



MINUTES of

ORDINARY COUNCIL MEETING

Held on 25 July 2023 at 4pm

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:

Mrs K Jessep, General Manager
Ms T Averay, Executive Director Infrastructure & Development
Mrs C Valencius, Executive Director Corporate & Community
Mr S Williams, Manager Governance
Ms W Westbrook, Executive Assistant – Minute Clerk

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1 OPENING & WELCOME

- The Chair declared the meeting opened at 4:00pm.
- Mayoral acknowledgement of the passing of Anaiwan Elder Uncle Les (Leslie Raymond Townsend 1942-2023) to be marked with the respect of observing a minute's silence.
- Mayoral farewell to Executive Director Corporate and Community, Mrs Christine Valencius.

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

Moved: Cr Leanne Doran

Seconded: Cr Tara Toomey

The Chair received leave of absence from Crs Tom O'Connor, Tim Bower and Bruce McMullen.

Unanimous

6 DISCLOSURE & DECLARATIONS OF INTEREST/S

Nil

7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES HELD 22 JUNE 2023 EXTRAORDINARY MEETING

RESOLUTION 01.07/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Tara Toomey

That the Minutes of 22 June 2023 Extraordinary 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

CARRIED 9/0

7.2 CONFIRMATION OF MINUTES 27 JUNE 2023 ORDINARY MEETING

RESOLUTION 02.07/23

Moved: Cr Leanne Doran

Seconded: Cr Tom O'Connor

That Council adopt the minutes of the Ordinary Meeting 27 June 2023 as a true and correct record with the following amendments:

- Change from capital letters to lower case Resolution 28.06/23

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

SUSPENSION OF STANDING ORDERS

RESOLUTION 03.07/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Bruce McMullen

A motion was moved that Council have a short break at 4:19pm.

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

RESUMPTION OF STANDING ORDERS

RESOLUTION 04.07/23

Moved: Cr Sarah Burrows

Seconded: Deputy Mayor Robert Crouch

A motion was moved that Chair resume the meeting at 4:24pm.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Bruce McMullen, Tom O'Connor and Lone Petrov

Against: Crs Leanne Doran and Tara Toomey

CARRIED 7/2

7.3 CONFIRMATION OF MINUTES HELD 29 JUNE 2023 EXTRAORDINARY MEETING**RESOLUTION 05.07/23**

Moved: Cr Tom O'Connor

Seconded: Cr Lone Petrov

That the Minutes of 29 June 2023 Extraordinary Meeting, be adopted with the following amendments as a true and correct record:

- Delete the 'RECOMMENDATION' heading – page 4
- Delete foreshadowed motion for Resolution 34.06/23 – page 5;
- Move Resolution 35.06/23 to become 34.06/23 and amend :
 - Break 5.49pm; and
 - Add Mayor resumed meeting at 5:51pm.
 - Amend resolution numbers being: 34.06/23 to become 35.06/23
- Add Mayoral note under the resolution re: at Point 1 of Resolution 34.06/23 – the addition of the capital tables in part 2 of the draft Operational Plan 2023/24 for public exhibition was in accordance with Council Resolution 29.05/23 part ix ;

For: Crs Robert Bell, Robert Crouch, Tim Bower, Bruce McMullen, Tom O'Connor and Lone Petrov

Against: Crs Sarah Burrows, Leanne Doran and Tara Toomey

CARRIED 6/3

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

Nil.

9 WRITTEN REPORTS FROM DELEGATES

9.1 WRITTEN DELGATE ACTIVITY REPORT FROM THE MAYOR FOR JUNE 2023

RESOLUTION 06.07/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

That Council receive the Mayor's Delegate Activity Report for June 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

Nil

12 NOTICE OF MOTION/QUESTIONS WITH NOTICE

Nil

13 REPORT OF COMMITTEES

Nil

14 REPORTS TO COUNCIL

14.1 STATUS OF GROUNDWATER DRILLING - JULY 2023

RESOLUTION 07.07/23

Moved: Cr Tom O'Connor

Seconded: Cr Lone Petrov

That Council notes the report and awaits completion of longer duration pump testing of TB05 and TB07 and the water security options component of Integrated Water Cycle Management Strategy before determining a position on groundwater drilling to enable consideration of all water augmentation options.

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 WORKS PROGRESS REPORT - JULY 2023

RESOLUTION 08.07/23

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council note the Works Progress Report as at 30 June 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

14.3 COUNCILLOR PROFESSIONAL DEVELOPMENT**RESOLUTION 09.07/23****Moved:** Cr Lone Petrov**Seconded:** Deputy Mayor Robert Crouch**That Council :**

- i. Note that individual councillors will liaise with the General Manager to book any specific councillor training; and
- ii. Steven Ball *Leadership for Public Office* be booked the evening of Monday 21 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 COUNCIL INSTRUMENT OF DELEGATION - GENERAL MANAGER****RESOLUTION 10.07/23****Moved:** Cr Tom O'Connor**Seconded:** Deputy Mayor Robert Crouch

Any previous delegation to the General Manager be revoked and Council delegate to the General Manager the "Instrument of Delegation - General Manager" attached to this report with the following amendments to Schedule 1:

- i. Item 1a delete 'subsequent'; and
- ii. Item 3 delete \$500,000 and insert \$250,000; and
- iii. Item 6 3a delete '>5' and insert 'any'.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov**Against:** Cr Tara Toomey**CARRIED 8/1**

