

PRESENT: Cr M.L. Rush, Cr S.L. Bailey, Cr M. Bowditch, Cr J.F. Eades, Cr M.I. Green, Cr R.W. Scholes, Cr S.J. Ward and Cr B.N. Woodruff.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director, Community Infrastructure), Ms C. O'Brien (Acting Director, Planning, Community & Corporate Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Ms S. Pope (Executive Manager – Planning Environment & Regulatory Services), Mr J. Brown (Executive Services Co-Ordinator), Mrs L. Payne (Coordinator, Financial Services), Mrs M. Sandell-Hay (PA to General Manager) and Mrs N. Argent (PA to Mayor).

1 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was read by the General Manager.

2 CIVIC PRAYER

The Civic Prayer was read by the Mayor.

3 APOLOGIES AND LEAVE OF ABSENCE

50 RESOLVED on the motion of Crs Green and Eades that:

The apologies for inability to attend the meeting submitted by Cr. G. McNeill, Cr S. Reynolds, Cr J. Ledlin and Cr J. Foy be ACCEPTED and the necessary Leave of Absence be GRANTED.

4 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

5 PUBLIC PARTICIPATION

Nil

6 CORPORATE AND COMMUNITY SERVICES

6.1 MAKING OF THE RATES AND ANNUAL CHARGES FOR 2018-19

51 RESOLVED on the motion of Crs Woodruff and Bowditch that:

GENERAL FUND

RECOMMENDED that Council resolves as follows:

Council NOW MAKES the following ordinary rates for the 2018/19 Financial Year.

MINUTES OF THE EXTRA ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 23 JULY, 2018 COMMENCING AT 5.00PM.

Rate Type	Category	Sub-Category	Ad Valorem Cents in \$	Base/ Min \$	Base as % of Total Rate Levied
Ordinary	Residential	Residential – General	0.4467857	\$240	22.77%
Ordinary	Residential	Residential – Muswellbrook & Denman	0.5933775	\$290	38.66%
Ordinary	Farmland	Farmland – General	0.3496211	\$400	14.57%
Ordinary	Farmland	Farmland – Affected by Mining	1.0223658	\$15,000	0%
Ordinary	Farmland	Farmland – Irrigable	0.3788571	\$440	11.38%
Ordinary	Farmland	Farmland – Offset	1.0223658	\$15,000	0%
Ordinary	Mining	Mining – General	1.0223658	\$15,000	3.68%
Ordinary	Mining	Mining – Underground Coal Mining	26.9161393	\$15,000	3.37%
Ordinary	Business	Business – General	1.1686422	\$250	10.06%
Ordinary	Business	Business – Power Generation	7.8095063	\$25,000	19.93%
Ordinary	Business	Business – Thomas Mitchell Drive Industrial Centre	1.1765032	\$275	12.83%
Ordinary	Business	Business – Showground Release Area	0.2182791	\$250	2.36%

MINUTES OF THE EXTRA ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 23 JULY, 2018 COMMENCING AT 5.00PM.

WATER CHARGES

RECOMMENDED that the Council do hereby prescribe and order under Section 552 of the Local Government Act 1993, the following water charges be NOW MADE for the 2018/19 Financial Year:-

1. A Water Service Availability Charge is charged for each service to the property in respect of land that is supplied with water from a water pipe of the Council and land that is situated within 225 metres of a water pipe of the Council (whether or not actually supplied with water from any water pipe of the Council). The Water Service Availability Charge is based on the service size of the connection to the water supply line. The Water Service Availability Charges for the 2018/19 Financial Year are:

Water Service Charge

Availability Charge (Not Connected)	\$ 186
Availability Charge (Connected)	
- 20mm service	\$ 186
- 25mm service	\$ 291
- 32mm service	\$ 476
- 40mm service	\$ 744
- 50mm service	\$1,163
- 65mm service	\$1,965
- 80mm service	\$2,976
- 100mm service	\$4,650
- 150mm service	\$10,463

2. A Consumption Tariff is to be charged per kilolitre for all water supplied. The water consumption tariffs for the 2018/19 Financial Year are:

<u>Consumption Tariff</u>	<u>(\$/Kl)</u>
Residential	Tier 1 (1-350Kl per annum) \$1.87/kl Tier 2 (>350Kl per annum) \$2.70/kl
Non-Residential	\$2.35 per Kl

SEWERAGE CHARGES

RECOMMENDED that the Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, the following sewer charges be NOW MADE for the 2018/19 Financial Year:-

An annual charge for sewer is applicable to each rateable assessment except:

- a) land which is more than 75 metres from a sewer of the Council and is not connected to the sewer; and
- b) land from which sewage could not be discharged into any sewer of the Council.

