

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL
HELD IN THE CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON TUESDAY 11 JULY,
2017 COMMENCING AT 6:00PM.**

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

IN ATTENDANCE: Mr F. Plesman (Acting General Manager), Mr N.W. Pope (Director, Community Infrastructure), Mr P. Redan (Executive Manager, Water and Waste), Mr G. O'Leary (Manager, Corporate Services), Mr P. Gunasekara (Acting Manager, Planning & Regulatory Services), Mrs C. O'Brien (Manager, Community Services), Mr J. Brown (Executive Services Co-Ordinator), Mr M. Lysaught (Manager, Property & Building Services), Mr R. Franklin (Chief Finance Officer), Mrs D. Watson (Development Planner), Mr S. Brooks (Mining Officer), Mrs M. Sandell-Hay (PA to General Manager), 4 people in the public gallery and 2 media representatives.

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

1 RESOLVED on the motion of Crs Eades and Bowditch that:

The apologies for inability to attend the meeting submitted by Cr. G. McNeill be ACCEPTED and the necessary Leave of Absence be GRANTED.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2 RESOLVED on the motion of Crs Woodruff and Scholes that:

The Minutes of the Ordinary Meeting held on 13 June 2017, and the Extra Ordinary Meeting held on 28 June 2017, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

5 DISCLOSURE OF ANY PECUNIARY AND NON PECUNIARY INTEREST

Cr Mark Bowditch – declared a pecuniary interest in item 12.1. Cr Bowditch advised Council that he works for the Mine that is mentioned in the report. Cr Bowditch also declared a pecuniary interest in item 10.4. Cr Bowditch advised Council that his wife is the treasurer of the Muswellbrook Netball Association who receives a donation from Muswellbrook Workers Club.

Cr Janelle Eades – declared a pecuniary interest in Item 10.4. Cr Eades advised Council that she works for an organisation that is at present in receipt of grant funding for projects from the Muswellbrook Workers Club.

Cr Stephen Ward – declared a non-pecuniary interest in item 10.4. Cr Ward advised Council that attends sessions in the building which is owned by the Workers Club. Cr Ward also declared a non-pecuniary interest in Item 10.1. Cr Ward advised that he has utilised the services of the Westpac Rescue Helicopter.

Michelle Green – declared a pecuniary interest in Item 13.4. Cr Green advised Council that her husband works for BHP Mt Arthur. Cr Green also declared a pecuniary interest in Item 10.4. Cr

Green advised Council that her husband's business Final Form Regeneration is quoting for rehabilitation works at Muswellbrook Workers Club.

Cr Stephen Reynolds – declared a pecuniary interest in Item 13.4. Cr Reynolds advised Council that he is currently employed by BHP Mt Arthur.

Cr Jason Foy – declared a non-pecuniary interest in Item 13.5. Cr Foy advised Council that the item contains a funding arrangement for Muswellbrook High School which is his sole place of employment. Cr Foy also declared a non-pecuniary interest in Item 10.4. Cr Foy advised Council that he performs in a band with the General Manager of the Workers Club and his employer, Muswellbrook High School, is a recipient of grants from the Workers Club.

Cr Scott Bailey – declared a pecuniary interest in Item 10.4. Cr Bailey advised Council that his employer is the applicant.

Cr Martin Rush – declared a significant non-pecuniary interest in item 10.4. Cr Rush advised Council that his Mother's partner is a board member of the Workers Club. Cr Rush also declared a significant non-pecuniary interest in Item 12.7. Cr Rush advised Council that a friend is one of the Expressions of Interest submitted.

6 PUBLIC PARTICIPATION

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL BUSINESS

Nil

9 BUSINESS ARISING

Nil

10 ENVIRONMENTAL SERVICES

10.1 REQUEST FOR THE WAIVING OF FEES FOR AN APPLICATION FOR AN ACTIVITY APPROVAL

Disclosure of Interest

Cr Ward declared a non-pecuniary interest in this item. Cr Ward advised Council that he has utilised the Westpac Rescue Helicopter Service in the past.

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

1. Council waive the fee of \$306.00 payable by the Westpac Rescue Helicopter Service Denman Volunteer Support Group for the application 7/2017.
2. The fee amount to be allocated from the Sundries Donations budget.

10.2 DEVELOPMENT APPLICATION NO. 8/2017 - 129 LOT RESIDENTIAL SUBDIVISION, LOT 122 DP 750924, ALMOND STREET DENMAN

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

That the general manager be delegated authority to determine Development Application No. 8/2017 proposing a 129 residential subdivision to be constructed in 5 stages, at Lot 122 DP 750924, Almond Street, Denman

In Favour: Crs S. Bailey, M. Bowditch, J. Eades, J. Foy, M. Green, J. Ledlin, S. Reynolds, M. Rush, R. Scholes, S. Ward and B. Woodruff.

