

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 60 STATION STREET, QUIRINDI
ON WEDNESDAY, 28 SEPTEMBER 2022 AT 2:30PM**

PRESENT: Cr Doug Hawkins OAM, Cr Ken Cudmore, Cr Jason Allan, Cr Paul Moules, Cr Yvonne Wynne

IN ATTENDANCE: Joanne Sangster (General Manager), Nathan Skelly (Director Infrastructure and Environmental Services), Christie Pearson (Executive Operations), Joanna Little (CFO)

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 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

RESOLUTION 2022/191

Moved: Cr Jason Allan

Seconded: Cr Ken Cudmore

That leave of absence from Cr Terry Cohen from 21/09/22 – 10/10/22, Cr Donna Lawson from 13/09/22 – 28/09/22 and Cr Paul Moules 18/10/22 – 26/10/22 be received and accepted.

CARRIED

The Mayor invited apologies and applications for leave of absence.

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 24 AUGUST 2022

RESOLUTION 2022/192

Moved: Cr Paul Moules

Seconded: Cr Yvonne Wynne

1. That the Minutes of the Council Meeting held on 24 August 2022 be received and the recommendations therein be adopted.

CARRIED

3.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 10 JUNE 2022

RESOLUTION 2022/193

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

1. That the Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 June 2022 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.

Nil disclosures were made

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

RESOLUTION 2022/194

Moved: Cr Doug Hawkins OAM

Seconded: Cr Paul Moules

That Council:

1. Receive and note the Mayoral Minute.

CARRIED**5.2 MAYORAL MINUTE - NSW RURAL DOCTORS NETWORK ENGAGEMENT**

RESOLUTION 2022/195

Moved: Cr Doug Hawkins OAM

Seconded: Cr Jason Allan

That Council Engage NSW Rural Doctors network at no cost to:

1. Collaborate with Liverpool Plains Shire Council, Hunter New England Health and other key stakeholders to address the General Practitioner shortages in the Liverpool Plains Shire;
2. Consult with representatives from the local Medical Practices and the community of Liverpool Plains Shire; and

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3. Deliver to Council a strategy which will list actions to address the identified issues that will include but not limited to General Practitioner attraction and retention strategy for Liverpool Plains Shire, which Council can utilise to advocate through State and Federal members to achieve the identified outcomes.

CARRIED

6 INWARD CORRESPONDENCE/PETITIONS

Nil

7 REPORTS TO COUNCIL

7.1 EXECUTIVE SERVICES - AUGUST 2022

RESOLUTION 2022/196

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Executive Service Report for August 2022.

CARRIED

7.2 RESOLUTIONS REGISTER UPDATE - SEPTEMBER 2022

RESOLUTION 2022/197

Moved: Cr Jason Allan

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Resolutions Register as at 19 September 2022 appended at *Annexure A*.

CARRIED

7.3 AMENDMENT TO SCHEDULE OF ORDINARY MEETINGS 2022

RESOLUTION 2022/198

Moved: Cr Yvonne Wynne

Seconded: Cr Ken Cudmore

That Council:

1. Amend the Schedule of Ordinary Meetings, appended at *Annexure A*, to:
 - (a) Amend the date of the Ordinary Meeting in December 2022 to be Wednesday, 14 December 2022.

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2. Note that the General Manager will provide public notice of the amended Schedule of Ordinary Meetings, pursuant to sections 9 and 418(3) of the *Local Government Act 1993* and clause 3.3 of the Code of Meeting Practice.

CARRIED

7.4 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT - AUGUST 2022

RESOLUTION 2022/199

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

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

CARRIED

7.5 LIBRARY COMMUNITY HUB - VENUE HIRE FEE

RESOLUTION 2022/200

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the report.

CARRIED

7.6 REQUEST FOR REVIEW OF ROYAL THEATRE VENUE HIRE FEE

RESOLUTION 2022/201

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

That Council:

1. Waiver the Royal Theatre venue hire fees for the remainder of 2022 for three scheduled morning movies for aged and disabled community members hosted by the Quirindi Country Women's Association.
2. Advise the Quirindi Country Women's Association of its determination.