MINUTES OF THE EXTRA ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 23 JULY, 2018 COMMENCING AT 5.00PM.

1) Residential Sewer Charges

A Sewer Service Availability Charge is charged in respect of each Residential assessment for which the service is provided or is proposed to be provided. The Sewer Service Availability Charges for the 2018/19 Financial year are:-

Sewer Service Charge

Residential Sewer Availability Charge (Vacant)	\$270.00
Residential Sewer Charge (Occupied)	\$675.00

2) Non-Residential Sewerage Charges

Non-Residential Sewer Charges will be based on the following formula:

$$SC = SDF \times (AC + (C \times UC))$$

SC = Sewerage Charge

SDF = Sewerage Discharge Factor

AC = Availability Charge

C = Total water consumption for meter

UC = Sewer Usage Charge

The Sewer Service Availability Charges for the year commencing 1 July 2018 are:-

Sewer Service Availability Charge

Availability Charge (Not Connected)	\$270.00
Availability Charge (Connected)	
- 20mm service	\$270.00
- 25mm service	\$421.89
- 32mm service	\$691.20
- 40mm service	\$1,080.00
- 50mm service	\$1,687.50
- 65mm service	\$2,851.89
- 80mm service	\$4,320.00
- 100mm service	\$6,750.00
- 150mm service	\$15,187.50

The Sewer Usage Charge for the 2018/19 Financial Year is:-

<u>Sewer Usage Charge</u>	<u>(\$/Kl)</u>
Non-Residential Sewer Usage Charge	\$2.35

Discharge Factors required for non-residential properties will be determined on an individual property basis.

WASTE CHARGES

RECOMMENDED that the Council do hereby prescribe and order under Section 496 of the Local Government Act 1993, for rateable land categorised for rating purposes as Residential and situated within the urban area in which a Domestic Waste Management Service is able to be provided, that the following waste charges be NOW MADE for the 2018/19 Financial Year:-

Domestic Waste Management Service Charge

Urban Domestic Waste Management Availability Charge ^(a)	\$96.00
Urban Domestic Waste Management Service Charge ^(b)	\$390.00
Additional Urban Domestic Waste Management Service Charge	\$100.00
Additional Urban Domestic Waste Management Recycling Service Charge	\$70.00
Additional Urban Domestic Waste Management Green Waste Service Charge	\$30.00

- a) Charge applies to vacant rateable land categorised for rating purposes as Residential and situated within the urban area in which a Domestic Waste Management Service is able to be provided.
- b) Each premises is entitled to one approved mobile waste bin service per week and one fortnightly collection of recyclable material and one fortnightly collection of green waste for each Urban Domestic Waste Management Service Charge.

RECOMMENDED that the Council do hereby prescribe and order under Section 496 of the Local Government Act 1993, for rateable land categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Domestic Waste Management Service is able to be provided, that the following waste charges be NOW MADE for the 2018/19 Financial Year:-

Rural Domestic Waste Management Service Charge

Rural Domestic Waste Management Availability Charge ^(a)	\$96.00
Rural Domestic Waste Management Service Charge ^(b)	\$360.00
Additional Rural Domestic Waste Management Service Charge	\$100.00
Additional Rural Domestic Waste Management Recycling Service Charge	\$70.00
Rural Domestic Waste Management Green Waste Service Charge	\$30.00

- a) Charge applies to vacant rateable land categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Rural Domestic Waste Management Service is able to be provided.
- b) Each premises is entitled to one approved mobile waste bin service per week and one fortnightly collection of recyclable material for each Rural Domestic Waste Management Service Charge.

MINUTES OF THE EXTRA ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 23 JULY, 2018 COMMENCING AT 5.00PM.

RECOMMENDED that the Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, for land not categorised for rating purposes as residential and situated within the urban area in which a Waste Management Service is able to be provided, that the following waste charges be NOW MADE for the 2018/19 Financial Year:-

Waste Management Service Charge

Urban Waste Management Availability Charge – Non-Domestic ^(a)	\$96.00
Waste Management Service Charge ^(b)	\$360.00
Additional Waste Management Service Charge	\$100.00
Additional Waste Management Recycling Service Charge	\$70.00
Waste Management Green Waste Service Charge	\$30.00

- a) Charge applies to vacant rateable land not categorised for rating purposes as Residential and situated within the urban area in which a Waste Management Service is able to be provided.
- b) Each premises is entitled to one approved mobile waste bin service per week and one fortnightly collection of recyclable material for each Waste Management Service Charge.

