

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 23 JUNE 2021 AT 2:30PM**

PRESENT: Cr Doug Hawkins OAM, Cr Ken Cudmore, Cr Virginia Black, Cr Ian Lobsey OAM, Cr Paul Moules

IN ATTENDANCE: Joanne Sangster (General Manager), Cian Middleton (Director Corporate and Community Services), Nathan Skelly (Director Infrastructure and Environmental Services), Christie Pearson (Executive Officer), Jack Crombie (IT Trainee)

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 lpsc.nsw.gov.au so that it is available for viewing by members of the public.”

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Cr Virginia Black recited the Acknowledgement of Country and the Council Prayer.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 26 MAY 2021

RESOLUTION 2021/92

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

1. That the Minutes of the Council Meeting held on 26 May 2021 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 - JUNE 2021

RESOLUTION 2021/93

Moved: Cr Doug Hawkins OAM

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Mayoral Minute

CARRIED

6 INWARD CORRESPONDENCE/PETITIONS

Nil

7 REPORTS TO COUNCIL

7.1 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2021/94

Moved: Cr Ian Lobsey OAM

Seconded: Cr Virginia Black

That Council:

1. Receive and note the Resolutions Register as at 18 June 2021, appended at *Annexure A*.

CARRIED

7.2 EXECUTIVE AREA WORKS REPORT

RESOLUTION 2021/95

Moved: Cr Virginia Black

Seconded: Cr Paul Moules

That Council:

1. Receive and note the Executive Area Works Report.

CARRIED

7.3 INVESTMENTS - MAY 2021

RESOLUTION 2021/96

Moved: Cr Paul Moules

Seconded: Cr Virginia Black

That Council:

1. Receive and note the Statement of Investments as at 31 May, 2021.

CARRIED

7.4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION AND COUNCILLOR ANNUAL FEES FOR 2021/2022

RESOLUTION 2021/97

Moved: Cr Virginia Black

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Local Government Remuneration Tribunal 2021 Annual Report and 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 2021/2022 financial year effective from 01 July 2021, 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 2021/2022 financial year effective from 01 July 2021, 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.

CARRIED

7.5 ADOPTION OF DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY

RESOLUTION 2021/98

Moved: Cr Ken Cudmore

Seconded: Cr Virginia Black

That Council:

1. Pursuant to sections 252 and 253 of the *Local Government Act 1993*, place the draft Councillor Expenses and Facilities Policy 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.
2. Upon adoption of the Councillor Expenses and Facilities Policy, repeal the Reimbursement of Expenses and Provision of Facilities to Councillors Policy adopted 27 March 2019.

CARRIED

7.6 ADOPTION OF DRAFT COMBINED DELIVERY PROGRAM 2017-2022 AND OPERATIONAL PLAN 2021-2022

RESOLUTION 2021/99

Moved: Cr Ian Lobsey OAM

Seconded: Cr Ken Cudmore

That Council:

1. Receive and consider the three submissions received on the draft combined Delivery Program 2017-2022 and Operational Plan 2021-2022, appended at *Annexure 1*, and request the General Manager respond to each of the submissions received.
2. Pursuant to sections 404 and 405 of the *Local Government Act 1993*, adopt the draft combined Delivery Program 2017-2022 and Operational Plan 2021-2022, including the 2021-2022 Statement of Revenue Policy incorporating the annual Budget and Schedule of Fees and Charges, appended at *Annexure 2*.
3. Pursuant to clause 211(2) of the *Local Government (General) Regulation 2005*, approve expenditure and vote funds as detailed in the combined Delivery Program 2017-2022 and Operational Plan 2021-2022.
4. Pursuant to section 405(6) of the *Local Government Act 1993*, place the combined Delivery Program 2017-2022 and Operational Plan 2021-2022 on Council's website within 28 days of adoption.

CARRIED

7.7 MAKING OF THE RATES AND FIXING OF CHARGES 2021-2022**RESOLUTION 2021/100**

Moved: Cr Ken Cudmore

Seconded: Cr Ian Lobsey OAM

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 2021-2022 year:
 - (a) In relation to Ordinary Rates, Council apply the increase of 8.0 per cent, inclusive of the rate peg and temporary special variation, as determined by the Independent Pricing and Remuneration Tribunal.
 - (b) In relation to Ordinary Rates and pursuant to section 494 of the *Local Government Act 1993*, make and levy the following Ordinary Rates for the year 01 July 2021 to 30 June 2022:

| Category and Sub-Category | Ad Valorem Rate | Base Rate \$ | Base Amount % |
|----------------------------|-----------------|--------------|---------------|
| Farmland | 0.002799 | \$371 | 7.78% |
| Residential - Quirindi | 0.009951 | \$405 | 43.98% |
| Residential - Rural | 0.004287 | \$445 | 43.24% |
| Residential - Villages | 0.011450 | \$291 | 45.05% |
| Residential - Werris Creek | 0.012324 | \$240 | 37.00% |
| Business | 0.012111 | \$304 | 37.78% |
| Business - Quirindi | 0.029201 | \$645 | 21.39% |
| Business - Premer | 0.035594 | \$355 | 42.91% |
| Business - Villages | 0.008369 | \$542 | 45.55% |
| Business - Spring Ridge | 0.037532 | \$434 | 44.11% |
| Business - Wallabadah | 0.015943 | \$505 | 46.47% |
| Business - Werris Creek | 0.012815 | \$501 | 44.42% |
| Mining - Mining | 0.040644 | \$2,330 | 20.41% |
| Mining - Coal | 0.013233 | \$988 | 0.44% |
| Mixed - Residential | 0.009951 | \$405 | 37.15% |
| Mixed - Business | 0.029201 | \$645 | 22.00% |

