

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON WEDNESDAY, 25 FEBRUARY 2026 AT 2:30 PM**

**PRESENT:** Cr Ken Cudmore (Mayor), Cr Donna Lawson (Deputy Mayor), Cr Jason Allan, Cr Shawn Cain, Cr Terry Cohen, Cr James Robertson, Cr Charlie Simkin

**IN ATTENDANCE:** Cian Middleton (General Manager), Daniel Smallwood (Director Corporate Performance & CFO), Luke Witten (Manager Engineering, Assets and Projects), Rod Batterham (Manager Water and Waste), Tim Wark (Manager Operations), 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**

At 2:33 pm, Cr James Robertson left the meeting.

Councillor Simkin recited the Acknowledgement of Country.

At 2:38 pm, Cr James Robertson returned to the meeting.

**2 COUNCIL PRAYER/AFFIRMATION**

Councillor Simkin recited the Council Affirmation.

**3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

The Mayor invited apologies and applications for leave of absence.

There were nil apologies or applications for a leave of absence.

#### **4 APPLICATIONS FOR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS**

The Mayor advised that Councillor Shawn Cain had submitted an application for attendance via audio-visual link.

#### **MOTION**

---

#### **RESOLUTION 2026/1**

Moved: Cr Charlie Simkin

Seconded: Cr Terry Cohen

1. That the request by Councillor Cain to attend today's Ordinary Meeting of Council via Audio Visual link be received and accepted.

**CARRIED**

#### **5 CONFIRMATION OF MINUTES**

##### **5.1 MINUTES OF THE COUNCIL MEETING HELD ON 10 DECEMBER 2025**

---

#### **MOTION**

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

1. That the Minutes of the Council Meeting held on 10 December 2025 be received and the recommendations therein be adopted.

#### **6 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.

#### **7 MAYORAL MINUTE(S)**

##### **7.1 MAYORAL MINUTE - MEETINGS, FUNCTIONS AND EVENTS - DECEMBER 2025 AND JANUARY 2026**

---

#### **RESOLUTION 2026/2**

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 months of December 2025 and January 2026.

as detailed in this report.

**CARRIED**

## **7.2 MAYORAL MINUTE - 2025 LIVERPOOL PLAINS SHIRE COUNCIL STAFF AWARDS**

---

### **RESOLUTION 2026/3**

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Extend its congratulations and gratitude to those employees of Liverpool Plains Shire Council recognised for their achievements and service to our organisation and community at the 2025 Staff Awards Presentation.

**CARRIED**

## **7.3 MAYORAL MINUTE - 2026 LIVERPOOL PLAINS SHIRE AUSTRALIA DAY AWARDS**

---

### **RESOLUTION 2026/4**

Moved: Cr Ken Cudmore

Seconded: Cr Charlie Simkin

That Council:

1. Congratulate the 2026 Liverpool Plains Shire Australia Day Award recipients and extend its appreciation to all recipients and nominees for their contributions to the Liverpool Plains Shire community.
2. Congratulate Mr Nevill Holz OAM of Willow Tree and Mr Robert Lewis OAM of Quirindi for being awarded Medals of the Order of Australia in the Commonwealth Government's 2026 Australia Day Honours List.
3. Extend its appreciation to Ms Joanna Savill, 2026 Australia Day Ambassador, for attending local Australia Day celebrations throughout the Liverpool Plains Shire.

**CARRIED**

## **8 LATE MATTERS**

There were nil late matters.

## 9 MATTERS RESOLVED BY EXCEPTION

The Mayor invited the General Manager to list the Officers' Reports and asked Councillors to identify any individual items of business that they intended to vote against the recommendation made in the business paper, or that they wished to speak on.

### 9.1 MATTERS RESOLVED BY EXCEPTION

---

#### RESOLUTION 2026/5

Moved: Cr Charlie Simkin  
Seconded: Cr James Robertson

That Council:

1. Pursuant to clause 13.1 of the Code of Meeting Practice, adopt the following items of business as recommended in the Business Paper:
  - a. 12.1 – Amendment to the Schedule of Ordinary Meetings – 2026
  - b. 13.3 – Monthly Statement of Investments – December 2025
  - c. 13.4 – Monthly Statement of Investments – January 2026
  - d. 13.6 – Public Exhibition of Draft Sustainability Strategy
  - e. 13.8 – Quarterly Budget Review Statement for the Period Ending 31 December 2025
  - f. 15.4 – Monthly Development and Building Report – December 2025
  - g. 15.5 – Monthly Development and Building Report – January 2026
  - h. 15.6 – Public Exhibition of Draft Compliance and Enforcement Policy
  - i. 17.1 – Response to Question on Notice – Meeting of December 2025.
2. Pursuant to clause 8.2 and clause 13.4 of the Code of Meeting Practice, resolve the to amend the Order of Business accordingly.

