



MOREE PLAINS SHIRE COUNCIL

29 APRIL 2022

**EXTRAORDINARY
COUNCIL MEETING**

DRAFT PUBLIC MINUTES

Tuesday, 26 April 2021

- TO:
- Councillors
 - General Manager
 - Director – Corporate Services
 - Director – Planning and Community Development
 - Director – Engineering Services
 - Water and Sewer

Notice is hereby given that the **Extraordinary Meeting of Council** will be held in the Council Chamber, the [REDACTED], on **Friday, 29 July 2022** commencing at **1pm**.

Please note that all Council meetings are recorded.

Yours sincerely

[REDACTED]
Scot MacDonald
ACTING GENERAL MANAGER

Agenda

1. Open Meeting
2. Apologies
3. Leave of Absence requests
4. Declarations of Interest
5. Reports

Statement of Ethical Obligations

Councillors are reminded of the oath or affirmation of office they made under section 233A of the Local Government Act 1993 and the obligation under Council's Code of Conduct (Parts 4 and 5) to disclose and appropriately manage conflicts of interest.

Privacy Notice – Recording of Meetings

Councillors, staff and members of the public have been advised that this meeting was recorded for on-demand audio download via Moree Plains Shire Council's website and a person's voice was recorded and broadcast via this means. In certain circumstances, this meeting may have been livestreamed for viewing and a person's image and voice would be recorded and broadcast via this means.

Any person who attended this meeting is deemed to have consented to their image and/or voice being webcast.

All speakers at the meeting have been advised that they should refrain from making any defamatory comments or releasing any personal information about another individual without their consent.

Council accepts no liability for any damage that may result from defamatory comments made by any person who attended this meeting; all liability will rest with the individual who made the comments.

This meeting was not recorded by others unless the prior written consent of Council in accordance with Council's Code of Meeting Practice was obtained as noted in these minutes.

Any part of this meeting that was held in closed session will not be recorded or accessible to members of the public.

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Extraordinary Council Meeting Draft Public Minutes

29 April 2022

TABLE OF CONTENTS

REPORTS

Late Report A – Application for Additional special Rate Variation

1. Moree Saleyards Considerations.....8

AUDIO RECORDINGS:

- Audio & Webcasting Recording Declaration.
- Emergency Response and General Housekeeping Declaration.

PRESENT:

Councillors, M Johnson (Mayor), S Pearse (Deputy Mayor), M Hartin, K James, L Orchin, B Sauer, M Cochrane and G Smith.

IN ATTENDANCE:

Mr S MacDonald (Acting General Manager), Ms A Tramby (Governance Coordinator), Ms A Pippos (), Andrew Probert (), Mr Alan Lawrance (Acting Director Engineering), and Mrs P Jackson (Executive Assistant).

GUEST: Brendan Moylan (Webb & Boland)

APOLOGIES:

M Montgomery AM

LEAVE OF ABSENCE:

Nil.

LEAVE OF ABSENCE REQUESTS:

ACCEPTANCE OF LATE REPORTS

20/04/44 RESOLVED (MOVED: Hartin/ SECONDED: Orchin)

That Late Report Mayoral Minutes – Rate Variation be accepted to the Extraordinary Council Meeting of 29 April 2022

DECLARATIONS OF INTEREST

- Cr Orchin, Cr Smith, Cr. Pearse Moree Saleyard
-

CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

1. Confidential - Moree Saleyards Considerations

That Report Moree Saleyards, be dealt with in Closed Council as it relates to Section 10A (2) of the Local Government Act 1993 being:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

22/04/XX RESOLVED (MOVED: Orchin /SECONDED: Sauer)

1. That Council resolve into closed council to consider business identified, tabled at the meeting.
2. That pursuant under Section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

The Council moved into closed Council at the time being 1.05PM. The public and media left the Chamber.

22/04/XX RESOLVED (MOVED: Pearse /SECONDED: Sauer)

That the Council move into the Committee of the Whole.

The Council moved into the Committee of the Whole at the time being 1:06pm.

Cr Sauer left the Council Chambers at the time being 2:01pm.

Cr Sauer returned to the Council Chambers at the time being 2:03pm

Cr James left the Council Chambers at the time being 2:15pm and did not return

Report Title	1. Moree Saleyards Considerations
Report by	Executive
Contact	Scot MacDonald, Acting General Manager
Attachments	One (1) attachment; refer to Attachments section
File	LD-96-47 2022/13325

