

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON WEDNESDAY, 10 DECEMBER 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 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

At 2:31 pm, Cr James Robertson left the meeting.

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

At 2:32 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

Nil

MOTION

RESOLUTION 2025/206

Moved: Cr Shawn Cain

Seconded: Cr Donna Lawson

That The request by Cr Simkin to attend today's Ordinary Meeting of Council be received and accepted.

CARRIED

The Mayor invited further apologies and applications for leave of absence.

3 CONFIRMATION OF MINUTES**3.1 MINUTES OF THE COUNCIL MEETING HELD ON 26 NOVEMBER 2025**

RESOLUTION 2025/207

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

1. That the Minutes of the Council Meeting held on 26 November 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 - MEETINGS, FUNCTIONS AND EVENTS - NOVEMBER 2025**

RESOLUTION 2025/208

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 November 2025, as detailed in this report.

CARRIED

5.2 MAYORAL MINUTE - NSW COUNTRY MAYOR'S ASSOCIATION MEETING, 13-14 NOVEMBER 2025

RESOLUTION 2025/209

Moved: Cr Ken Cudmore

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the Mayoral Minute on the Country Mayors Association meeting held on Thursday, 13 and Friday, 14 November 2025 as detailed in this report.

CARRIED

5.3 MAYORAL MINUTE - OFFICIAL OPENING OF THE QUIRINDI AQUATIC CENTRE

RESOLUTION 2025/210

Moved: Cr Ken Cudmore

Seconded: Cr Shawn Cain

That Council:

1. Congratulate all staff and contractors involved in delivering the Quirindi Aquatic Centre Project and planning and executing the Community Open Day on Saturday, 22 November 2025 and the Official Opening on Monday, 24 November 2025.
2. Extend its appreciation to the Member for Tamworth, the Honourable Kevin Anderson MP, for opening the Quirindi Aquatic Centre on Monday, 24 November 2025.

CARRIED

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

RESOLUTION 2025/211

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Resolution Register as at 30 November 2025 as appended at *Annexure A* and the Resolution Register for 2024 as appended at *Annexure B*.

CARRIED

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

RESOLUTION 2025/212

Moved: Cr Terry Cohen

Seconded: Cr James Robertson

That Council:

1. Receive and note the Statement of Investments as of 30 November 2025 as appended at *Annexure A*.
2. Receive and note the Imperium Markets Monthly Investment Review Report for Liverpool Plains Shire Council as at 30 November 2025 as appended at *Annexure B*.

CARRIED

7.2 REPORTING OF CODE OF CONDUCT COMPLAINT STATISTICS

RESOLUTION 2025/213

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the annual Code of Conduct Complaints Statistics Return for 2024-2025.

CARRIED

7.3 FINANCIAL SUSTAINABILITY REVIEW AND ACTION PLAN

RESOLUTION 2025/214

Moved: Cr James Robertson

Seconded: Cr Donna Lawson

That Council:

1. Receive and note the final Financial Sustainability Review and Action Plan prepared by AEC Group Pty Ltd, appended at *Annexure A*.
2. Note that Management will prepare a Financial Sustainability Strategy, incorporating the findings and recommendations set out in the Financial Sustainability Review and Action Plan, for endorsement by Council in early 2026.

CARRIED

7.4 PROPOSED LOAN BORROWING - WILLOW TREE WASTE MANAGEMENT FACILITY

RESOLUTION 2025/215

Moved: Cr James Robertson

Seconded: Cr Donna Lawson

That Council:

1. Approves the recommendation to engage in loan borrowing discussions for the purpose of funding its contribution to the Willow Tree Waste Management Facility.
2. Receives a further report in the future that details the optimum funding strategy to complete the Willow Tree Waste Management Facility project.