CARRIED

7.7 REQUEST FOR A MEMORIAL PLAQUE FOR SHANE GILLS AT QUIRINDI CEMETERY.

RESOLUTION 2022/202

Moved: Cr Yvonne Wynne

Seconded: Cr Jason Allan

That Council:

1. Approve the installation of a plaque in the rotunda at Quirindi Cemetery recognising the contribution of Shane Gills.

CARRIED

7.8 STATEMENT OF INVESTMENTS - AUGUST 2022

RESOLUTION 2022/203

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

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

CARRIED

7.9 LOAN BORROWING FOR QUIPOLLY WATER SECURITY PROJECT

RESOLUTION 2022/204

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the report on the optimum loan funding strategy for Council's contribution to the Quipolly Water Security Project.
2. Delegate authority to the Mayor and General Manager to affix Council's Common Seal and execute all required documentation pertaining to the borrowing of \$8 Million, from the:
 - (a) Commonwealth Bank of Australia, with quarterly repayments of principal and interest over 30 years; or

CARRIED

7.10 INTERNALLY RESTRICTED FUNDS AT 30 JUNE 2022

RESOLUTION 2022/205

Moved: Cr Ken Cudmore

Seconded: Cr Yvonne Wynne

That Council:

1. Approve the transfer to internally restricted funds at 30 June 2022, as detailed in this report.

CARRIED

7.11 AUTHORISE THE SIGNING OF THE DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

RESOLUTION 2022/206

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management as required for the draft Financial Statements for the year ended 30 June 2022, contained at *Annexure A* and *Annexure B*.
2. Note that the draft Liverpool Plains Shire Council's Financial Statements for the year ended 30 June 2022 will be referred to Council's Auditor, the NSW Audit Office, in accordance with section 413(1) of the *Local Government Act 1993*.

CARRIED

7.12 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT - SEPTEMBER 2022

RESOLUTION 2022/207

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

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

CARRIED

7.13 WILLOW TREE VISTOR INFORMATION CENTRE MASTER PLAN

MOTION

Moved: Cr Yvonne Wynne

Seconded: Cr Paul Moules

That Council:

1. Develop a Master Plan for the Willow Tree Visitor Information Centre to grow and promote tourism through improved playgrounds, toilets and carparking

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2. Utilise up to \$80,000 from the Developer Contributions – General fund to fund the Master Plan

7.14 PLAINS FITNESS REFURBISHMENT PROJECT UPDATE

RESOLUTION 2022/208

Moved: Cr Jason Allan

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the progress on the upgrade to the Plains Fitness Centre in accordance with the adopted Recreation Strategy for the following works

CARRIED

7.15 WASTE FACILITY AND COLLECTION TRUCK BRANDING

RESOLUTION 2022/209

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Adopt branding option 1 for Councils landfills and kerbside collection truck branding

CARRIED

7.16 ADOPTION OF NEW FEE - QUIRINDI SHOWGROUND PAVILION

RECOMMENDATION

That Council:

1. Place the draft Showground Pavilion and Canteen fees 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, Pursuant to sections 404, 405 and 491 of the Local Government Act 1993, adopt the Showground Pavilion and Canteen fees and incorporate in the 2022-2023 Schedule of Fees and Charges.

7.17 LIVERPOOL PLAINS SHIRE COUNCIL SECTION 7.12 CONTRIBUTIONS PLAN REVIEW

RESOLUTION 2022/210

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. A Councillor workshop be held to review the schedule of works contained within *Liverpool Plains Shire Council Section 7.12 Contributions Plan 2012*
2. Prepare a Heavy Vehicle Contribution Plan as per the provisions of Section 7.11 of the *Environmental Planning & Assessment Act 1979*

CARRIED

7.18 PROPOSAL TO INSTALL CASH & EARN FACILITY IN QUIRINDI

RECOMMENDATION

That Council:

1. Approve the installation and operation of a Return & Earn facility at the proposed location being Longfield Oval carpark, Quirindi.