**CARRIED**

---

## 10 REPORTS OF COUNCILLOR DELEGATES

There were nil Delegates reports.

## 11 REPORTS OF COMMITTEES

THERE WERE NIL COMMITTEE REPORTS.

## PROCEDURAL MOTION – AMENDMENT TO STANDING ORDERS

---

#### RESOLUTION 2026/6

MOVED: CR CHARLIE SIMKIN  
SECONDED: CR JAMES ROBERTSON

THAT COUNCIL:

---

1. PURSUANT TO CLAUSE 8.2 OF THE CODE OF MEETING PRACTICE, AMEND THE ORDER OF BUSINESS TO BRING FORWARD CONSIDERATION OF ITEM 15.7 – PLAINS FITNESS RECREATION CENTRE OPERATING MODEL.

**CARRIED**

---

## **12      REPORTS OF THE GENERAL MANAGER**

### **12.1    AMENDMENT TO SCHEDULE OF ORDINARY MEETINGS 2026**

---

#### **EN BLOC RESOLUTION 2026/7**

Moved:    Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Amend the Schedule of Ordinary Meetings, appended at *Annexure A*, to:
  - (a) Amend the date of the Ordinary Meeting in May 2026 to be held Wednesday, 27 May 2026
  - (b) Amend the date of the Ordinary Meeting in June 2026 to be held Monday, 22 June 2026.
2. Note that the General Manager will provide public notice of the Schedule of Ordinary Meetings, pursuant to section 9 and 418(3) of the *Local Government Act 1993* and clause 3.4 of the Code of Meeting Practice.

**CARRIED**

**12.2 APPOINTMENT OF COUNCILLOR DELEGATES TO 2026 CONFERENCES**

**EN BLOC RESOLUTION 2026/8**

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Appoint the following Councillors to attend each of the following conferences being held in 2025:

Conference	Delegate(s)
LGNSW Annual Conference	1. Mayor, Cr Ken Cudmore 2. Cr Shawn Cain 3. Cr Donna Lawson (Alternate: Cr Charlie Simkin)
LGNSW Water Conference	1. Cr Shawn Cain
LGNSW Destination and Visitor Economy Conference	1. Cr Jason Allan
NSW Local Roads Congress	1. Cr Charlie Simkin
ALGA National Assembly	1. Mayor, Cr Ken Cudmore 2. Cr Charlie Simkin
ALGWA NSW Conference	1. Cr Donna Lawson

2. Approve reimbursement of out-of-pocket expenses incurred by Councillor delegates attending the above conferences, in accordance with the Councillors Expenses and Facilities Policy.
3. Note that Councillor delegates are required to provide a written delegate’s report to Council following each conference attended.

**CARRIED**

**13 REPORTS OF THE DIRECTOR CORPORATE PERFORMANCE & CFO****13.1 ADOPTION OF DRAFT CUSTOMER EXPERIENCE CHARTER AND CUSTOMER EXPERIENCE POLICY (POST-EXHIBITION)**

---

**RESOLUTION 2026/9**

Moved: Cr Jason Allan

Seconded: Cr James Robertson

That Council:

1. Note the submissions received throughout the public exhibition period and the responses provided.
2. Adopt the draft Customer Experience Charter, appended at *Annexure A*, and the draft Customer Experience Policy, appended as *Annexure B*.

**CARRIED****13.2 DELIVERY PROGRAM 2025-2029 - MID-YEAR PROGRESS REPORT - 31 DECEMBER 2025**

---

**RESOLUTION 2026/10**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Receive and note the Delivery Program Mid-Year Progress Report from July 2025 to December 2025, as appended at *Annexure A*.
2. Notes that the report will be published to Council's website and made available for public view.

**CARRIED****13.3 MONTHLY STATEMENT OF INVESTMENTS - DECEMBER 2025**

---

**EN BLOC RESOLUTION 2026/11**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Receive and note the Statement of Investments as at 31 December 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 December 2025 as appended at *Annexure B*.

**CARRIED**

**13.4 MONTHLY STATEMENT OF INVESTMENTS - JANUARY 2026**

---

**EN BLOC RESOLUTION 2026/12**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Receive and note the Statement of Investments as at 31 January 2026 as appended at *Annexure B*.
2. Receive and note the Imperium Markets Monthly Investment Review Report for Liverpool Plains Shire Council as at 31 January 2026 as appended at *Annexure B*.