- (c) In relation to waste management charges and pursuant to sections 496 and 501 of the *Local Government Act 1993*, make and levy the following annual charges on all consumers accessing the Liverpool Plains Shire waste management services for the year 01 July 2021 to 30 June 2022:

| Waste Group | Applicable Charges | Charge |
|---|----------------------------------|--------|
| Residential – Quirindi, Werris Creek, Wallabadah, Willow Tree and Currabubula | Occupied - Tip Facility Charge | \$97 |
| | Occupied - DWM Charge | \$418 |
| | Unoccupied - Tip Facility Charge | \$97 |
| | Unoccupied - DWM Charge | \$66 |

| | | |
|--|--|-------|
| Business – Quirindi, Werris Creek, Wallabadah, Willow Tree and Currabubula | Occupied - Tip Facility Charge | \$97 |
| | Occupied - CWM Charge | \$418 |
| All Other Businesses | Tip Facility Charge | \$97 |
| All Rural Properties | Tip Facility Charge | \$97 |
| Additional Services | 240 Litre Fortnightly Co-Mingled Recycling Service | \$146 |
| | 240 Litre Weekly MGB Service | \$293 |

- (d) In relation to water supply service charges and pursuant to sections 501, 502 and 552 of the *Local Government Act 1993*, make and levy 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 2021 to 30 June 2022:

| | Access Charge | First Step Usage – Up to 300KL | Second Step Usage – above 300KL |
|--|-----------------------|--------------------------------|---------------------------------|
| Vacant Lots Unoccupied (Residential and Non-Residential) | \$749 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 20mm WSC | \$749 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 25mm WSC | \$1,049 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 32mm WSC | \$1,520 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 40mm WSC | \$1,893 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 50mm WSC | \$2,958 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 80mm WSC | \$7,573 | \$2.00/KL | \$2.65/KL |
| Standard (Residential and Non-Residential) 100mm WSC | \$11,832 | \$2.00/KL | \$2.65/KL |
| Quipolly Dam Raw Water Access Charge 20mm | \$749 | \$0.89c/KL | \$1.18/KL |
| Recreational Usage | Variable - Meter Size | \$0.60c/KL | N/A |

- (e) In relation to sewerage service charges and pursuant to sections 501, 502 and 552 of the *Local Government Act 1993*, make and levy 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 2021 to 30 June 2022:

| Standard Charges | Access Charge | Usage Charge |
|------------------|---------------|--------------|
|------------------|---------------|--------------|

| | | |
|--|---------|------------|
| Standard Residential Charge 20mm WSC | \$613 | \$0 |
| Standard Residential Charge 25mm WSC | \$613 | \$0 |
| Vacant Lots Unoccupied (Residential and Non-Residential) | \$613 | \$0 |
| Standard Non-Residential Charge 20 mm WSC | \$404 | \$2.05c/KL |
| Standard Non-Residential Charge 25mm WSC | \$613 | \$2.05c/KL |
| Standard Non-Residential Charge 32mm WSC | \$910 | \$2.05c/KL |
| Standard Non-Residential Charge 40mm WSC and Over | \$1,392 | \$2.05c/KL |

- Pursuant to section 566(3) of the *Local Government Act 1993*, adopts the overdue rates and charges maximum interest rate of 6.0 per cent for the period 01 July 2021 to 30 June 2022 (inclusive) in accordance with the determination made by the Minister for Local Government as published in the *NSW Government Gazette*.

CARRIED

7.8 ADOPTION OF DRAFT LONG-TERM FINANCIAL PLAN

RESOLUTION 2021/101

Moved: Cr Virginia Black

Seconded: Cr Ian Lobsey OAM

That Council:

- Place the draft Long-Term Financial Plan appended at *Annexure A* on public exhibition for a period of 28 days, and adopt the draft Long-Term Financial Plan as exhibited, subject to no submissions being received.
- Upon adoption of the Long-Term Financial Plan, repeal the Long-Term Financial Plan adopted 03 February 2021.

