

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 23 FEBRUARY 2022 AT 2:30PM**

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

IN ATTENDANCE: Joanne Sangster (General Manager), Nathan Skelly (Director Infrastructure and Environmental Services), Ashoor Khan (Acting Director Corporate and Community Services), Christie Pearson (Executive Officer)

AUDIO RECORDING OF MEETINGS

The Mayor informed the meeting as follows:

“Consistent with section 747A of the Local Government Act 1993 and current Public Health Order, 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 Terry Cohen recited the Acknowledgement of Country and the Council Prayer.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2022/9

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

That apologies from Cr Ken Cudmore be received and accepted.

CARRIED

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 2 FEBRUARY 2022

RESOLUTION 2022/10

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

1. That the Minutes of the Council Meeting held on 2 February 2022 be received and the recommendations therein be adopted.

CARRIED

3.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 19 NOVEMBER 2021

RESOLUTION 2022/11

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

That Council:

1. Receive the Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 November 2021 appended at *Annexure A*.

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.

Nil disclosures were made

5 MAYORAL MINUTE(S)**5.1 MAYORAL MINUTE - JANUARY 2022**

RESOLUTION 2022/12

Moved: Cr Doug Hawkins OAM

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Mayoral Minute.

CARRIED

6 INWARD CORRESPONDENCE/PETITIONS

Nil

7 REPORTS TO COUNCIL**7.1 EXECUTIVE SERVICES REPORT - JANUARY 2022**

RESOLUTION 2022/13

Moved: Cr Terry Cohen

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the Executive Services Report.

CARRIED

7.2 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2022/14

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Resolutions Register as at 18 February 2022 appended at *Annexure A*.

CARRIED

7.3 DRAFT ECONOMIC DEVELOPMENT STRATEGY

RESOLUTION 2022/15

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

That Council:

1. Place the draft 2022-2025 Economic Strategy, appended at *Annexure A*, on public exhibition for a period of 28 days and invite public submissions during this period.
2. Receive a further report following the conclusion of the public exhibition period.
3. If no submissions are received during the public exhibition period the Draft 2022 – 2025 Economic Strategy be adopted.

CARRIED

7.4 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT - JANUARY AND FEBRUARY 2022

RESOLUTION 2022/16

Moved: Cr Terry Cohen

Seconded: Cr Paul Moules

That Council:

1. Receive and note the Corporate and Community Services Directorate briefing for January and February 2022 as detailed in this report.

CARRIED

7.5 COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN PROGRESS REPORT AS AT 31 DECEMBER 2021

RESOLUTION 2022/17

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

That Council:

1. Receive and note the combined Delivery Program and Operational Plan Progress Report as at 31 December 2021, appended at *Annexure A*.

CARRIED

7.6 APPOINTMENT OF COMMITTEE MEMBERS AND DELEGATES

RESOLUTION 2022/18

Moved: Cr Donna Lawson

Seconded: Cr Paul Moules

That Council:

1. Appoint the following Councillors as delegates and alternate delegates to the following committees of Council for the period of the current Mayoral term concluding September 2023:

| Committee | Delegate | Alternate Delegate |
|-------------------------|----------------|--------------------|
| Local Traffic Committee | Cr Ken Cudmore | Cr Jason Allan |

2. Appoint the following Councillors as delegates and alternate delegates to the following external committees for the for the period of the current Mayoral term concluding September 2023:

| Committee | Delegate | Alternate Delegate |
|---|---------------------|--------------------|
| Australian Railway Monument (ARM) Inc. Management Committee | Cr Yvonne Wynne | Cr Paul Moules |
| Central Northern Regional Library (CNRL) | Cr Yvonne Wynne | Cr Paul Moules |
| Mid North Weight of Loads | Cr Ken Cudmore | Cr Paul Moules |
| Namoi Unlimited | Cr Doug Hawkins OAM | Cr Ken Cudmore |
| North West Regional Weed Committee | Cr Ken Cudmore | Cr Terry Cohen |
| Rural Fire Service (RFS) Liaison Committee | Cr Doug Hawkins OAM | Cr Jason Allan |
| Werris Creek Coal Mine Community Consultative Committee (CCC) | Cr Terry Cohen | Cr Donna Lawson |

CARRIED

7.7 ADOPTION OF DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY

RESOLUTION 2022/19

Moved: Cr Paul Moules

Seconded: Cr Donna Lawson

That Council:

1. Pursuant to sections 252 and 253 of the *Local Government Act 1993*, place the draft Councillor Expenses and Facilities Policy 2022 appended at *Annexure B* on public exhibition for a period of 28 days, and adopt the draft policy as exhibited, subject to no submissions being received.

