

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 23 OCTOBER 2024 AT 2:30PM**

PRESENT: Cr Ken Cudmore, Cr Donna Lawson, Cr Jason Allan, Cr Shawn Cain, Cr Terry Cohen, Cr Charlie Simkin, Cr James Robertson

IN ATTENDANCE: Gary Murphy (General Manager), Dean Frost (Director Corporate and Community Services), Nathan Skelly (Director Infrastructure and Environmental Services), Jared McCulloch (Coordinator Governance, Risk and Records)

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 Ken Cudmore 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 13 AUGUST 2024

RESOLUTION 2024/159

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

1. That the Minutes of the Council Meeting held on 13 August 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.

Cr Cain declared a Non-pecuniary Interest in relation to Item 6.9 - Infrastructure & Environmental Services Directorate Report August/September 2024 for the reason that he provides services to the Water and Waste Water division of Council. Cr Cain declared that as no decision was to be made regarding the areas of his work, his interest was less than significant and he would remain in the chamber and participate in the discussion.

5 MAYORAL MINUTE(S)

5.1 MAYORAL MINUTE - RATIFICATION OF LPSC SUBMISSION OF MOTION FOR THE 2024 ANNUAL LGNSW CONFERENCE

RESOLUTION 2024/160

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

1. Ratifies the submission of the motion entitled "Increased NSW Government Funding of Regionally Significant Transport Routes" by Cr Lawson, to LGNSW for inclusion in the 2024 Annual LGNSW Conference business paper.

CARRIED

6 REPORTS TO COUNCIL

6.1 EXECUTIVE SERVICES REPORT - AUGUST/SEPTEMBER 2024

RESOLUTION 2024/161

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Executive Service Report for August and September 2024.

CARRIED

6.2 SCHEDULE OF ORDINARY MEETINGS FOR 2024

RESOLUTION 2024/162

Moved: Cr Donna Lawson

Seconded: Cr Charlie Simkin

That Council:

1. Note the Schedule of Ordinary Meetings for 2024 as appended at *Annexure A*, pursuant to section 365 of the *Local Government Act 1993* and clause 3.1 of the Code of Meeting Practice.
2. Note that a report will be presented the December 2024 Ordinary Meeting of Council for the

adoption of the Schedule of Ordinary Meetings for 2025

3. Note the General Manager, where possible, will hold two Councillor workshops per month for 2024 and 2025.

CARRIED

6.3 APPOINTMENT OF COUNCILLOR DELEGATES TO LGNSW CONFERENCE

RESOLUTION 2024/163

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

That Council:

1. Appoint the following Councillors to attend the LG NSW Conference being held 17 to 19 November 2024:
 - (a) Cr Cudmore (Mayor), Cr Lawson (Deputy Mayor) and Cr Simkin, with Cr Cohen as Alternate Delegate should one Councillor be unable to attend.
2. Note the conference program as appended at *Annexure A*.
3. Approve reimbursement of out-of-pocket expenses incurred by Councillor delegates attending the above conferences, in accordance with the Councillors Expenses and Facilities Policy.
4. Note that Councillor delegates are required to provide a written delegate’s report to Council following attendance at the conference.

CARRIED

6.4 APPOINTMENT OF COMMITTEE MEMBERS AND DELEGATES

RESOLUTION 2024/164

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

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 2026:

Committee	Delegate	Alternate Delegate
Local Traffic Committee	Cr Allan	Cr Simkin

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 2026:

Committee	Delegate	Alternate Delegate
Australian Railway Monument (ARM) Inc.	Cr Cain	Cr Cudmore

Management Committee		
Central Northern Regional Library (CNRL)	Cr Allan	Cr Robertson
Joint Regional Planning Panel	Cr Lawson	Cr Cohen
Mid North Weight of Loads	Cr Simkin	Cr Lawson
Namoi Unlimited	Mayor	Deputy Mayor
North West Regional Weed Committee	Cr Robertson	Cr Cudmore
Rural Fire Service (RFS) Liaison Committee	Cr Cain	Cr Robertson
Werris Creek Coal Mine Community Consultative Committee (CCC)	Cr Cohen	Cr Cain

CARRIED

6.5 APPOINTMENT OF GENERAL MANAGER'S PERFORMANCE REVIEW PANEL 2024-2025

RESOLUTION 2024/165

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2024-2025 period to consist of the Mayor, Deputy Mayor, Councillor Simkin (*nominated by Council*), and Councillor Cohen (*nominated by the General Manager*).
2. Note that LGNSW has already been engaged as the external facilitator to assist with the performance appraisal process and the development of any new performance plan.
3. Delegate to the General Manager's Performance Review Panel:
 - (a) The whole process of performance management, including discussions about performance and performance reviews for the 2024-2025 period;
 - (b) The reporting to Council of findings and recommendations of reviews for the 2024-2025 period and any actions that should be taken.

CARRIED

6.6 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT AUGUST/SEPTEMBER 2024

RESOLUTION 2024/166

Moved: Cr Terry Cohen

Seconded: Cr Shawn Cain

That Council:

1. Receive and note the Corporate and Community Services Directorate update report for August/September 2024.

CARRIED

6.7 AUTHORISE THE SIGNING OF THE DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

RESOLUTION 2024/167

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Authorise the Mayor, Cr Lawson (*one Councillor*), 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 2024 as tabled.
2. Note that the draft Liverpool Plains Shire Council's Financial Statements for the year ended 30 June 2024 will be referred to Council's Auditor, the NSW Audit Office, in accordance with section 413(1) of the *Local Government Act 1993*.

CARRIED

6.8 STATEMENT OF INVESTMENTS - SEPTEMBER 2024

RESOLUTION 2024/168

Moved: Cr Terry Cohen

Seconded: Cr Shawn Cain

That Council:

1. Receive and note the Statement of Investments as of 30 September 2024 as appended at *Annexure A*.

CARRIED

**6.9 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT
AUGUST/SEPTEMBER 2024**

RESOLUTION 2024/169

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

That Council:

1. Receive and note the Infrastructure & Environmental Services Directorate report for the months of August and September 2024

CARRIED**7 DELEGATES REPORTS**

Nil

8 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

9 CONFIDENTIAL MATTERS

RESOLUTION 2024/170

Moved: Cr Donna Lawson

Seconded: Cr James Robertson

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 Willow Tree Landfill Contract Variation

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.

CARRIED

RESOLUTION 2024/171

Moved: Cr Ken Cudmore

Seconded: Cr Charlie Simkin

That Council moves into Committee of the Whole for discussion on the Confidential Item.

CARRIED

At 4:12 pm, Cr Terry Cohen left the meeting and did not return.

RESOLUTION 2024/172

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

That Council moves out of Committee of the Whole for discussion on the Confidential Item.

CARRIED

RESOLUTION 2024/173

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

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:

9.1 WILLOW TREE LANDFILL CONTRACT VARIATION

RESOLUTION 2024/174

Moved: Cr Donna Lawson

Seconded: Cr Charlie Simkin

RECOMMENDATION

That Council:

1. Reallocate the budget of \$1,064,000 from the Quirindi landfill rehabilitation to the Willow Tree landfill construction for a total budget of \$3,685,773.

The Meeting closed at 4.38pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 November 2024.

.....CHAIRPERSON