CARRIED

7.9 APPOINTMENT OF DESIGNATED PERSONS

RESOLUTION 2021/102

Moved: Cr Virginia Black

Seconded: Cr Paul Moules

That Council:

- Pursuant to clause 4.8(c) of the Code of Conduct, identify the following positions in Council's organisation structure as designated persons:

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- (a) Chief Financial Officer;
 - (b) Manager Assets and Property;
 - (c) Manager Civil Infrastructure;
 - (d) Manager Community and Recreation Services;
 - (e) Manager Customer and Information Services;
 - (f) Manager Human Resources;
 - (g) Manager Planning and Regulation;
 - (h) Manager Water Services;
 - (i) Health and Building Surveyor;
 - (j) Town Planner;
 - (k) Ranger;
 - (l) Procurement and Contracts Coordinator;
 - (m) Stores and Purchasing Officer; and
 - (n) Biosecurity Officer.
2. Pursuant to clause 4.8(d) of the Code of Conduct, identify the Audit, Risk and Improvement Committee as a committee of Council whose members are designated persons.

CARRIED

7.10 CROWN LAND MANAGEMENT - CATEGORISATION OF CROWN RESERVES

RESOLUTION 2021/103

Moved: Cr Ken Cudmore

Seconded: Cr Ian Lobsey OAM

That Council:

1. Pursuant to section 36 of the *Local Government Act 1993*, apply to the Department of Planning, Industry and Environment – Crown Lands for the following categories to be allocated to the corresponding Crown reserves:
 - (a) Reserve 35868 – Wallabadah Recreation Ground be recategorised as Sportsground;
 - (b) Reserve 59034 – Currabubula Hall (War Memorial Hall) be recategorised as General Community Use / Natural Area (Bushland);
 - (c) Reserve 60682 – “Ye Olde Cricket Pitch” be recategorised as Natural Area (Bushland)
 - (d) Reserve 88516 – Campbell Street Cycleway/Pathway (RSL Park) to be recategorised as Park

CARRIED

7.11 INFRASTRUCTURE SERVICES DIRECTORATE REPORT - JUNE 2021

RESOLUTION 2021/104

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Infrastructure Services Directorate Works Report – June 2021

CARRIED

7.12 WATER SUPPLY STATUS REPORT

RESOLUTION 2021/105

Moved: Cr Ian Lobsey OAM

Seconded: Cr Virginia Black

That Council:

1. Receive and note the Water Supply Status Report

CARRIED

7.13 REALLOCATION OF LOCAL ROADS & COMMUNITY INFRASTRUCTURE FUNDING

RESOLUTION 2021/106

Moved: Cr Paul Moules

Seconded: Cr Ken Cudmore

That Council:

1. Approve reallocation of the \$200,000 from Local Roads and Community Infrastructure program to undertake further heavy patching works on Coonabarabran Road

CARRIED

7.14 WASTE MANAGEMENT STRATEGY - RESOURCES FOR REGIONS FUNDING

RESOLUTION 2021/107

Moved: Cr Virginia Black

Seconded: Cr Ian Lobsey OAM

That Council:

1. Receive and note this report regarding the allocation of \$1,988,247 from Resources for Regions

CARRIED

7.15 DRAFT ADDENDUM TO THE LIVERPOOL PLAINS SHIRE COUNCIL GROWTH MANAGEMENT STRATEGY 2009

RESOLUTION 2021/108

Moved: Cr Ken Cudmore

Seconded: Cr Virginia Black

That Council:

1. Place the document enclosed in Annexure A on public exhibition for 28 days as per the provisions of the *Liverpool Plains Shire Council Community Participation Plan 2019*,
2. Undertake State Agency consultation, and
3. Undertake to notify all affected properties and those adjoining the affected properties as listed within the draft

In Favour: Crs Ken Cudmore, Virginia Black, Doug Hawkins OAM, Ian Lobsey OAM and Paul Moules

Against: Nil

CARRIED 5/0**8 DELEGATES REPORTS****8.1 NSW DESTINATIONS AND VISITOR ECONOMY CONFERENCE DELEGATES REPORT**

RESOLUTION 2021/109

Moved: Cr Ian Lobsey OAM

Seconded: Cr Ken Cudmore

That Council:

1. Receive and Note the NSW Destinations and Visitor Economy Conference Delegates Report

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

Nil

10 CONFIDENTIAL MATTERS

RESOLUTION 2021/110

Moved: Cr Virginia Black

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 Service Delivery Review Program 2021/22

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

10.2 Mayoral Minute

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 2021/113

Moved: Cr Virginia Black

Seconded: Cr Ian Lobsey OAM

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 SERVICE DELIVERY REVIEW PROGRAM 2021/22

RESOLUTION 2021/111

Moved: Cr Virginia Black

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the proposed 2021/22 Service Delivery Review Program as detailed in this report.

CARRIED

10.2 MAYORAL MINUTE

RESOLUTION 2021/112

Moved: Cr Doug Hawkins OAM

Seconded: Cr Ian Lobsey OAM

That Council amend the Council resolution of 26 August 2020 and approve two (2) weeks special leave per annum to the General Manager under Clause 9.8 of the General Manager's contract. Such leave to be taken by the General Manager on the approval of the Mayor for time away from the office at a time appropriate and to reflect the many out of hours work by the General Manager.

CARRIED

The Meeting closed at 3.22.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 July 2021.

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CHAIRPERSON