**CARRIED****13.5 FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 31 JANUARY 2026**

---

**RESOLUTION 2026/13**

Moved: Cr James Robertson

Seconded: Cr Charlie Simkin

That Council:

1. Receive and note the financial performance report for the period ended 31 January 2026.

**CARRIED****13.6 PUBLIC EXHIBITION OF DRAFT FINANCIAL SUSTAINABILITY STRATEGY**

---

**EN BLOC RESOLUTION 2026/14**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

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

**CARRIED**

**13.7 INTERNALLY RESTRICTED FUNDS AT 31 DECEMBER 2025**

**RESOLUTION 2026/15**

Moved: Cr Charlie Simkin  
 Seconded: Cr James Robertson

That Council:

1. Approve the transfer from the following internally restricted funds at 31 December 2025, to nil balance as detailed below:

<b>Reserve</b>	<b>Purpose</b>	<b>Amount</b>
<b>Financial Assistant Grant Operational</b>	Advance payment received for operational purpose from the Local Government Grants Commission.	\$0
<b>Financial Assistant Grant Road</b>	Advance payment received for Local Road maintenance from the Local Government Grants Commission.	\$0

**CARRIED**

**13.8 QUARTERLY BUDGET REVIEW STATEMENT FOR THE PERIOD ENDING 31 DECEMBER 2025**

**EN BLOC RESOLUTION 2026/16**

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 December 2025, incorporating the variations disclosed as the revised budget.

**CARRIED**

---

**13.9 WILLOW TREE WASTE MANAGEMENT FACILITY LOAN BORROWING**

---

**RESOLUTION 2026/17**

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Receive the report on the optimum loan borrowing for Council's contribution to the Willow Tree Waste Management Facility, and note the three (3) offers received from Commonwealth Bank, National Australia Bank and NSW Treasury Corporation.
2. Delegate authority to the Mayor and General Manager to affix Council's Common Seal and execute all required documentation pertaining to the borrowing of \$6 Million, from either the Commonwealth Bank of Australia or the National Australia Bank, depending on rate and timeframe.

**CARRIED****14 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND UTILITIES**

Nil

**15 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY****15.1 LOCAL ADVISORY COMMITTEE MINUTES**

---

**RESOLUTION 2026/18**

Moved: Cr Donna Lawson

Seconded: Cr Charlie Simkin

That Council:

1. Receive and note the minutes from the Currabubula Local Advisory Committee meeting held 13 November 2025.
2. Receive and note the minutes from the Werris Creek Progress Association meeting held on 3 February 2026.

**CARRIED**

---

**15.2 ADOPTION OF DRAFT DESTINATION MANAGEMENT PLAN 2026-2030 (POST-EXHIBITION)**

---

**RESOLUTION 2026/19**

Moved: Cr James Robertson

Seconded: Cr Donna Lawson

That Council:

1. Adopt the draft Destination Management Plan 2026-2030 appended at *Annexure A*.

**CARRIED**

---

**15.3 ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2026-2030 (POST-EXHIBITION)**

---

**RESOLUTION 2026/20**

Moved: Cr James Robertson

Seconded: Cr Charlie Simkin

That Council:

1. Adopt the draft Economic Development Strategy 2026-2030 appended at *Annexure A*.

**CARRIED**

---

**15.4 MONTHLY DEVELOPMENT & BUILDING REPORT - DECEMBER 2025**

---

**EN BLOC RESOLUTION 2026/21**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

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

**CARRIED**

---

**15.5 MONTHLY DEVELOPMENT & BUILDING REPORT - JANUARY 2026**

---

**EN BLOC RESOLUTION 2026/22**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

1. Receive and note the Development and Building Report for January 2026.

**CARRIED**

**15.6 PUBLIC EXHIBITION OF DRAFT COMPLIANCE AND ENFORCEMENT POLICY**

---

**EN BLOC RESOLUTION 2026/23**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

That Council:

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

**CARRIED**

---

**15.7 PLAINS FITNESS RECREATION CENTRE OPERATING MODEL**

---

**RESOLUTION 2026/24**

That Council:

1. Endorse the transition of Plains Fitness Recreation Centre to a 24/7 unstaffed operating model, effective 07 April 2026.
2. Note the financial outlook for Plains Fitness Recreation Centre, including the projected cumulative operating loss of approximately \$2.3 million over the 10-year period from 2025/26 to 2034/35 should the current staffed operating model continue.
3. Acknowledge the significant change in the local fitness market since Council acquired Plains Fitness and confirm that competitive neutrality obligations have been considered, and that transitioning to an unstaffed model is necessary to ensure Council does not unfairly compete with local private operators.
4. Effective 07 April 2026, amend the following fees and charges contained within Council's Schedule of Fees and Charges to reflect the revised service offering at Plains Fitness Recreation Centre, appended at *Annexure A*.