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

Against: Cr James Robertson

CARRIED 6/1

7.5 ADOPTION OF DRAFT TERMS OF REFERENCE FOR MAJOR PROJECTS COMMITTEE

RESOLUTION 2025/216

Moved: Cr Terry Cohen
Seconded: Cr Shawn Cain

That Council:

1. Adopt the draft Terms of Reference for the Major Projects Committee, appended at *Annexure A*.

CARRIED

8 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND UTILITIES

8.1 MONTHLY SHIRE PRESENTATION REPORT

RESOLUTION 2025/217

Moved: Cr Terry Cohen
Seconded: Cr Donna Lawson

That Council:

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

CARRIED

8.2 MONTHLY WORKS REPORT

RESOLUTION 2025/218

Moved: Cr Donna Lawson
Seconded: Cr Jason Allan

That Council:

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

CARRIED

8.3 MINUTES OF THE LOCAL TRAFFIC FORUM HELD 18 NOVEMBER 2025

RESOLUTION 2025/219

Moved: Cr Donna Lawson
Seconded: Cr James Robertson

That Council:

1. Receive and note the minutes of the Local Traffic Forum meeting held 18 November 2025 as appended at *Annexure A*.

CARRIED

9 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY**9.1 DEVELOPMENT AND BUILDING REPORT - NOVEMBER 2025**

RESOLUTION 2025/220

Moved: Cr James Robertson
Seconded: Cr Donna Lawson

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

CARRIED

9.2 PUBLIC EXHIBITION OF DRAFT DESTINATION MANAGEMENT PLAN

RESOLUTION 2025/221

Moved: Cr Shawn Cain
Seconded: Cr Donna Lawson

That Council:

1. Endorse the draft Destination Management Plan, appended at *Annexure A*, for public exhibition for a minimum period of 28 days.
2. Receive a further report in relation to the draft Destination Management Plan following conclusion of the public exhibition period.

CARRIED

9.3 PUBLIC EXHIBITION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2026-2030

RESOLUTION 2025/222

Moved: Cr Jason Allan
Seconded: Cr Terry Cohen

That Council:

1. Endorse the draft Economic Development Strategy 2026-2030, appended at *Annexure A*, for public exhibition for a minimum period of 28 days.
2. Receive a further report in relation to the draft Economic Development Strategy 2026-2030 following conclusion of the public exhibition period.

CARRIED

9.4 CENTRAL NORTHERN REGIONAL LIBRARY (CNRL) 2024/25 ANNUAL REPORT AND 2026/27 MEMBERSHIP

RESOLUTION 2025/223

Moved: Cr James Robertson
Seconded: Cr Jason Allan

That Council:

1. Receive and note the Minutes of the Central Northern Regional Library Annual General Meeting held on 5 November 2025, appended at *Annexure A*.
2. Receive and note the Minutes of the Central Northern Regional Library Annual General Meeting held on 5 November 2025, appended at *Annexure B*.
3. Receive and note the Central Northern Regional Library Annual Report 2024/25, appended at *Annexure C*.
4. Allocate \$102,701 (GST exc) as its contribution to the Central Northern Regional Library in the 2026/27 Operational Plan and advise Tamworth Regional Council of its decision prior to 15 January 2026.

CARRIED

9.5 ADOPTION OF DRAFT TERMS OF REFERENCE FOR QUIRINDI SHOWGROUND USER GROUP FORUM AND QUIRINDI SPORTING PRECINCT USER GROUP FORUM

RESOLUTION 2025/224

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Adopt the draft Terms of Reference for the Quirindi Showground User Group Forum and Quirindi Sporting Precinct User Group Forum, as appended at *Annexure A*.

CARRIED

9.6 PLANNING PROPOSAL - LAND RECLASSIFICATION - ROYAL THEATRE, 115 HENRY STREET, QUIRINDI

RESOLUTION 2025/225

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Endorse the draft planning proposal to reclassify Lot 1 DP 976494 and Lot 2 DP 321796, 115 Henry Street, Quirindi known as the Royal Theatre from community to operational and forward to the Minister for Planning and Public Spaces to request a Gateway determination.
2. Request that Council be authorised as the local plan making authority for the purposes of this draft planning proposal.

