

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 28 MAY 2025 AT 2:30 PM**

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

IN ATTENDANCE: Cian Middleton (General Manager), Dean Frost (Director Corporate and Community Services), Nathan Skelly (Director Infrastructure and Environmental Services) and Christie Pearson (Executive Operations)

AUDIO RECORDING OF MEETINGS

The Mayor informed the meeting as follows:

This meeting of Liverpool Plains Shire Council is being live-streamed to Council's website, and a webcast of this meeting will be published to Council's website at <https://www.liverpoolplains.nsw.gov.au/Council/Council-Meetings/Council-meeting-livestreams> so that it is available for viewing by members of the public.

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Mayor Ken Cudmore recited the Acknowledgement of Country and the Council Prayer.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS

Nil

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 23 APRIL 2025

RESOLUTION 2025/90

Moved: Cr Charlie Simkin

Seconded: Cr Jason Allan

1. That the Minutes of the Council Meeting held on 23 April 2025 be received and the recommendations therein be adopted.

CARRIED

3.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 12 MAY 2025

RESOLUTION 2025/91

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

1. That the Minutes of the Extraordinary Council Meeting held on 12 May 2025 be received and

the recommendations therein be adopted.

CARRIED

3.3 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 21 FEBRUARY 2025

RESOLUTION 2025/92

Moved: Cr Terry Cohen

Seconded: Cr Charlie Simkin

1. That the Minutes of the Audit, Risk and Improvement Committee Meeting held on 21 February 2025 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 Shawn Cain declared a pecuniary interest in relation to item 8.1 - Infrastructure & Environmental Services Directorate Report for the reason that he provides services to the Water and Waste Water division of Council. If there are any items that require discussion he will vacate the chamber.

Cr Charlie Simkin declared 8.2 non-significant, non-pecuniary interest in relation to item 8.2 - DA 2024/101 - Shed - 5 Greentrees Crescent, Quirindi due to relationship with the parties involved and will vacate the chamber.

Cr Donna Lawson declared no pecuniary interest in relation to item 8.2 - DA 2024/101 - Shed - 5 Greentrees Crescent, Quirindi due to business relationship with the parties involved and will vacate the chamber.

5 MAYORAL MINUTE(S)

5.1 MAYORAL MINUTE - APRIL 2025

RESOLUTION 2025/93

Moved: Cr Ken Cudmore

Seconded: Cr Shawn Cain

That Council:

1. Receive and note the Mayoral Minute for April 2025.

CARRIED

6 REPORTS OF THE GENERAL MANAGER**6.1 EXECUTIVE SERVICES REPORT - APRIL 2025**

RESOLUTION 2025/94

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Executive Services Report for April 2025.

CARRIED

6.2 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2025/95

Moved: Cr Donna Lawson

Seconded: Cr James Robertson

That Council:

1. Receive and note the Resolutions Register as at 19 May 2025 as appended at *Annexure 1* and the Resolution Register for 2023 and 2024 as appended at *Annexure 2*.

CARRIED

7 REPORTS OF THE DIRECTOR CORPORATE AND COMMUNITY SERVICES**7.1 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT APRIL 2025**

RESOLUTION 2025/96

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Corporate and Community Services Directorate update report for April 2025.

CARRIED

7.2 STATEMENT OF INVESTMENTS - APRIL 2025

RESOLUTION 2025/97

Moved: Cr Charlie Simkin

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Statement of Investments as at 30 April 2025 as appended.

CARRIED

7.3 QUARTERLY BUDGET REVIEW STATEMENT FOR THE PERIOD ENDING 31 MARCH 2025

RESOLUTION 2025/98

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Adopts the Quarterly Budget Review Financial Statement as appended at *Annexure A* for the period ending 31 March 2025, incorporating the variations disclosed as the revised budget.

CARRIED

7.4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION AND COUNCILLOR ANNUAL FEES - 2025/26

RESOLUTION 2025/99

Moved: Cr James Robertson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Local Government Remuneration Tribunal - 2025 Annual 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 2025/2026 financial year effective from 01 July 2025, 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 2025/2026 financial year effective from 01 July 2025, 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 \$4,000, 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 as agreed by the Mayor.

CARRIED

8 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND ENVIRONMENTAL SERVICES**8.1 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT APRIL 2025**

RESOLUTION 2025/100

Moved: Cr James Robertson

Seconded: Cr Shawn Cain

That Council:

1. Receive and note the Infrastructure & Environmental Services Directorate report for the month of April 2025.

CARRIED

8.2 DA 2024/101 - SHED - 5 GREENTREES CRESCENT, QUIRINDI

RESOLUTION 2025/101

Moved: Cr James Robertson

Seconded: Cr Terry Cohen

That Council:

1. Refuse this application for the following reasons:
 - (a) The proposal does not comply with the design requirements of the Liverpool Plains Development Control Plan for a shed on the subject land.
 - (b) The development is of an industrial scale that is unsuitable in the *R5-Large Lot Residential Zone*.

At 3:01pm, Cr Donna Lawson and Cr Charlie Simkin left the meeting.

In Favour: Crs Ken Cudmore, Terry Cohen, Jason Allan, Shawn Cain and James Robertson

Against: Nil

Absent: Cr Donna Lason, Cr Charlie Simkin

CARRIED 5/0

At 3:04pm, Cr Donna Lawson and Cr Charlie Simkin returned to the meeting.

9 DELEGATES REPORTS

Nil

10 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL MATTERS

RESOLUTION 2025/102

Moved: Cr Charlie Simkin

Seconded: Cr Donna Lawson

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:

11.1 RFT 088-2023 - Replacement of Quirindi Swinging Bridge

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

At 3.30pm the Meeting moved back into Open Council. In accordance with the Liverpool Plains Shire Council Code of Meeting Practice, Sections 14.22 & 14.23, the Mayor provided a summary of the resolutions passed in Closed Council.

REPORT ON CONFIDENTIAL MATTERS

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

11 CONFIDENTIAL MATTERS**11.1 RFT 088-2023 - REPLACEMENT OF QUIRINDI SWINGING BRIDGE**

RESOLUTION 2025/103

Moved: Cr Shawn Cain

Seconded: Cr James Robertson

That Council:

1. Accepts the Tender submitted by Heuron Screenline Pty Ltd for the construction of the Quirindi Swinging Bridge at a cost of \$561,200 (Exclusive GST) subject to variations.

CARRIED

RESOLUTION 2025/104

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 3:31pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 June 2025.

.....

CHAIRPERSON