CARRIED

7.8 DRAFT DISABILITY INCLUSION ACTION PLAN

RESOLUTION 2022/20

Moved: Cr Paul Moules

Seconded: Cr Yvonne Wynne

That Council:

1. Place the Draft Disability Inclusion Action Plan ('DIAP'), contained at *Annexure A*, on public exhibition for a period of 28 days and adopt the DIAP as exhibited, should no submissions be received.
2. Should public submissions be received, the Draft DIAP will be subject to a further report for Council's consideration.

CARRIED

7.9 ADOPTION OF DRAFT CASH HANDLING POLICY

RESOLUTION 2022/21

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

That Council:

1. Place the draft Cash Handling Policy, appended at *Annexure A*, on public exhibition for a period of 28 days.
2. Receive a further report following conclusion of the public exhibition period, so, if no submissions are received, adopt the draft Cash Handling Policy as exhibited.

CARRIED

7.10 QUARTERLY BUDGET REVIEW STATEMENT ENDING 31 DECEMBER 2021

RESOLUTION 2022/22

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Budget Review for the Quarter ending 31 December 2021.
2. Adopt the revised Budget forecast and actual year-to-date results as detailed in this report.

CARRIED

7.11 ADOPTION OF DRAFT DEBT COLLECTION POLICIES

RESOLUTION 2022/23

Moved: Cr Paul Moules

Seconded: Cr Donna Lawson

That Council:

1. Place the draft Debt Recovery Policy, appended at *Annexure A*, draft Hardship Policy, appended at *Annexure B* and draft Sale of Land for Overdue Rates Policy, as appended at *Annexure C*, on public exhibition for a period of 28 days.
2. Receive a further report following conclusion of the public exhibition period, so, if no submissions are received, adopt the draft Debt Recovery Policy, draft Hardship Policy and draft Sale of Land for Overdue Rates Policy as exhibited.

CARRIED

7.12 ADOPTION OF DRAFT WATER ACCOUNT ADJUSTMENT (CONCEALED LEAK) POLICY

RESOLUTION 2022/24

Moved: Cr Paul Moules

Seconded: Cr Donna Lawson

That Council:

1. Place the draft Water Account Adjustment (Concealed Leak) Policy, appended at *Annexure A*, on public exhibition for a period of 28 days.
2. Receive a further report following conclusion of the public exhibition period, so, if no submissions are received, adopted the draft Water Account Adjustment (Concealed Leak) Policy as exhibited.

CARRIED

7.13 STATEMENT OF INVESTMENTS - JANUARY 2022

RESOLUTION 2022/25

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Statement of Investments as at 31 January 2022.

CARRIED

7.14 REQUEST FOR WAIVER OR REDUCTION OF FEES FOR SPRING RIDGE HALL

RESOLUTION 2022/26

Moved: Cr Paul Moules

Seconded: Cr Jason Allan

That Council:

1. Approve a 50% reduction of fees pursuant to Section 610E of the Act for the Spring Ridge After School Care Committee for a period of 1 Semester (6 month period)

CARRIED

7.15 INFRASTRUCTURE AND ENVIRONMENTAL SERVICES DIRECTORATE REPORT - FEBRUARY 2022

RESOLUTION 2022/27

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Infrastructure and Environmental Services Directorate briefing for the month of February 2022 as detailed in this report.