CARRIED

10 DELEGATES REPORTS

Nil

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE**11.1 RESPONSE TO QUESTION ON NOTICE - CR CHARLIE SIMKIN - ROAD PROJECT BUDGET OVER-RUNS**

In consideration of **Item 7.5 – Quarterly Budget Review for the period ending 30 September 2025**, Councillor Simkin requested further information on the budget over-runs on Borah Creek Road, Coonabarabran Road, Waverley Road Rehabilitation, and Wallabadah Road Resealing, specifically the reason for the cost over-runs and what action Management is taking to reduce the number of further budget over-runs.

Response

Updates on specific projects as follows:

- (a) **Borah Creek Road:** The project was forecast for completion prior to end financial year 2025. Works were carried over into early July 2025 with contractor availability issues, weather impacts and several invoices received late contributing to expenditure being incurred in the 25/26 financial year. The work was not identified as a works in progress (WIP) in June 2025 which has impacted the reporting within the 25/26 financial year as there was no budget allocation for the project.
- (b) **Coonabarabran Road:** There was a minor increase to the scope of works identified as edge break increased during the completion of the works and it was strategically sound to repair the additional edge break whilst mobilised on site.
- (c) **Merriwa Road:** Three sections of rehabilitation were identified within the 2025/26 Operational Plan (funded from R2R) and when nearing completion of these sections a further three sections were identified as requiring rehabilitation due to excessive deterioration from the construction works on range within Upper Hunter Shire LGA. It was strategically recognised that if we did not upgrade the three additional sections of 800m, 750m and 400m sections would fail once the road was fully opened to traffic. The additional works identified were funded through unallocated funds within Roads to Recovery (R2R) grant program.
- (d) **Waverley Road Rehabilitation:** Stabilisation rates had to be increased due to condition of subbase. The normal rate is 8kg/sq metre had to be adjusted to 20 kg/sq metre. Council also had to use another lime supplier due to normal supplier being unavailable at the time when stabilisation works was required and the new supplier had higher rates. This potential issue will be remedied in the future with geotechnical investigations completed prior to works being scoped and costed.
- (e) **Wallabadah Road Resealing:** The overspend was attributed to a corrective layer being required. When the sealing contractor advised that they could not guarantee the proposed integrity of the reseal due to the deterioration of the existing seal a new seal a corrective layer was applied.

From 2026, a regular Capital Works Program will be included in the Business Paper for Ordinary Meetings of Council. It is intended that will practice will support enable Councillors to have better oversight of Council's major capital works projects, via monthly progress reports.

In April/May 2026, Council Officers will identify any works that may require being carried forward as works progress, which will ensure unexpended funds will be captured in the 2026/27 financial year to complete works.

Pursuant to clause 9.16 of the Code of Meeting Practice, the following questions were put during the meeting and subsequently taken on notice for response to be provided at the following meeting of Council:

11.2 OPERATIONAL STATUS OF THE STREET SWEEPER

Cr Terry Cohen requested an update on the operational status of the Street Sweeper.

11.3 WEED MAINTENANCE PROGRAM - WALLABADAH

Cr James Robertson enquired on the Weed Maintenance Program for Wallabadah, in particular, Wallabadah Waste Facility.

11.4 DESTINATION MANAGEMENT / ECONOMIC DEVELOPMENT SUB-COMMITTEE

Cr Jason Allan enquired on whether a sub-committee should be formed to review and monitor actions from the Destination Management Plan and Economic Development Strategy.

12 CONFIDENTIAL MATTERS

RESOLUTION 2025/226

Moved: Cr Donna Lawson

Seconded: Cr Shawn Cain

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 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.

CARRIED

At 3:37 pm, Cr Jason Allan left the meeting.

RESOLUTION 2025/227

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council moves out of Closed Council into Open Council.

CARRIED

At 3:41 pm, Cr Jason Allan returned to the meeting.

REPORT ON CONFIDENTIAL MATTERS

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

12.1 SUPPLY AND DELIVERY OF AGGREGATES**RESOLUTION 2025/228**

Moved: Cr James Robertson

Seconded: Cr Charlie Simkin

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.

CARRIED

The Meeting closed at 3:40pm..

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 February 2026.

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CHAIRPERSON