

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 26 JUNE 2024 AT 2:30PM**

PRESENT: Cr Doug Hawkins OAM, Cr Ken Cudmore, Cr Jason Allan, Cr Terry Cohen, Cr Donna Lawson, Cr Paul Moules, Cr Yvonne Wynne

IN ATTENDANCE: Gary Murphy (General Manager), Dean Frost (Director Corporate and Community Services), Nathan Skelly (Director Infrastructure and Environmental Services), Deb Perry-Browm (Executive Support Officer)

AUDIO RECORDING OF MEETINGS

The Mayor informed the meeting as follows:

This meeting of Liverpool Plains Shire Council is being live-streamed to Council's website.

A webcast of this meeting will be published to Council's website at www.liverpoolplains.nsw.gov.au so that it is available for viewing by members of the public."

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Cr Jason Allan recited the Acknowledgement of Country and the Council Prayer.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

The Mayor invited apologies and applications for leave of absence.

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 22 MAY 2024

RESOLUTION 2024/84

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

1. That the Minutes of the Council Meeting held on 22 May 2024 be received and the recommendations therein be adopted.

CARRIED

3.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 8 MARCH 2024

RESOLUTION 2024/85

Moved: Cr Terry Cohen

Seconded: Cr Yvonne Wynne

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1. That the Minutes of the Audit, Risk and Improvement Committee Meeting held on 8 March 2024 be received and the recommendations therein be adopted.

CARRIED

4 DISCLOSURES OF INTERESTS

The Mayor requested Councillors disclose any conflicts of interest in matters under consideration at the Ordinary Meeting, in accordance with Part 4 and part 5 of the Code of Conduct.

Cr Paul Moules raised a pecuniary interest for Item 6.4 regarding the submission for the Kokoda Trail and noted he would leave the room when the submission was discussed

5 MAYORAL MINUTE(S)

5.1 MAYORAL MINUTE - MAY 2024

RESOLUTION 2024/86

Moved: Cr Doug Hawkins OAM

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Mayoral Minute for May 2024.

CARRIED

6 REPORTS TO COUNCIL

6.1 EXECUTIVE SERVICES REPORT - MAY 2024

RESOLUTION 2024/87

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Executive Services Directorate Report for May 2024

CARRIED

6.2 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2024/88

Moved: Cr Donna Lawson

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the Resolutions Register as at 12 June 2024 appended at *Annexure A* and the Resolution Register for 2022 and 2023 as appended at *Annexure B*.

CARRIED

6.3 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT MAY 2024

RESOLUTION 2024/89

Moved: Cr Donna Lawson

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the Corporate and Community Services Directorate briefing for May 2024 as detailed in this report.

CARRIED

6.4 ADOPTION OF THE OPERATIONAL PLAN 2024-2025, FEES AND CHARGES 2024-2025 AND LONG-TERM FINANCIAL PLAN 2024-2034

RESOLUTION 2024/90

Moved: Cr Ken Cudmore

Seconded: Cr Terry Cohen

1. Pursuant to sections 404 and 405 of the Local Government Act 1993, adopt the draft Operational Plan 2024-2025, including the Statement of Revenue Policy and Financial Information, appended at *Annexure B*, and the Fees and Charges 2024-2025, appended at *Annexure C*

CARRIED

RESOLUTION 2024/91

Moved: Cr Donna Lawson

Seconded: Cr Yvonne Wynne

2. Request the General Manager respond to each of the submissions received as appended at *Annexure A*.

At 3:02 pm, Cr Paul Moules left the meeting.

At 3:05 pm, Cr Paul Moules returned to the meeting.

CARRIED

RESOLUTION 2024/92

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

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3. Pursuant to clause 211(2) of the Local Government (General) Regulation 2021, approve expenditure and vote funds as detailed in the Operational Plan 2024-2025 and Financial Information.

CARRIED

RESOLUTION 2024/93

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

4. Pursuant to section 405(6) of the Local Government Act 1993, place the Operational Plan 2024-2025 on Council's website within 28 days of adoption.

CARRIED

RESOLUTION 2024/94

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

5. Adopt the Long-Term Financial Plan 2024-2034 appended at *Annexure D*.

CARRIED

RESOLUTION 2024/95

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

6. Repeal the Long-Term Financial Plan adopted 28th June 2023 [**res 2023/104**].

CARRIED

6.5 MAKING OF RATES AND FIXING OF CHARGES 2024-2025

RESOLUTION 2024/96

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. In accordance with Chapter 15, Parts 4 and 5 of the *Local Government Act 1993*, make and levy the following rates and annual charges for the 2024-2025 financial year:
 - (a) In relation to Ordinary Rates, Council has applied the increase of 4.8 per cent as determined by the Independent Pricing and Remuneration Tribunal
 - (b) In relation to Ordinary Rates and pursuant to section 494, Council makes and levies the

following Ordinary Rates for the year 01 July 2024 to 30 June 2025:

Ordinary Rates				
Rating Category	Sub-Category	Ad Valorem cents in \$	Base \$ Amount	Base Amount % of Yield
Residential	Quirindi	0.005945853	385	39.75%
	Rural	0.005362082	385	27.10%
	Villages	0.006458452	385	47.72%
	Werris Creek	0.008935217	385	47.95%
Business	Ordinary	0.021626966	500	23.53%
	Quirindi	0.021626966	500	17.26%
	Premer	0.022626966	500	49.59%
	Villages	0.021626966	500	18.53%
	Spring Ridge	0.021626966	500	48.95%
	Wallabadah	0.021626966	500	23.31%
	Werris Creek	0.021626966	500	27.20%
Farmland		0.001916996	500	8.91%
Mining	Mining	0.031285032	2,620	19.40%
	Coal	0.027126455	2,620	0.49%

- (c) In accordance with sections 496 and 501 of the Local Government Act, Council makes and levies an annual charge for the provision of both domestic and commercial waste management services on each rateable and non-rateable property having access to these services for the year 01 July 2024 to 30 June 2025:

Waste Group	Applicable Charges	Amount \$
Residential – Currabubula, Quirindi, Wallabadah, Werris Creek, Willow Tree		
Occupied	Tip Facility Charge	110
	Domestic Waste Management Charge	480
Unoccupied	Tip Facility Charge	110
	Domestic Waste Management Charge	76
Business - Currabubula, Quirindi, Wallabadah, Werris Creek, Willow Tree		
Occupied	Tip Facility Charge	110
	Commercial Waste Management Charge	480
All Other Businesses		
	Tip Facility Charge	110
All Rural Properties		
	Tip Facility Charge	110
Additional Services		
	240 Litre Fortnightly Co-Mingled Recycling Service	167
	240 Litre Weekly Mobile Garbage Bin Service	335

- (d) In relation to water supply service charges and pursuant to sections 501, 502 and 552, Council makes and levies the following charges on all consumers connected to, or capable of being connected to, the Liverpool Plains Shire water supply systems and water supply for the year 01 July 2024 to 30 June 2025:

Standard size	Water Service Charge	Access Charge \$	Quarterly Step Usage \$/kL - up to 75kL	Quarterly Step Usage \$/kL - over 75kL
Residential and Non-residential	Vacant Lots Unoccupied	759	3.28	3.93
	20mm	759	3.28	3.93
	25mm	1,200	3.28	3.93
	32mm	1,735	3.28	3.93
	40mm	2,155	3.28	3.93
	50mm	3,370	3.28	3.93
	80mm	8,610	3.28	3.93
	100mm	13,440	3.28	3.93

Other Charges	Access Charge \$	Usage \$/kL
Recreational Usage	Variable Meter Size	3.28

- (e) In relation to sewerage service charges and pursuant to sections 501, 502 and 552, Council makes and levies the following annual charge on all consumers connected to, or capable of being connected to, the Liverpool Plains Shire sewer systems and sewer charges for the year 01 July 2024 to 30 June 2025:

Sewer Service Charges	Access Charge \$	Usage Charge \$/kL
Vacant Lots Unoccupied	730	0
20mm	730	0
25mm	730	0

Non-Residential Standard Charge	Access Charge \$	Usage Charge \$/kL
20mm	485	2.43
25mm	730	2.43
32mm	1,085	2.43
40mm and over	1,650	2.43

2. Pursuant to section 566(3) of the *Local Government Act 1993*, Council adopts the overdue rates and charges maximum interest rate of 10.5 per cent for the period 01 July 2024 to 30 June 2025 (inclusive) in accordance with the determination made by the Minister for Local Government as published in the Government Gazette No 140 – 19 April 2024.

CARRIED

6.6 STATEMENT OF INVESTMENTS - MAY 2024

RESOLUTION 2024/97

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

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1. Receive and note the Statement of Investments as of 31 May 2024 as appended at *Annexure A*.

CARRIED

6.7 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION AND COUNCILLOR ANNUAL FEES - 2024/25

RESOLUTION 2024/98

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Local Government Remuneration Tribunal - 2024 Annual Determination appended at *Annexure A*.
2. Pursuant to section 248 of the Local Government Act 1993, fix and determine the annual fee payable to the Councillors of Liverpool Plains Shire Council for the 2024/2025 financial year effective from 01 July 2024, at the maximum allowable limit for a Rural Council.
3. Pursuant to section 249 of the Local Government Act 1993, fix and determine the annual fee payable to the Mayor of Liverpool Plains Shire Council for the 2024/2025 financial year effective from 01 July 2024, at the maximum allowable limit for a Rural Council.
4. Pursuant to section 249(5) of the Local Government Act 1993, pay the Deputy Mayor of Liverpool Plains Shire Council an additional fee of \$3,621, deducted from the Mayor's annual fee, in recognition of any periods in which the Deputy Mayor is required to act in the office of the Mayor as agreed by the Mayor.