CARRIED

7.16 NSW ROAD CLASSIFICATION REVIEW AND TRANSFER

RESOLUTION 2022/28

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Submit to the NSW Road Classification Review and Transfer to transfer its regional roads to the NSW Government, consisting of Coonabarabran Road, Werris Creek Road, Wallabadah

Road, Lindsay Gap Road, Merriwa Road, Waverly Road, and Gap Road

CARRIED

7.17 WATER SUPPLY STATUS REPORT

RESOLUTION 2022/29

Moved: Cr Paul Moules

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Water Supply Status Report

CARRIED

7.18 QUIPOLLY WATER PROJECT CONSTRUCTION PROGRESS REPORT

RESOLUTION 2022/30

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council:

Note the substantial progress of the Quipolly Water Project's design and construction phases.

CARRIED

7.19 DEVELOPMENT APPLICATION 64/2021 - 375 INVERKIP ROAD, WARRAH RIDGE - POULTRY REARING FARM - PACE FARMS PTY LTD

RESOLUTION 2022/31

Moved: Cr Paul Moules

Seconded: Cr Jason Allan

That Council:

1. Determines Development Application 64/2021 pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by the granting of consent subject to conditions, as detailed in the Development Assessment Report 64/2021 in Annexure A.
2. Review the *Liverpool Plains Shire Council Section 7.12 Contributions Plan 2012* in regards to the applicability of impact by traffic generating development in rural areas.

MANDATORY STATUTORY REQUIREMENTS

Councillors, applicants, persons making public submissions (written or verbal) and members of the public are advised of the following relevant procedural requirements;

1) Record (Division) of Voting

In accordance with Section 375A(3) of the *Local Government Act 1993*, a Division is required to be called whenever a motion for a planning decision is put at a meeting of the Council or a Council Committee.

A division under Section 375A(3) of the Act is required on this Planning Application.

2) Relevant Planning Application

In accordance with Section 10.4(4) of the *Environmental Planning and Assessment Act 1979*, a person who makes a relevant planning application to Council is required to disclose the following reportable political donations and gifts (if any) made by a person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of the Council;
- (b) all gifts made to any councillor or employee of the Council.

3) Relevant Public Submission

In accordance with Section 10.4(5) of the *Environmental Planning and Assessment Act 1979*, a person who makes a relevant public submission to Council in relation to a relevant planning application made to the Council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing two years before the submission is made and ending when the submission is determined.

Disclosure of Reportable Political Donations and Gifts**a) Planning Applications**

Nil.

b) Public Submissions

Sixteen (16) Submission.

In Favour: Crs Doug Hawkins OAM, Paul Moules, Yvonne Wynne, Terry Cohen, Donna Lawson and Jason Allan

Against: Nil

CARRIED 6/0

8 DELEGATES REPORTS**8.1 LGNSW WATER MANAGEMENT CONFERENCE - NARRABRI****RESOLUTION 2022/32**

Moved: Cr Doug Hawkins OAM

Seconded: Cr Paul Moules

That Council:

1. Receive and note the delegates report.

CARRIED**9 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE**

Nil

10 CONFIDENTIAL MATTERS

RESOLUTION 2022/33

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

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:

10.1 Mine Closure - Impact on General Income - Rates

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).

10.2 Provision of financial assistance to Quirindi High School and Public Primary Schools

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.

CARRIED

RESOLUTION 2022/36

Moved: Cr Paul Moules

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:

10.1 MINE CLOSURE - IMPACT ON GENERAL INCOME - RATES

RESOLUTION 2022/34

Moved: Cr Paul Moules

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the impact on General Income of the Mine Closure

CARRIED

10.2 PROVISION OF FINANCIAL ASSISTANCE TO QUIRINDI HIGH SCHOOL AND PUBLIC PRIMARY SCHOOLS

RESOLUTION 2022/35

Moved: Cr Paul Moules

Seconded: Cr Yvonne Wynne

That Council:

1. Amend Council's Fees and Charges for Swimming Centres to provide a 50% reduction in Entrance Fees and Season Tickets for students of School's in Liverpool Plains Shire Council on presentation of a current student identification for the 2022 Calendar Year,
and

Amend Council's Fees and Charges for the Plains Fitness Centres to provide a 50% reduction in access Fees for year 11 and year 12 students of School's in Liverpool Plains Shire Council on presentation of a current student identification for the 2022 Calendar Year.

CARRIED

The Meeting closed at 3:46pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 March 2022.

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CHAIRPERSON