RECOMMENDED that the Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, for land not categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Waste Management Service is able to be provided, that the following waste charges be NOW MADE for the 2018/19 Financial Year:-

Rural Waste Management Service Charge

Rural Waste Management Availability Charge – Non-Domestic ^(a)	\$96.00
Rural Waste Management Service Charge ^(b)	\$360.00
Additional Rural Waste Management Service Charge	\$100.00
Additional Rural Waste Management Recycling Service Charge	\$70.00
Rural Waste Management Green Waste Service Charge	\$30.00

- a) Charge applies to vacant rateable land not categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Rural Waste Management Service is able to be provided.
- b) Each premises is entitled to one approved mobile waste bin service per week and one fortnightly collection of recyclable material for each Rural Waste Management Service Charge.

STORMWATER MANAGEMENT CHARGE

RECOMMENDED that the Council do hereby determine and order, in accordance with Section 496A of the Local Government Act 1993 to levy a Stormwater Management Charge for land within the Muswellbrook and Denman urban areas and included in the Town Planning Zones of R1 General Residential, B2 Local Centre, SP2 Infrastructure, IN2 Light Industrial, IN1 General Industrial and RU5 Village, except where exemption or variation to the charge is provided in accordance with the document "Stormwater Management Service Charge Guidelines" issued by the Division of Local Government in July 2006, be NOW MADE for the 2018/19 Financial Year at a rate of \$25.00 per assessment and \$12.50 per residential strata unit.

Where a non-residential assessment exists with an impervious land area falling within the ranges

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outlined below the charge will be levied in accordance with table established below:-

Area of Impervious Land	Charge
0- 1,199 sqm	\$ 25.00
1,200- 4,999 sqm	\$100.00
5,000- 9,999 sqm	\$375.00
Greater than 10,000 sqm	\$725.00

INTEREST ON OVERDUE ACCOUNTS

RECOMMENDED that Council resolves as follows:

Council does hereby determine and order, in accordance with Section 566 of the Local Government Act 1993, that if rates and charges are unpaid at the due date, the outstanding amount shall be increased by a sum calculated at seven point five per cent (7.5%) per annum simple interest, calculated daily for the Financial Year.

HUNTER CATCHMENT CONTRIBUTION

RECOMMENDED that the Council do hereby determine and order, in accordance with Clauses 36 and 40, Part 4 of the Local Land Services Regulation 2014 as advised by Hunter Local Land Services in 2018/19, a rate of 0.0111 (zero point zero one one one) cents in the dollar on the current Land Value of the land within the Council area. By virtue of the provisions of the above regulation, the Council is authorised, empowered and required to levy the said Catchment contribution rate in respect of the lands.

6.2 AMENDMENTS TO THE 2018-2019 FEES AND CHARGES

52 RESOLVED on the motion of Crs Woodruff and Bowditch that:

Council adopts the updated Fees and Charges for the 2018/2019 Financial Year.

7 ADJOURNMENT INTO CLOSED COUNCIL

53 RESOLVED on the motion of Crs Green and Woodruff that:

Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

8.1 PUMPED HYDRO ENERGY GENERATION PROJECT

Item 8.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, 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, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

8 CLOSED COUNCIL

8.1 PUMPED HYDRO ENERGY GENERATION PROJECT

54 RESOLVED on the motion of Crs Scholes and Bowditch that:

1. Council not invite any tenders from submitters of expressions of interest for the development of a potential Pumped Hydro Energy Storage facility in the Muswellbrook Shire, pursuant to regulation 168(4)(b) of the Local Government (General) Regulation.
2. Council not proceed to seek tenders pursuant to section 55(3)(i) of the Local Government Act because of the unavailability of competitive tenderers.
3. The General Manager be authorised to negotiate with the successful party.

9 RESUMPTION OF OPEN COUNCIL

55 RESOLVED on the motion of Crs Scholes and Ward that:

That the meeting return to Open Council.

Cr. S Bailey arrived at 5.04 pm.

10 CLOSURE

The meeting was declared closed at 5.05 pm.

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Ms F. Plesman
General Manager

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Cr M. Rush
Chairperson