

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON TUESDAY, 13 AUGUST 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), Christie Pearson (Executive Operations)

AUDIO RECORDING OF MEETINGS

The Mayor informed the meeting as follows:

“CONSISTENT WITH SECTION 747A OF THE LOCAL GOVERNMENT ACT 1993, 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.”

I WOULD LIKE TO WELCOME EVERYONE TO OUR FINAL COUNCIL MEETING FOR THE END OF COUNCIL TERM, ONCE WE HAVE FINISHED WITH THE OFFICIAL BUSINESS OF THE MEETING I WILL PROVIDE COUNCILLORS WITH THE OPPORTUNITY TO SPEAK IF THEY WISH TO.

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Cr Yvonne Wynne 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 24 JULY 2024

RESOLUTION 2024/131

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

1. That the Minutes of the Council Meeting held on 24 July 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.

General Manager Gary Murphy noted a pecuniary interest in 9.3 and will leave the room for the item.

Nil disclosures were made

5 MAYORAL MINUTE(S)

5.1 MAYORAL MINUTE - JULY 2024.

RESOLUTION 2024/132

Moved: Cr Doug Hawkins OAM

Seconded: Cr Yvonne Wynne

That Council:

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

CARRIED

6 REPORTS TO COUNCIL

6.1 EXECUTIVE SERVICES REPORT - JULY 2024

RESOLUTION 2024/133

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Executive Service Report for July 2024.

CARRIED

6.2 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2024/134

Moved: Cr Terry Cohen

Seconded: Cr Paul Moules

That Council:

1. Receive and note the Resolutions Register as at 5 August 2024 appended at *Annexure A* and the Resolution Register for 2022 and 2023 as appended at *Annexure B*.

CARRIED

6.3 DRAFT COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

RESOLUTION 2024/135

Moved: Cr Donna Lawson

Seconded: Cr Ken Cudmore

That Council:

1. Adopt the Councillor Induction and Professional Development Policy, as appended at *Annexure A*.

CARRIED

6.4 DRAFT COUNCILLORS ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY

RESOLUTION 2024/136

Moved: Cr Yvonne Wynne

Seconded: Cr Ken Cudmore

That Council:

1. Place the draft Councillors Access to Information and Interaction with Staff 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.

CARRIED

6.5 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT JULY 2024

RESOLUTION 2024/137

Moved: Cr Yvonne Wynne

Seconded: Cr Terry Cohen

That Council:

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

CARRIED

6.6 STATEMENT OF INVESTMENTS - JULY 2024

RESOLUTION 2024/138

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

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

CARRIED

6.7 DELIVERY PROGRAM 2022-2026 - HALF-YEAR PROGRESS REPORT - JANUARY TO JUNE 2024

RESOLUTION 2024/139

Moved: Cr Donna Lawson

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Delivery Program Half-Year Progress Report from January 2024 to June 2024, as appended at *Annexure A*.

CARRIED

6.8 LEARN TO SWIM AND AQUA AEROBICS FEES AND CHARGES.

RESOLUTION 2024/140

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Place the proposed Fees and Charges for Learn to Swim and Aqua Aerobics classes as listed in Table 1 under issues and commentary on public exhibition for a period of 28 days and adopt the proposed fees as exhibited, subject to no submissions being received.
2. Request a further report at the conclusion of the public exhibition period if submissions are received.

CARRIED

6.9 LOCAL ADVISORY GROUPS

RESOLUTION 2024/141

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the minutes of the Currabubula Local Advisory Group as appended at Annexure A.
2. Resolve that the Mayor, on behalf of Council, writes to all active Local Advisory Group members thanking them for their contribution.

