

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 26 NOVEMBER 2025 AT 2:30 PM**

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

IN ATTENDANCE: Cian Middleton (General Manager), Julie Costa (Director Planning and Community), Paul Gallagher (Director Infrastructure and Utilities), Daniel Smallwood (Director Corporate Performance and CFO), Roslyn ten Brink (Manager Corporate Governance (Public Officer))

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 so that it is available for viewing by members of the public.

At 2:07 pm, Cr James Robertson left the meeting.

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Cr Jason Allan recited the Acknowledgement of Country and the Council Prayer.

At 2:09 pm, Cr James Robertson returned to the meeting.

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

MOTION

RESOLUTION 2025/203

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

That the applications from Cr Shawn Cain and Cr Charlie Simkin to attend the meeting via audio-visual link be accepted.

CARRIED

The Mayor invited apologies and applications for leave of absence.
Nil received.

3 CONFIRMATION OF MINUTES**3.1 MINUTES OF THE COUNCIL MEETING HELD ON 22 OCTOBER 2025**

RESOLUTION 2025/204

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

1. That the Minutes of the Council Meeting held on 22 October 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 Jason Allan disclosed a non-pecuniary interest in relation to item 12.4 as the CEO of Walhallow LALC and will leave the room while the item is being discussed.

MOTION

RESOLUTION 2025/205

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

That due to the NSW Audit Office attending the meeting online, Item 7.2 – Presentation and Adoption of the Audited 2024-2025 Financial Statements, be the next item on the agenda.

CARRIED

5 MAYORAL MINUTE(S)**5.1 MAYORAL MINUTE - MEETINGS, FUNCTIONS AND EVENTS - SEPTEMBER 2025**

RESOLUTION 2025/210

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

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 October 2025, as detailed in this report.

CARRIED

6 REPORTS OF THE GENERAL MANAGER**6.1 RESOLUTION REGISTER**

RESOLUTION 2025/211

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Resolution Register as at 31 October 2025 as appended at *Annexure A* and the Resolution Register for 2024 as appended at *Annexure B*.

CARRIED

6.2 ADOPTION OF 2026 SCHEDULE OF ORDINARY COUNCIL MEETINGS

RESOLUTION 2025/212

Moved: Cr Donna Lawson

Seconded: Cr James Robertson

That Council:

1. Adopt the draft Schedule of Ordinary Meetings for 2026 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. Request the General Manager provide public notice of the time, date and location of each scheduled Ordinary Meeting to be held in 2026, pursuant to section 9 of the *Local Government Act 1993* and clause 3.3 of the Code of Meeting Practice.

CARRIED

6.3 COUNCIL SERVICE PROVISION - CHRISTMAS-NEW YEAR CLOSURES 2025/26

RESOLUTION 2025/213

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the Christmas-New Year close-down arrangements for Liverpool Plains Shire Council's services and facilities, as detailed in this report.

CARRIED

7 REPORTS OF THE DIRECTOR CORPORATE PERFORMANCE & CFO**7.1 MONTHLY STATEMENT OF INVESTMENTS - OCTOBER 2025**

RESOLUTION 2025/214

Moved: Cr Donna Lawson

Seconded: Cr James Robertson

That Council:

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

CARRIED

7.2 PRESENTATION AND ADOPTION OF THE AUDITED 2024-2025 FINANCIAL STATEMENTS

RESOLUTION 2025/215

Moved: Cr James Robertson

Seconded: Cr Shawn Cain

That Council:

1. Receive and adopt the Audited Financial Statements and Auditor's Reports for the Year Ended 30 June 2025, incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules, as tabled in *Annexure A*.
2. Publish the Audited Financial Statements and Auditor's Report on Council's Website.

CARRIED

7.3 ENDORSEMENT OF 2024/25 ANNUAL REPORT

RESOLUTION 2025/216

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Endorse the 2024/25 Annual Report, appended at *Annexure A*, pursuant to section 428 of the *Local Government Act 1993*.
2. Note that the Annual Report 2024/25 will be submitted to the Minister for Local Government and published to Council's website by 30 November 2025, pursuant to section 428(5) of the *Local Government Act 1993*.

CARRIED

At 2:40 pm, Cr Jason Allan left the meeting.

At 2:43 pm, Cr Jason Allan returned to the meeting.

