

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 24 SEPTEMBER 2025 AT 2:30 PM**

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

IN ATTENDANCE: Glenn Inglis (Acting General Manager), Julie Costa (Director Planning and Community), Daniel Smallwood (Director Corporate Performance and CFO), George Vorobieff (Acting Director Infrastructure and Utilities) Ros ten Brink, (Manager Corporate Governance) 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

Cr 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

RESOLUTION 2025/173

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

That leave of absence from Cr Terry Cohen 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 27 AUGUST 2025

RESOLUTION 2025/174

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

1. That the Minutes of the Council Meeting held on 27 August 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.

Nil disclosures were made

5 MAYORAL MINUTE(S)**5.1 MAYORAL MINUTE - COUNTRY MAYOR'S ASSOCIATION MEETING, 07-08 AUGUST 2025**

RESOLUTION 2025/175

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Country Mayor's Association (CMA) Meeting Minutes from its August General Meeting, appended at *Annexure A*.

CARRIED**5.2 MAYORAL MINUTE - 2025 LIVERPOOL PLAINS BUSINESS CHAMBER ANNUAL GENERAL MEETING (AGM)**

RESOLUTION 2025/176

Moved: Cr Ken Cudmore

Seconded: Cr Shawn Cain

That Council:

1. Extend its congratulations to the recently elected Executive Committee of the Liverpool Plains Business Chamber and reaffirm its commitment to working with the Business Chamber on initiatives, projects and events to grow our local economy and support our business community.

CARRIED**5.3 MAYORAL MINUTE - MEETINGS, FUNCTIONS AND EVENTS - AUGUST 2025**

RESOLUTION 2025/177

Moved: Cr Ken Cudmore

Seconded: Cr James Robertson

That Council:

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1. Note the meetings, functions and events attended by the Mayor in an official capacity on behalf of Liverpool Plains Shire Council for the month of August 2025, as detailed in this report.

CARRIED

6 REPORTS OF THE GENERAL MANAGER

6.1 RESOLUTIONS REGISTER UPDATE

RESOLUTION 2025/178

Moved: Cr Donna Lawson

Seconded: Cr James Robertson

That Council:

1. Receive and note the Resolutions Register as at 16 September 2025 as appended at *Annexure 1* and the Resolution Register for 2024 as appended at *Annexure 2*.

CARRIED

6.2 AMENDMENT TO SCHEDULE OF ORDINARY MEETINGS 2025

RESOLUTION 2025/179

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

1. Lay this item on the table.

CARRIED

7 REPORTS OF THE DIRECTOR CORPORATE PERFORMANCE & CFO

7.1 ANNUAL TABLING OF DISCLOSURE OF INTEREST RETURNS

RESOLUTION 2025/180

Moved: Cr Shawn Cain

Seconded: Cr James Robertson

That Council:

1. Note the annual tabling of the Disclosure of Interest Returns for the period 1 July 2024 to 30 June 2025 by Councillors, Senior Staff and designated persons.

CARRIED

7.2 MONTHLY STATEMENT OF INVESTMENTS - AUGUST 2025

RESOLUTION 2025/181

Moved: Cr Charlie Simkin

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Statement of Investments as of 31 August 2025 as appended at *Annexure 1*.
2. Receive and note the Imperium Markets Monthly Investment Review Report for Liverpool Plains Shire Council as of 31 August 2025 as appended at *Annexure 2*.

CARRIED**8 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND UTILITIES****8.1 MONTHLY WORKS REPORT**

RESOLUTION 2025/182

Moved: Cr Charlie Simkin

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Monthly Works Report for August 2025.

CARRIED**8.2 MONTHLY SHIRE PRESENTATION REPORT**

RESOLUTION 2025/183

Moved: Cr James Robertson

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Monthly Shire Presentation Report for August 2025.

CARRIED**9 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY****9.1 MONTHLY DEVELOPMENT AND BUILDING REPORT**

RESOLUTION 2025/184

Moved: Cr Shawn Cain

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Monthly Development and Building Report.

CARRIED

10 DELEGATES REPORTS

Nil

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

12 CONFIDENTIAL MATTERS

RESOLUTION 2025/185

Moved: Cr Donna Lawson

Seconded: Cr Charlie Simkin

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:

12.1 Rates Legal Proceedings

This matter is considered to be confidential under Section 10A(2) - (g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

12.2 RFT123/2025 Kamilaroi Mass Action Safety Barrier Program - Shoulder Widening (R2 Prequalified Contractors)

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 4.12pm 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 Acting General Manager provided a summary of the resolutions passed in Closed Council.

REPORT ON CONFIDENTIAL MATTERS

The Acting General Manager reported as follows on the matters considered in the confidential section of the meeting:

12 CONFIDENTIAL MATTERS**12.1 RATES LEGAL PROCEEDINGS**

RESOLUTION 2025/186

Moved: Cr James Robertson

Seconded: Cr Charlie Simkin

That Council:

1. Write-off the rates which were levied on the Properties for 2025/2026 upon the issuance on 16 July 2025 of the Rates Notices, those rates and interest currently outstanding in the sum of \$47,430.87;
2. Grants to the NLALC in relation to the Fourteen Properties an exemption from rates pursuant to section 556(1)(h) of the LGA on and from the 2026/2027 rating years subject to Council's discretion to later review this exemption as required;
3. Authorise SR Law, the Council's solicitors, to negotiate with the NLALC's solicitors a resolution of the Proceedings on the best possible terms.
4. That the Council enters into with the NLALC a Deed of Settlement & Release to give effect to the terms of the resolution of the Proceedings.

CARRIED

12.2 RFT123/2025 KAMILAROI MASS ACTION SAFETY BARRIER PROGRAM - SHOULDER WIDENING (R2 PREQUALIFIED CONTRACTORS)

RESOLUTION 2025/187

Moved: Cr Jason Allan

Seconded: Cr Charlie Simkin

That Council:

1. Adopt Daracon Contractors Pty Ltd to deliver the Shoulder Widening work for the Mass Action Barrier Program on the Kamilaroi Highway.

CARRIED

RESOLUTION 2025/188

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 4.15pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 October 2025.

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CHAIRPERSON