**AMENDMENT**

Moved: Cr Ken Cudmore

Seconded: Cr Terry Cohen

That Council:

1. Endorse the transition of Plains Fitness Recreation Centre to a 24/7 unstaffed operating model, effective 01 June 2026.
2. Note the financial outlook for Plains Fitness Recreation Centre, including the projected cumulative operating loss of approximately \$2.3 million over the 10-year period from 2025/26 to 2034/35 should the current staffed operating model continue.
3. Acknowledge the significant change in the local fitness market since Council acquired Plains Fitness and confirm that competitive neutrality obligations have been considered, and that transitioning to an unstaffed model is necessary to ensure Council does not unfairly compete with local private operators.
4. Effective 01 June 2026, amend the following fees and charges contained within Council's Schedule of Fees and Charges to reflect the revised service offering at Plains Fitness Recreation Centre, appended at *Annexure A*.

**.CARRIED**

**6 NOTICES OF MOTIONS**

There were nil Notices of Motions.

**17 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE**

**17.1 RESPONSE TO QUESTIONS ON NOTICE - DECEMBER 2025 MEETING**

---

**EN BLOC RESOLUTION 2026/25**

Moved: Cr Charlie Simkin

Seconded: Cr James Robertson

- a. That the response to the question regarding the Central North Regional Library Agreement raised by Councillor Cain be received and noted.

**CARRIED**

---

**18 CONFIDENTIAL MATTERS**

---

**RESOLUTION 2026/26**

Moved: Cr Charlie Simkin

Seconded: Cr Terry Cohen

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:

**18.1 RFT 135/2025- Supply and Delivery of one new motor grader**

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.

**18.2 RFT 134/2025- Supply and Delivery of a self propelled smooth drum roller (ERG CLASS RR9)**

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.

**18.3 RFT 136/2025- Supply and Delivery of one 5 tonne excavator (min 35HP)**

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.

**18.4 Yarraman Creek Bridge Project**

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.

**18.5 Potential Asset Disposal - Plains Fitness, 62 Station Street, 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.

**CARRIED**

**RESOLUTION 2026/27**

Moved: Cr Charlie Simkin  
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:

**RESOLUTION 2026/28**

**MOVED: CR CHARLIE SIMKIN**

**SECONDED: CR SHAWN CAIN**

That Council:

1. Lay the following Items of Business on the table:
  - a. 18.1. – RFT 135/2025 – Supply and Delivery of one new Motor Grander
  - b. 18.2 – RFT 134/2025 – Supply and Delivery of a self-propelled Smooth Drum Roller (ERG Class RR9)
  - c. 18.3 – RFT 136/2025 – Supply and Delivery of one 5 Tonne excavator (Min 35HP)

**CARRIED**

---

**18.4 YARRAMAN CREEK BRIDGE PROJECT**

---

**RESOLUTION 2026/29**

Moved: Cr Donna Lawson  
Seconded: Cr Charlie Simkin

That Council:

1. Accepts the modification to the contract awarded to Central Industries Pty Ltd for the Yarraman Creek Crossing at a revised cost of \$1,798,000 (inclusive GST) for the construction of a bridge.

**CARRIED**

**18.5 POTENTIAL ASSET DISPOSAL - PLAINS FITNESS, 62 STATION STREET, QUIRINDI**

**RECOMMENDATION 2026/30**

That Council:

1. Endorse the sale of 62 Station Street, Quirindi being Lot 1 DP1051498 known as Plains Fitness, for a period of up to 120 days.
2. Authorise the General Manager to set a reserve price for the sale of 62 Station Street, Quirindi, following two (2) market appraisals being received.
3. Authorise the General Manager to appoint an agent in relation to the sale of 62 Station Street, subject to two (2) market appraisals being received.
4. Authorise the Mayor and General Manager to affix the Council Seal under section 400 of the *Local Government Act 1993* to a Contract for the Sale of Land and any other associated documents to give effect to Council’s decision.
5. Allocate net proceeds of the sale of 62 Station Street, Quirindi to the General Reserves Fund.
6. Receive a further report in relation to the proposed sale of 62 Station Street, Quirindi following conclusion of the 120-day marketing period, if not sold prior.

**AMENDMENT**

Moved: Cr Ken Cudmore

Seconded: Cr Shawn Cain

That Council:

1. Invite Expressions of Interest for the purchase or lease of 62 Station Street, Quirindi being Lot 1 DP1051498 known as Plains Fitness, for a period of up to 42 days.
1. Authorise the General Manager to appoint an agent in relation to the sale or lease of 62 Station Street, Quirindi.
2. Receive a further report in relation to the proposed sale or lease of 62 Station Street, Quirindi following conclusion of the Expression of Interest period.

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

Against: Nil

Abstained: Cr James Robertson

**CARRIED 6/1**

**The Meeting closed at 5:27pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 March 2026.**

.....

**CHAIRPERSON**