CARRIED

6.8 DRAFT RISK MANAGEMENT STRATEGY

RESOLUTION 2024/99

Moved: Cr Ken Cudmore

Seconded: Cr Terry Cohen

That Council:

1. Place the draft Risk Management Strategy, as appended at *Annexure A*, on public exhibition for a period of 28 days and adopt the draft policy as exhibited, subject to no submissions being received.
2. Requests a further report at the conclusion of the public exhibition period if submissions are received.

CARRIED

6.9 LOCAL ADVISORY GROUP

RESOLUTION 2024/100

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the minutes of the Premer Local Advisory Group as appended at *Annexure A and B*.

CARRIED**6.10 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT MAY 2024**

RESOLUTION 2024/101

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Infrastructure & Environmental Services Directorate report for the month of May 2024

CARRIED**6.11 DRAFT ASSET MANAGEMENT POLICY**

RESOLUTION 2024/102

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Place the draft Asset Management Policy, as appended at *Annexure A*, on public exhibition for a period of 28 days and adopt the draft policy as exhibited, subject to no submissions being received.
2. Requests a further report at the conclusion of the public exhibition period if submissions are received.

CARRIED**6.12 TOWN WATER SUPPLY STATUS**

RESOLUTION 2024/103

Moved: Cr Terry Cohen

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Town Water Supply Status Report.

CARRIED

6.13 WERRIS CREEK WASTEWATER AQUEDUCT OPTIONS

RESOLUTION 2024/104

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

1. In accordance with section 178 of the *Local Government (General) Regulation 2021* cancel the proposal for contract RFT 064/2023

CARRIED

RESOLUTION 2024/105

Moved: Cr Paul Moules

Seconded: Cr Donna Lawson

2. Add the replacement of the aqueduct to the scope of work for the project to renew the inlet works at the Werris Creek Wastewater Treatment Plant currently proposed to be undertaken in the 2026 financial year.

CARRIED

7 DELEGATES REPORTS

7.1 DELEGATES REPORT - DESTINATION AND VISITOR ECONOMY CONFERENCE 2024

RESOLUTION 2024/106

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

That Council:

1. Receive and note the delegates report for Councillor attendance at the Destination and Visitor Economy Conference 2024 as appended at *Annexure A*.

CARRIED

7.2 DELEGATES REPORT - VISIT TO SUSEONG-GU, REPUBLIC OF KOREA

RESOLUTION 2024/107

Moved: Cr Doug Hawkins OAM

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the delegates report as appended at *Annexure A* for the visit undertaken to Suseong-gu, Republic of Korea in April 2024.

CARRIED

8 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

9 CONFIDENTIAL MATTERS

RESOLUTION 2024/108

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

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:

9.1 Werris Creek Industrial Precinct - Construction Tender and Project Status

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, 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.

9.2 Bad Debt Write-off - Rates, Charges and Sundry Debtors

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, 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 discussion in relation to the personal hardship of a resident or ratepayer.

CARRIED

RESOLUTION 2024/114

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council moves out of Closed Council into Open Council.

CARRIED

REPORT ON CONFIDENTIAL MATTERS

The Mayor reported as follows on the matters considered in the confidential section of the meeting:

9 CONFIDENTIAL MATTERS**9.0 COMMITTEE OF THE WHOLE**

RESOLUTION 2024/113

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. In accordance with Section 12.1 of the Code of Meeting Practice move into the Committee of the Whole.

CARRIED

9.1 WERRIS CREEK INDUSTRIAL PRECINCT - CONSTRUCTION TENDER AND PROJECT STATUS

RESOLUTION 2024/114

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

1. Reject all tenders for Contract 041/2022 Werris Creek Industrial Precinct and cancel the contract.

CARRIED

RESOLUTION 2024/115

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

2. Explore opportunities for the future of the precinct with the NSW government and relevant stakeholders..

CARRIED

9.1.1 COMMITTEE OF THE WHOLE

RESOLUTION 2024/116

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Moves out of the Committee of the Whole.

CARRIED

9.2 BAD DEBT WRITE-OFF - RATES, CHARGES AND SUNDRY DEBTORS

RESOLUTION 2024/117

Moved: Cr Paul Moules

Seconded: Cr Jason Allan

That Council:

1. Authorise the write-off of Bad Debts of \$15,924.91 being \$10,021.07 from Rates and Water Charges, including interest and legal costs and \$5,591.40 (including GST) from General User Charges, at *Annexure A*.

CARRIED

The Meeting closed at 4.35pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 July 2024.

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CHAIRPERSON