Against: Nil.

10.3 HERITAGE STRATEGIC PROJECTS UPDATE

5 RESOLVED on the motion of Crs Rush and Green that:

This matter be deferred to an Extra-Ordinary Council meeting to be held on 26 July, 2017.

10.4 DEVELOPMENT APPLICATION 18/2017 - INTERNAL REFURBISHMENT AND EXTENSIONS, MUSWELLBROOK DISTRICT WORKERS CLUB, SYDNEY STREET, MUSWELLBROOK

Disclosure of Interest

Cr M. Bowditch declared a non-pecuniary interest in this item. Cr Bowditch advised that his wife is treasurer of the Muswellbrook Netball Association who receives a donation from the Muswellbrook Workers Club.

Cr S. Bailey declared a pecuniary interest in this item. Cr Bailey advised that he is employed by the applicant.

Cr J. Eades – declared a pecuniary interest in this item. Cr Eades advised that she works for an organisation that is at present in receipt of grant funding for projects from the Muswellbrook Workers Club.

Cr J. Foy – declared a non-pecuniary interest in this item. Cr Foy advised that he performs in a band with the General Manager of the Workers Club and his employer, Muswellbrook High School, is a recipient of grants from the Workers Club.

Cr M. Green – declared a non-pecuniary interest in this item. Cr Green advised that her husband's business is quoting for rehabilitation works at Muswellbrook Workers Club.

Cr M. Rush – declared a significant non-pecuniary interest in this item. Cr Rush advised that his mother's partner is a board member of the Muswellbrook Workers Club.

Cr S. Ward – declared a significant non-pecuniary interest in this item. Cr Ward advised that he attends sessions at a premises that is owned by Muswellbrook Workers Club.

At 06:11pm Crs Scott Bailey, Mark Bowditch, Janelle Eades, Jason Foy, Michelle Green Martin Rush and Stephen Ward left the Council Chambers and therefore took no part in discussion or voting on this matter.

Cr Scholes assumed the role of Chair for this item.

As a quorum was not present, advice from the Office of Local Government was sought. On the

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advice of the Office of Local Government Councillors who did not have a pecuniary interest in the item could return to the meeting.

At 06:13 PM Crs Mark Bowditch, Jason Foy and Michelle Green returned to Council Chambers.

- 6 RESOLVED on the motion of Crs Woodruff and Foy that:

The General Manager be delegated authority to determine DA 18/2017 proposing alterations and additions to the registered club at 15-29 Sydney Street, Muswellbrook and a peer review of the planning advice be sought.

In Favour: Crs M. Bowditch, J. Eades, J. Foy, M. Green, J. Ledlin, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

At 06:18 PM Crs Scott Bailey, Janelle Eades, Martin Rush and Stephen Ward returned to Council Chambers.

Cr Rush resumed the role of Chair of the meeting.

11 COMMUNITY INFRASTRUCTURE

11.1 NEW LIQUID TRADE WASTE APPROVAL FOR HUNTER WINE SERVICES

- 7 RESOLVED on the motion of Crs Rush and Scholes that:

The matter be delegated to the General Manager.

12 CORPORATE AND COMMUNITY SERVICES

12.1 MT PLEASANT MODIFICATION 3 COMMENT TO DEPARTMENT OF PLANNING AND ENVIRONMENT

Disclosure of Interest

Cr Mark Bowditch declared a pecuniary interest in this item. Cr Bowditch advised that he is currently working at the Mt Pleasant site.

At 06:20pm Cr Mark Bowditch left the Council Chambers and therefore took no part in discussion or voting on this matter.

- 8 RESOLVED on the motion of Crs Rush and Scholes that:

Council delegate the making of a submission to the General Manager subject to consultation with Councillors prior to the formal making of the submission.

At 06:21 PM Cr Mark Bowditch returned to Council Chambers.

12.2 MAKING OF THE RATES AND ANNUAL CHARGES FOR 2017-18

- 9 RESOLVED on the motion of Crs Green and Bailey that:

GENERAL FUND

RECOMMENDED that the following Ordinary Rates be NOW MADE for the 2017/18 Financial Year.

