

MINUTES OF THE EXTRA ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON TUESDAY 13 AUGUST, 2019 COMMENCING AT 6.30PM.

PRESENT: Cr M.L. Rush, Cr M. Bowditch, Cr J.P. Foy, Cr G.T. McNeill, Cr R.W. Scholes, Cr S.M. Reynolds, Cr S.J. Ward and Cr B.N. Woodruff.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms N. Cowley (Executive Manager – Officer of the Chief Financial Officer), Ms S. Pope (Assistant Director – Planning & Community Service), Mr G. Abeywardena (Assistant Director – Community Infrastructure/Chief Engineer), Mr M. Lysaught (Manager – Works, Property & Building Services), Mr A. Mitreski (Policy Analyst, Economic Transition and Innovation), Mrs M. Sandell-Hay (PA to General Manager) and Miss M. Meadows (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

41 RESOLVED on the motion of Crs Reynolds and Foy that:

The apologies for inability to attend the meeting submitted by Cr. J. Eades, Cr J.Ledlin, Cr. M. Green and Cr. S. Bailey 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 COMMUNITY INFRASTRUCTURE

S.1 2019-2020 GENERAL RECREATION PROGRAM

42 RESOLVED on the motion of Crs Reynolds and Woodruff that:

Council approves the General Recreation Program and the proposed works and funding as outlined in the report.

7 ADJOURNMENT INTO CLOSED COUNCIL

43 RESOLVED on the motion of Crs Reynolds and Foy 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:

7.1 CONTRACT 2018-2019-0366 REVIEW OF MINE AFFECTED ROADS NETWORK PLAN

Item 7.1 is classified CONFIDENTIAL under the provisions of Section10A(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.

7.2 CHANGE TO ORGANISATIONAL STRUCTURE ESTABLISHMENT

Item 7.2 is classified CONFIDENTIAL under the provisions of Section10A(2)(a) of the local government act 1993, as it deals with personnel matters concerning particular individuals (other than councillors), and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

8 CLOSED COUNCIL

7.1 CONTRACT 2018-2019-0366 REVIEW OF MINE AFFECTED ROADS NETWORK PLAN

44 RESOLVED on the motion of Crs Rush and Woodruff that:

1. In accordance with S178 of the Local Government (General) Regulation 2005, decline to accept any tender for Contract 2018-2019-0366 Review of Mine Affected Roads Network Plan Council as council is not satisfied that the existing proposal will satisfactorily achieve the desirable outcome within the required timeframe.
2. Council declines to invite fresh tenders or applications as referred to in subclause (3) (b)–(d) as it would delay the project, and
3. Authorise the General Manager to negotiate with the preferred tenderer identified in the report and appoint a consultant.

7.2 CHANGE TO ORGANISATIONAL STRUCTURE ESTABLISHMENT

45 RESOLVED on the motion of Crs Rush and Scholes that:

Council endorse a change to the staff establishment to change the Ecologist and Sustainability Team leader position to Grade 5 Level 5.

9 RESUMPTION OF OPEN COUNCIL

46 RESOLVED on the motion of Crs McNeill and Foy that:

The meeting return to Open Council.

10 CLOSURE

The meeting was declared closed at 6:48 pm.

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Ms F. Plesman

General Manager

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Cr M. Rush

Chairperson