7.4 INTERNALLY RESTRICTED FUNDS AS AT 30 JUNE 2025

RESOLUTION 2025/217

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Note the following amounts in internally restricted funds at 30 June 2025 for approval, as detailed below:

Reserve	Purpose	Amount
Assets Management	Funds set aside for replacement of existing property other than road or IT infrastructure, plant and equipment.	\$0
Employee Leave Entitlement	Funds that have been restricted to cover proportion of Council's discounted leave liability.	\$840,000
Quarry Remediation	Funds set aside to remediate quarry.	\$100,000
Financial Assistant Grant Operational	Advance payment received for operational purpose from the Local Government Grants Commission.	\$1,808,948
Financial Assistant Grant Road	Advance payment received for Local Road maintenance from the Local Government Grants Commission.	\$948,871
Business System Remediation	Funds allocated by the Council for the Business Remediation Project – upgrade to Civica Authority.	\$200,000
Funds Carryover	Funds unspent on work in progress projects.	\$0
Plant and Vehicle Replacement	Funds set aside for replacement of existing vehicle, plant, and equipment of the Council.	\$1,500,000

CARRIED

7.5 QUARTERLY BUDGET REVIEW STATEMENT FOR THE PERIOD ENDING 30 SEPTEMBER 2025

RESOLUTION 2025/218

Moved: Cr Charlie Simkin

Seconded: Cr Donna Lawson

That Council:

1. Adopts the Quarterly Budget Review Financial Statement as appended at *Annexure A* for the period ending 30 September 2025, incorporating the variations disclosed as the revised budget.

CARRIED

7.6 PUBLIC EXHIBITION OF DRAFT CUSTOMER EXPERIENCE CHARTER AND CUSTOMER EXPERIENCE POLICY

RESOLUTION 2025/219

Moved: Cr Donna Lawson

Seconded: Cr Charlie Simkin

That Council:

1. Endorse the revised draft Customer Experience Charter, appended at *Annexure A*, and the draft Customer Experience Policy, appended as *Annexure B*, to be placed on public exhibition for a period of 28 days.
2. Receive a further report at the conclusion of the public exhibition period to consider any submissions prior to adopting the draft Customer Experience Charter and draft Customer Experience Policy.

In Favour: Crs Ken Cudmore, Donna Lawson, Jason Allan, Shawn Cain, Terry Cohen and Charlie Simkin

Against: Cr James Robertson

CARRIED 6/1

7.7 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE FOR OCTOBER 2025

RESOLUTION 2025/220

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the draft Minutes of the Audit, Risk and Improvement Committee meeting of 17 October 2025, appended as *Annexure A*.

CARRIED

8 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND UTILITIES

8.1 MONTHLY SHIRE PRESENTATION REPORT

RESOLUTION 2025/221

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

That Council:

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

CARRIED

8.2 MONTHLY WORKS REPORT

RESOLUTION 2025/222

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

That Council:

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

CARRIED

8.3 MONTHLY WATER AND WASTE WATER STATUS

RESOLUTION 2025/223

Moved: Cr Charlie Simkin

Seconded: Cr Shawn Cain

That Council:

1. Receive and note the Monthly Water and Wastewater Status Report for November 2025.

CARRIED

9 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY

9.1 MONTHLY DEVELOPMENT & BUILDING REPORT - OCTOBER 2025

RESOLUTION 2025/224

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Development and Building Report for October 2025.

CARRIED

9.2 DA 2025/26 - PROPOSED SHED - 34 GLENBROOK RD, CURRABUBULA

RESOLUTION 2025/225

Moved: Cr James Robertson

Seconded: Cr Shawn Cain

That Council:

- (a) Grant conditional development consent to DA 2025/26 for the construction of a storage shed at 34 Glenbrook Road, Currabubula in accordance with the conditions listed in Annexure D.

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

Against: Nil

CARRIED 7/0

9.3 PROVISION OF FINANCIAL ASSISTANCE VIA 2025/26 COMMUNITY FUNDING PROGRAM

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$15,000 in financial assistance to the following organisations via the Community Funding Program:
 - (a) Quirindi Rotary Club: \$500
 - (b) Westpac Rescue Helicopter Services: \$1,448
 - (c) Quirindi District Volunteer Rescue Association Squad: \$705
 - (d) Quirindi Fishing Club Incorporated: \$1,347
 - (e) The Plains Incorporated: \$2,000
 - (f) Quirindi Rural Heritage Village: \$2,000
 - (g) Quirindi Dressage Club Incorporated: \$2,000
 - (h) Werris Creek Sports Club: \$2,000
 - (i) Dorothea Mackellar Poetry Awards: \$2,000
 - (j) Quirindi Swimming Club Incorporated: \$1,000

Pursuant to clause 10.10 of the Code of Meeting Practice, Councillor Charlie Simkin moved and Amendment to the Motion:

AMENDMENT

Moved: Cr Charlie Simkin

Seconded: Cr Shawn Cain

That Council:

1. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$15,000 in financial assistance to the following organisations via the Community Funding Program:
 - (a) Quirindi Rotary Club: \$500
 - (b) Westpac Rescue Helicopter Services: \$1,448
 - (c) Quirindi District Volunteer Rescue Association Squad: \$825
 - (d) Quirindi Fishing Club Incorporated: \$1,467
 - (e) The Plains Incorporated: \$2,000
 - (f) Quirindi Rural Heritage Village: \$2,000
 - (g) Quirindi Dressage Club Incorporated: \$2,000
 - (h) Dorothea Mackellar Poetry Awards: \$2,000
 - (j) Quirindi Swimming Club Incorporated: \$1,131
2. Advise Werris Creek Sports Club that they are not eligible for the 2025/2026 Community Funding Program as they are not an entity that has not-for-profit or have the project auspiced for a not-for-profit.
3. Allocate \$1629 to the Werris Creek Swim Club for the purchase of 6 adult season passes for their swim teachers, lane hire waiver until January 2026 and the donation of one (1) family season pass for use as a raffle prize.

The Amendment was put to a vote and lost (3/4).

Pursuant to clause 10.13 of the Code of Meeting Practice, Councillor Donna Lawson moved a further Amendment.

RESOLUTION 2025/226

AMENDMENT

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$15,000 in financial assistance to the following organisations via the Community Funding Program:
 - (a) Quirindi Rotary Club: \$500
 - (b) Westpac Rescue Helicopter Services: \$1,448
 - (c) Quirindi District Volunteer Rescue Association Squad: \$1,410
 - (d) Quirindi Fishing Club Incorporated: \$1,467
 - (e) The Plains Incorporated: \$2,000
 - (f) Quirindi Rural Heritage Village: \$2,000
 - (g) Quirindi Dressage Club Incorporated: \$2,000
 - (h) Dorothea Mackellar Poetry Awards: \$2,000
 - (i) Quirindi Swimming Club Incorporated: \$1,087.50
 - (j) Werris Creek Swimming Club Incorporated \$1,087.50
2. Advise Werris Creek Sports Club that they are not eligible for the 2025/2026 Community Funding Program as they are not an entity that has not-for-profit or have the project auspiced for a not-for-profit.

CARRIED

9.4 SECTION 356 REQUEST FOR FINANCIAL ASSISTANCE - WERRIS CREEK SWIMMING CLUB

RESOLUTION 2025/227

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the request for financial assistance submitted by Werris Creek Swimming Club, appended at *Annexure A*.
2. Decline the request for the reasons outlined in this report.

CARRIED

9.5 APPOINTMENT OF COUNCILLOR DELEGATES TO LOCAL ADVISORY COMMITTEES

RESOLUTION 2025/228

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Appoint Councillor Delegates to the following Local Advisory Committees:
 - (a) Currabubula Local Advisory Committee: Councillor Allen
 - (b) Quirindi Local Advisory Committee: Councillor Lawson
 - (c) Wallabadah Local Advisory Committee: Councillor Robertson
 - (d) Willow Tree Local Advisory Committee: Councillor Cohen
 - (e) Western Plains Local Advisory Committee: Councillor Simkin

CARRIED

9.6 ESTABLISHMENT OF QUIRINDI SHOWGROUNDS AND QUIRINDI SPORTING PRECINCT USER GROUP FORUMS

RECOMMENDATION

That Council:

1. Establish the Quirindi Showground User Group Forum and Quirindi Sporting Precinct User Group Forum for the remainder of the current 2024-28 term of Council.
 2. Nominate the Mayor and Councillor Lawson to serve on the Quirindi Showground User Group Forum.
 3. Nominate the Mayor and Councillor Cohen to serve on the Quirindi Sporting Precinct User Group Forum.
 4. Nominate Councillor Allen as the Alternate Delegate to the Quirindi Showground User Group Forum and Councillor Simkin as the Alternate Delegate to the Quirindi Sporting Precinct User Group Forum.
 5. Note that a formal Policy or Terms of Reference to govern the operation of the User Group Forums will be prepared and submitted to the December Ordinary Meeting.
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10 DELEGATES REPORTS**10.1 LGNSW WATER MANAGEMENT CONFERENCE - SEPTEMBER 2025**

RESOLUTION 2025/229**MOTION**

Moved: Cr Shawn Cain

Seconded: Cr Donna Lawson

That the Delegate Report be received and noted.

CARRIED

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

The Mayor noted the tabling of the following responses to Questions taken on n=Notice at the October Ordinary Meeting of Council:

11.1 RESPONSE TO QUESTION ON NOTICE - CR SHAWN CAIN - DESIGN SPECIFICATIONS FOR THE REPLACEMENT OF SWINGING BRIDGE, QUIRINDI

RECOMMENDATION

That the response to the question regarding design details raised by Councillor Shawn Cain be received and noted.

11.2 RESPONSE TO QUESTION ON NOTICE - CR DONNA LAWSON - YARRAMAN CREEK BRIDGE BYPASS DESIGN SPECIFICATIONS

RECOMMENDATION

That the response to the question regarding Yarraman Creek Bridge Bypass Design Specifications raised by Councillor Donna Lawson be received and noted.