CARRIED

6.10 UPDATED AGENCY INFORMATION GUIDE

RESOLUTION 2024/142

Moved: Cr Donna Lawson

Seconded: Cr Ken Cudmore

That Council:

1. Adopt the updated Agency Information Guide as appended at *Annexure A*.

CARRIED

6.11 INTERMENT SERVICES LEVY FEES AND CHARGES

RESOLUTION 2024/143

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Amend the 2024-2025 Fees and Charges to include the new Interment Services Levy charges set by the NSW Government, therefore allowing the applicable levy amount to be charged to customers for burial and ash interment services at cemeteries operated by Council.

(a) The proposed fees are.

| Service | Levy (excluding GST) |
|---------------|----------------------|
| Cremation | \$41.00 |
| Ash interment | \$63.00 |
| Burial | \$156.00 |

CARRIED

6.12 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT JULY 2024

RESOLUTION 2024/144

Moved: Cr Donna Lawson

Seconded: Cr Ken Cudmore

That Council:

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

CARRIED

6.13 TOWN WATER SUPPLY STATUS

RESOLUTION 2024/145

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Water Supply Status Report.

CARRIED

7 DELEGATES REPORTS

Nil

8 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE**8.1 NOTICE OF MOTION - GYM EQUIPMENT FOR SPRING RIDGE**

RESOLUTION 2024/146

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Resolve that the equipment purchased using funds from the “Empowering our Communities” and “Stronger Country Communities Fund” grants for the Spring Ridge Fitness Classes, continue to be kept and stored at the Spring Ridge Community Hall, for use by the Spring Ridge community, and a suitable Memorandum of Understanding is entered into to ensure:
 - a) The equipment is only used under the supervision of a qualified fitness instructor, and
 - b) All gym and fitness programs are administered by or approved by Liverpool Plains Shire Council, and
 - c) The equipment remains the property of Liverpool Plains Shire Council, and
 - d) Gym and fitness activities do not take place in the identified area of the hall in which the flooring is not adequate for high impact activities.

CARRIED

9 CONFIDENTIAL MATTERS

RESOLUTION 2024/147

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

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 REGPRO192425 Provision of Road Resurfacing

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 competitor of the council.

9.2 RFT 091-2024 Design and Construction of Quirindi Watermain Replacements

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

9.3 Mayoral Minute - General Managers Performance Review

This matter is considered to be confidential under Section 10A(2) - (a) 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 personnel matters concerning particular individuals (other than councillors).

CARRIED

RESOLUTION 2024/151

Moved: Cr Donna Lawson

Seconded: Cr Paul Moules

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**9.1 REGPRO192425 PROVISION OF ROAD RESURFACING**

RESOLUTION 2024/152

Moved: Cr Ken Cudmore

Seconded: Cr Paul Moules

That Council:

1. Approve tenders received from Boral Asphalt, Country Wide Asphalt, Fulton Hogan, and Roadwork Industries for the provision of Road Resurfacing services for the period 1 October 2024 to 30 September 2026.
2. Approve the provision for a 12-month extension of Tender No. REGPRO 052425.

CARRIED

9.2 RFT 091-2024 DESIGN AND CONSTRUCTION OF QUIRINDI WATERMAIN REPLACEMENTS

RESOLUTION 2024/153

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Award the Contract for Tender 091-2024 Design and Construction of Quirindi Watermain Replacements, to Keane Civil and Construction Pty Ltd for the value of \$632,901.50 inclusive of GST

CARRIED

9.3 MAYORAL MINUTE - GENERAL MANAGERS PERFORMANCE REVIEW

RESOLUTION 2024/154

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council:

1. Receive and endorse the Review Committee’s General Manager annual performance appraisal as assessed as More than Satisfactory.
2. Agree to the Review Committee’s recommendation to award a performance-based increase of \$20,000 to the General Manager’s total remuneration package as per the relevant Council Resolution that was resolved at its Ordinary Meeting of Council on 22 March 2023 **[Res 2023/45]**
3. Endorse the KPI’s for part 2 of the GM’s 2024/25 performance agreement.

CARRIED

The Meeting closed at 3.42pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 October 2024.

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CHAIRPERSON