14.5 AUDIT RISK & IMPROVEMENT COMMITTEE MEETING 26 JUNE 2023**RESOLUTION 11.07/23****Moved:** Cr Tara Toomey**Seconded:** Cr Tom O'Connor**That Council note the report of the Audit Risk and Improvement Committee meeting of 26 June 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****14.6 FINANCE TEAM RESOURCING****RESOLUTION 12.07/23****Moved:** Deputy Mayor Robert Crouch**Seconded:** Cr Tom O'Connor**That Council note the additional financial work as a result of increasing legislative requirements and stringent audit requirements, additional reporting requirements from the Aged Care Reform and the National Disability Insurance Scheme changes, and approve an additional full-time-equivalent (FTE) Corporate Accountant position with the associated pro rata costs to be included in QBRS 1, noting the cost will be from the general fund but distributed on a formula basis on the service areas of council, and recruitment to commence to take into account the recruitment of the Executive Director Corporate & Community.****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 INVESTMENTS AT 30 JUNE 2023

RESOLUTION 13.07/23

Moved: Cr Tom O'Connor

Seconded: Cr Tim Bower

That Council note:

1. The cash position as at 30 June 2023 consisting of cash and overnight funds of \$3,548,616.27 and term deposits of \$20,764,522.58 totalling \$24,313,138.85 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 30 June, 2023 estimated to be \$2million with the final value to be confirmed 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

14.8 LOANS AS AT 30 JUNE 2023

RESOLUTION 14.07/23

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council note the loan position as at 30 June, 2023 totalling \$1,507,166.47, noting loan 189 & 190 were for construction not maintenance.

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

Note:

14.9 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 18 JULY 2023

RESOLUTION 15.07/23

Moved: Cr Leanne Doran

Seconded: Deputy Mayor Robert Crouch

That Council note the Resolution Action Status Report as at 18 July 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

SUSPENSION OF STANDING ORDERS

RESOLUTION 16.07/23

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

A motion was moved that Council suspend standing orders for a short dinner break at 6:03pm.

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

RESUMPTION OF STANDING ORDERS

RESOLUTION 17.07/23

Moved: Mayor Robert Bell

Seconded: Cr Lone Petrov

A motion was moved that Council resume the meeting at 6:28pm

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 18.07/23

Moved: Mayor Robert Bell

Seconded: Cr Sarah Burrows

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 Waste trucks and options for kerbside waste collection

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

15.2 Mayoral Minute - General Manager Annual Performance Review July 2023

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 personnel matters concerning particular individuals (other than councillors).

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

All staff including the Public Officer and General Manager left the meeting at 7:00pm for Items 15.2A & 15.2B.

RESOLUTION 22.07/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Lone Petrov

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

Public Officer, General Manager and Minute Clerk returned to the meeting at 8:05pm

16 COMMUNICATIONS OF COUNCIL DECISIONS

The Chair communicated the Council decisions from the closed session.

RESOLUTION 23.07/23

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Lone Petrov

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 WASTE TRUCKS AND OPTIONS FOR KERBSIDE WASTE COLLECTION

RESOLUTION 19.07/23

Moved: Cr Tom O'Connor

Seconded: Cr Sarah Burrows

That Council,

- i. Award a contract to Superior Pak for up to \$500,000 for the purchase of one waste collection truck; and
- ii. Authorises the General Manager to initiate a loan for up to \$500,000 to fund the purchase of one truck for in-house waste collection from the preferred bidder; and
- iii. Continues outsourcing kerbside waste collection services through a private contractor until the arrival of the new waste truck; and
- iv. Further considers this matter when the long term waste strategy and a Master Plan for Uralla Landfill is ready.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor and Tara Toomey

Against: Crs Bruce McMullen and Lone Petrov

CARRIED 7/2

All staff including the Public Officer and General Manager left the meeting at 7:00pm.

15.2 MAYORAL MINUTE - GENERAL MANAGER ANNUAL PERFORMANCE REVIEW JULY 2023**RESOLUTION 20.07/23**

Moved: Cr Sarah Burrows

Seconded: Deputy Mayor Robert Crouch

Receive the Report on the General Manager's Performance Review by Mark Anderson, Local Government NSW Management Solutions. The General Manager's scores as per the reviewing document are "meets expectation".

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 21.07/23

Moved: Mayor Robert Bell

Seconded: Deputy Mayor Robert Crouch

Authorise a 2% increase in the General Manager's remuneration package with affect from the 1 July 2023, made up of 0% SOORT determination, as per Statutory and Other Officers Remuneration (Executive Office Holders and Senior Executives) Regulation 2023 and a 2% performance increase due to the performance of the General Manager being assessed as "meets expectations" as per s8.3 of the Standard Contract of Employment, General Managers of Local Councils in New South Wales.

For: Crs Robert Bell, Robert Crouch, Bruce McMullen, Tom O'Connor and Lone Petrov

Against: Crs Tim Bower, Sarah Burrows, Leanne Doran and Tara Toomey

CARRIED 5/4

**17 CONCLUSION OF MEETING**

The meeting was closed at 8:05pm.

Council Minutes confirmed by **Mayor Robert Bell** 22 August 2023. **Resolution 03.08/23**