7.19 TOWN WATER SUPPLY STATUS UPDATE

RESOLUTION 2022/211

Moved: Cr Paul Moules

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Water Supply Status Report

CARRIED

7.20 QUIPOLLY WATER PROJECT CONSTRUCTION PROGRESS REPORT

RESOLUTION 2022/212

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

That Council:

1. Receive and note this month's progress of the Quipolly Water Project's design and construction phases.

CARRIED

7.21 DA 078/2013/3 - PROPOSED S4.55(2) MODIFICATION TO DA 078/2013 INVOLVING SUBDIVISION OF ONE (1) LOT INTO SIXTY-FOUR (64) LOTS OVER SIX (6) STAGES - LOT 2, DP 1191856, 85 GAMBLE STREET QUIRINDI

RESOLUTION 2022/213

Moved: Cr Jason Allan

Seconded: Cr Paul Moules

That Council:

1. Determines Development Application 78/2013/3 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 10.2013.78.3 in **Annexure A**; and
2. Undertake an amendment to the *Liverpool Plains Development Control Plan 2012* for the Quirindi East Urban Release Area.

In Favour: Crs Ken Cudmore, Doug Hawkins OAM, Paul Moules, Yvonne Wynne and Jason Allan

Against: Nil

CARRIED 5/0

8 DELEGATES REPORTS

8.1 DELEGATE'S REPORT - AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING SEPTEMBER 2022

RESOLUTION 2022/214

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Delegate's Report of the Audit, Risk and Improvement Committee Meeting held 9 September 2022 as appended in *Annexure A*.

CARRIED

9 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

RESOLUTION 2022/215

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

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 Offers to Purchase Council Land

This matter is considered to be confidential under Section 10A(2) - (c) and (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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

10.2 Expression of Interest 46/2022 - Operations of Quirindi Caravan Park

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.

10.3 Mayoral Minute - General Manager Annual Performance Review for period ending 30 June 2022

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 2022/219

Moved: Cr Paul Moules

Seconded: Cr Jason Allan

That Council moves out of Closed Council into Open Council.

CARRIED, ON

REPORT ON CONFIDENTIAL MATTERS

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

10.1 OFFERS TO PURCHASE COUNCIL LAND

RESOLUTION 2022/219

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Accept and approve the offer for sale of Lots 402 and 406 DP 1129841, 5 and 7 Dragon Street, Quirindi.
2. Endorse and affix its Common Seal to any contract documents for the sale of Lots 402 and 406 DP 1129841, 5 and 7 Dragon Street, Quirindi.
3. Delegate authority to the Mayor and General Manager to execute all required documentation pertaining to the sale of Lots 402 and 406 DP 1129841, 5 and 7 Dragon Street, Quirindi.
4. Accept and approve the offer for sale of Lot 401 DP 1129841, 13 Industrial Drive, Quirindi.
5. Endorse and affix its Common Seal to any contract documents for the sale of Lot 401 DP 1129841, 13 Industrial Drive, Quirindi.
6. Delegate authority to the Mayor and General Manager to execute all required documentation pertaining to the sale of Lot 401 DP 1129841, 13 Industrial Drive, Quirindi.

CARRIED

10.2 EXPRESSION OF INTEREST 46/2022 - OPERATIONS OF QUIRINDI CARAVAN PARK

RESOLUTION 2022/220

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

That Council:

1. In accordance with *Clause 168* of the *Local Government (General) Regulation 2021* invite tenders from those companies that responded to the EOI 46/2022.

CARRIED

10.3 MAYORAL MINUTE - GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2022

RESOLUTION 2022/221

Moved: Cr Doug Hawkins OAM

Seconded: Cr Paul Moules

That Council:

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- 1 Note the report of the General Manager's Performance Review Panel.

CARRIED

The Meeting closed at 3.47pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 October 2022.

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CHAIRPERSON