section 10A(2) - c 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 person with whom the Council is conducting (or proposes to conduct) business.

PROCEDURAL MOTION

RESOLUTION 18.10/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tara Toomey

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

CARRIED 9/0

16 COMMUNICATIONS OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session.

RESOLUTION 23.10/23

Moved: Cr Tom O'Connor

Seconded: Deputy Mayor Robert Crouch

That resolutions of Closed Session of Council become the resolutions of 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

15.1 MAYORAL MINUTE - WINTERBOURNE WIND FARM

RESOLUTION 24.10/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

That Council supports in principle the proposed alternative route along Staces Road and along the TSR to Thunderbolts Way subject to significant negotiations which will then be brought back to Council for endorsement.

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

8.1 AGED CARE WORKER WAGE REVIEW**RESOLUTION 25.10/23****Moved: Cr Tim Bower****Seconded: Cr Lone Petrov****That Council**

- 1. pre-empt an Annual Wage Review determination of 5.75% for employees engaged under the State Award employee (Local Government Aged, Disability and Home Care (State) Award Employees and the Nurse' (Local Government) Residential Aged Care Consolidated (State) Award 2021 and apply a wage increase in this amount effective from the first pay period in September 2023.**
- 2. note that the budgeted wage increase was 5% and that a budget review will be required at QBRs1 for the additional .75% increase.**
- 3. note that a further wage adjustment will be required in the amount of the AN-ACC funding up-lift and that this will be off-set in the amount of the increased AN-ACC funding.**

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 6:50pm.