11.3 RESPONSE TO QUESTION ON NOTICE - CR TERRY COHEN – CONTRACTOR LIABILITY AND POST-WORK STANDARDS

RECOMMENDATION

That the response to the question regarding whether contractors are responsible for cleaning up worksites, specifically ensuring that grass clippings and other debris are not left in the kerb and gutter raised by Councillor Terry Cohen be received and noted.

11.4 RESPONSE TO QUESTION ON NOTICE - CR JAMES ROBERTSON - MEN'S SHEDS INVOLVEMENT IN WASTE BIN SURROUND CONSTRUCTION AND MAINTENANCE

RECOMMENDATION

That the response to the question regarding the update on the engagement of the Local Men's Sheds to assist with the construction and maintenance of the waste bins throughout the LGA raised by Councillor Robertson be received and noted.

12 CONFIDENTIAL MATTERS

RESOLUTION 2025/230

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 RFT 133/2025 - Supply and Delivery of One Solid Waste Removal Truck

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.

12.1 RTF 114/2025- Supply and Delivery of Two Water Carts

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.

12.2 Supply and Delivery of Aggregates

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.

12.3 Disposal of Royal Theatre Quirindi

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.

12.4 Mayoral Minute - General Manager Performance Agreement - Mid-Year Review

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 2025/231

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

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:

12.1 RFT 133/2025 - SUPPLY AND DELIVERY OF ONE SOLID WASTE REMOVAL TRUCK

RESOLUTION 2025/232

Moved: Cr Shawn Cain

Seconded: Cr Charlie Simkin

At 5:09 pm, Cr Charlie Simkin left the meeting.

At 5:11 pm, Cr Charlie Simkin returned to the meeting.

That Council:

Accept Double R Equipment's tender for the supply and delivery of one solid waste removal truck (ISUZU KHK1-TCC Diesel 190Hp 140Kw 513Nm 5.193Ltr) for the changeover price (after trade) \$197,436.00 inclusive of GST.

CARRIED

12.2 RTF 114/2025- SUPPLY AND DELIVERY OF TWO WATER CARTS

RESOLUTION 2025/233

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Accept the tender submission from J.T. Fossey (Sales) Pty Ltd for the supply of two UD GH11 (460 HP) water trucks with the upgraded Allquip water tanks for the changeover price (after trade) of \$653,387.54 including GST.

CARRIED

12.3 SUPPLY AND DELIVERY OF AGGREGATES

RECOMMENDATION

That Council:

1. Adopt the suppliers listed below as Panel Source suppliers to Liverpool Plains Shire Council for an initial period of 36 months from 1 October 2025 to 30 September 2028:
 - (a) Boral Construction Materials Group
 - (b) Buttai Gravel Pty Ltd t/a Daracon Quarries
 - (c) Graymont Australia Pty Ltd
 - (d) Regional Quarries Australia Pty Ltd
 - (e) BMR Quarries Pty Ltd
2. Authorise provision for 2 x 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2030.
3. Authorise provision for price adjustments as per *Clause 3.4 Price Adjustment* in the relevant Deed of Agreement.

The matters for consideration under item 12.3 Supply and Delivery of Aggregates were laid on the table and deferred to the December Ordinary Meeting of Council for determination.

At 5:21 pm, Cr Jason Allan left the meeting.

12.4 DISPOSAL OF ROYAL THEATRE QUIRINDI

RESOLUTION 2025/234

Moved: Cr James Robertson

Seconded: Cr Terry Cohen

That Council:

1. Accept the offer of \$150,000 (GST exclusive) from the Walhallow Local Aboriginal Land Council for the purchase of the Royal Theatre, 115 Henry Street, Quirindi.
2. Prepare a planning proposal for the reclassification of the Royal Theatre, 115 Henry Street, Quirindi, from community to operational and that a report on this matter be presented at its December 2025 Ordinary Meeting.
3. Authorise the General Manager and Mayor to sign and affix the Council Seal to all documentation to facilitate the sale, pursuant to clause 400(4) of the *Local Government (General) Regulation 2021*.

CARRIED

At 5:36 pm, Cr Jason Allan returned to the meeting.

12.5 MAYORAL MINUTE - GENERAL MANAGER PERFORMANCE AGREEMENT - MID-YEAR REVIEW

RESOLUTION 2025/235

Moved: Cr Charlie Simkin

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the General Manager's Mid-Year Performance Review, appended at *Annexure A*.

In Favour: Crs Ken Cudmore, Donna Lawson, Jason Allan, Shawn Cain, Terry Cohen and Charlie Simkin

Against: Cr James Robertson

CARRIED 6/1

The Meeting closed at 542.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 10 December 2025.

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CHAIRPERSON