RECOMMENDATION

1. That Council accept the offer of the Moree Livestock Selling Agents Association to enter into a payment arrangement for the payment of \$60,946 plus GST with a minimum repayment amount of \$2,000 plus GST per month, commencing when the Moree Saleyards are declared operational, and that Council will not require the arrears to be paid in full prior to the commencement of the refurbishment works.
2. That Council note item one of this resolution replaces the decision made with respect to the payment of the debt being required prior to the commencement of the refurbishment works at the Moree Saleyards made at the Ordinary Council Meeting held 7 April 2022.
3. That Council execute a lease variation with the Moree Livestock Selling Agents Association for a period of 12 months with water rates not payable by the Moree Livestock Selling Agents Association for a period of six (6) months.
4. That, pursuant to Section 55 (3)(i) of the *Local Government Act 1993*, Council not call for tenders for the refurbishment of the Moree Saleyards project, to bring the facility up an operational condition that meets current saleyard standards, as the works need to be completed as a matter of priority for the facility to be equipped to hold Emergency Animal Disease and Emergency Management events.
5. That Council confirm that the Moree Saleyards will not be operational until such time as the works identified in the Proterra Group Report have been completed and the Moree Saleyards returned to a condition that meets minimum saleyards standards and Council's obligations under workplace health and safety legislation.

22/04/XX RESOLVED (MOVED: /SECONDED:)

That the Council move out of the Committee of the Whole.

The Council moved out of the Committee of the Whole at the time being 2:40pm.

OPEN COUNCIL

22/04/ RESOLVED (MOVED: /SECONDED:)

That the meeting resume into open Council.

The meeting moved into Open Council at the time being 2.45pm

The Chair read out the following in open Council:

1. Confidential – Moree Saleyards Considerations

22/04/XX RESOLVED (MOVED: Sauer /SECONDED: Pearse)

- 1. That Council require the Moree Livestock Selling Agents Association to enter into a payment arrangement with Council for the payment of the balance of the \$60,946 outstanding lease payments with a minimum repayment amount of \$5,000 per month commencing May 2022 in line with Councils Financial Hardship Policy.**
- 2. That Council note item one of this resolution replaces only the decision made with respect to the payment of the debt being required prior to the commencement of the refurbishment works at the Moree Saleyards made at the Ordinary Council Meeting held 7 April 2022 and will not require full payment of the outstanding debt before work commences.**
- 3. That Council execute a lease variation with the Moree Livestock Selling Agents Association for a period of 12 months with water rates not payable by the Moree Livestock Selling Agents Association for a period of six (6) months.**
- 4. That the General Manager determine whether to call for Tenders or utilises Local Government Procurement or Procurement Australia for the refurbishment of the Moree Saleyards project.**
- 5. That Council confirm that the Moree Saleyards will not be operational until such time as the Moree Saleyards are returned to a condition that meets minimum saleyards standards and Council's obligations under workplace health and safety legislation.**

22/04/1xx RESOLVED (MOVED: SMITH / SECONDED: ORCHIN)

That Council resolved to take a short break.

The Council Meeting took a short break at the time being 2:50pm and returned at the time being **X:XXpm**

Cr Cochrane left the Council Chambers at the time being 2:50pm and did not return

Report Title	A. Late Report - Application for Additional Special Rate Variation
Report by	Corporate Services
Contact	Andrew Probert, Manager of Financial Services
Attachments	Two (2) attachments; refer to Attachments section
File	FILE 12/2173-02

- 1 That Council resolves to apply for an Additional Special Rate Variation of 1.8% under section 508(2) of the Act.
- 2 That Council request this to be a permanent special variation under section 508(2) of the Act.
- 3 If approved, this special variation will provide council with an additional \$440,000.00.
- 4 That Council has considered the impact on ratepayers and the community in 2022-23 and in future years if the special variation is approved and considers that it is reasonable. This has been based on community consultation for the development of the current Community Strategic Plan to be adopted in June 2022.
- 5 That Council endorses the attached General Fund ten-year budget based on the already adopted 2021/2022 budget of 1 July 2021 to 30 June 2031 for inclusion in the Additional Rate Variation Application.

22/04/xx RESOLVED (MOVED: Johnson /SECONDED: Pearse)

- 1 That Council resolves to apply for an Additional Special Rate Variation of 1.58% under section 508(2) of the Act.
- 2 That Council note that item 1 of this resolution replaces the decision made at the Ordinary Council Meeting 21 April 2022 to apply for an Additional Special Rate Variation of 1.8%.
- 3 That Council request this to be a permanent special variation under section 508(2) of the Act.
- 4 That if approved, this special variation will provide council with an additional \$386,000.00 in the 2022/23 financial year.
- 5 That Council has considered the impact on ratepayers and the community in 2022-23 and in future years if the special variation is approved and considers that it is reasonable. This has been based on community consultation for the development of the current Community Strategic Plan to be adopted in June 2022.
- 6 That Council agrees to the use of the adopted 2021/2022 Operational Plan and Budget and the use of the indexes contained in the 2017 Long Term Financial Plan of 1 July 2017 to 30 June 2027 for inclusion in the Additional Rate Variation Application.

There being no further business, the meeting closed at the time being 3.34pm.