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Rate Type	Category	Sub-Category	Ad Valorem Amount	Base/ Min \$	Base as % of
Total			Cents in \$		Rate
Ordinary	Residential		0.4121460	\$240.00	24.68%
Ordinary	Residential	Muswellbrook/Denman	0.5274890	\$290.00	41.48%
Ordinary	Farmland		0.3428480	\$400.00	14.01%
Ordinary	Mining		5.4537880	\$15,000.00	4.70%
Ordinary	Business		1.0502980	\$250.00	10.59%
Ordinary	Business	Interim Development	0.2030700	\$250.00	2.53%

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 2017/18 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 2017/18 Financial Year are:

Water Service Charge

Availability Charge (Not Connected)	\$ 175
Availability Charge (Connected)	
- 20mm service	\$ 175
- 25mm service	\$ 273
- 32mm service	\$ 448
- 40mm service	\$ 700
- 50mm service	\$1,094
- 65mm service	\$1,848
- 80mm service	\$2,800
- 100mm service	\$4,375
- 150mm service	\$9,844

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2. A Consumption Tariff is to be charged per kilolitre for all water supplied. The water consumption tariffs for the 2017/18 Financial Year are:

<u>Consumption Tariff</u>	<u>(\$/Kl)</u>
Residential	Tier 1 (1-350Kl per annum) \$1.77/kl
	Tier 2 (>350Kl per annum) \$2.65/kl
Non-Residential	\$2.22 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 2017/18 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.

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 2017/18 Financial year are:-

Sewer Service Charge

Residential Sewer Availability Charge (Vacant)	\$260.00
Residential Sewer Charge (Occupied)	\$645.00

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 2017 are:-

Sewer Service Availability Charge

Availability Charge (Not Connected)	\$260.00
Availability Charge (Connected)	
- 20mm service	\$260.00

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- 25mm service	\$406.25
- 32mm service	\$665.60
- 40mm service	\$1,040.00
- 50mm service	\$1,625.00
- 65mm service	\$2,746.25
- 80mm service	\$4,160.00
- 100mm service	\$6,500.00
- 150mm service	\$14,625.00

The Sewer Usage Charge for the 2017/18 Financial Year is:-

<u>Sewer Usage Charge</u>	<u>(\$/KI)</u>
Non-Residential Sewer Usage Charge	\$2.22

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 2017/18 Financial Year:-

Domestic Waste Management Service Charge

Urban Domestic Waste Management Availability Charge ^(a)	\$93.50
Urban Domestic Waste Management Service Charge ^(b)	\$361.00
Additional Urban Domestic Waste Management Service Charge	\$93.00
Additional Urban Domestic Waste Management Recycling Service Charge	\$63.00
Additional Urban Domestic Waste Management Green Waste Service Charge	\$28.00

- 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 2017/18 Financial Year:-

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Rural Domestic Waste Management Service Charge

Rural Domestic Waste Management Availability Charge ^(a)	\$93.50
Rural Domestic Waste Management Service Charge ^(b)	\$325.00
Additional Rural Domestic Waste Management Service Charge	\$93.00
Additional Rural Domestic Waste Management Recycling Service Charge	\$63.00
Rural Domestic Waste Management Green Waste Service Charge	\$28.00

- 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.

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 2017/18 Financial Year:-

Waste Management Service Charge

Urban Waste Management Availability Charge – Non-Domestic ^(a)	\$93.50
Waste Management Service Charge ^(b)	\$325.00
Additional Waste Management Service Charge	\$93.00
Additional Waste Management Recycling Service Charge	\$63.00
Waste Management Green Waste Service Charge	\$28.00

- 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 2017/18 Financial Year:-

Rural Waste Management Service Charge

Rural Waste Management Availability Charge – Non-Domestic ^(a)	\$93.50
Rural Waste Management Service Charge ^(b)	\$325.00
Additional Rural Waste Management Service Charge	\$93.00
Additional Rural Waste Management Recycling Service Charge	\$63.00
Rural Waste Management Green Waste Service Charge	\$28.00

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- 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 2017/18 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 outlined below the charge will be levied in accordance with table established below:-

Area of Impervious Land	Charge
0-1199 sqm	\$ 25.00
1200-4999 sqm	\$100.00
5000-9999 sqm	\$375.00
Greater than 10,000 sqm	\$725.00

INTEREST ON OVERDUE ACCOUNTS

RECOMMENDED that the Council do 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 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 2017/18, a rate of 0.0110 (zero point zero one one zero) 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.

12.3 LANDSCAPING WORKS FOR MUSWELLBROOK CEMETERY

- 10 RESOLVED on the motion of Crs Reynolds and Green that:

Council approve the recommended program of works as detailed in the report.

12.4 REPORT ON INVESTMENTS HELD AS AT 30 JUNE 2017

- 11 RESOLVED on the motion of Crs Bailey and Green that:

The information contained in this report be noted.

12.5 DELEGATIONS TO THE MAYOR & GENERAL MANAGER

- 12 RESOLVED on the motion of Crs Bailey and Woodruff that:

The delegation to the;

1. Mayor of Muswellbrook Shire Council, attached as appendix A, be ENDORSED.
2. General Manager of Muswellbrook Shire Council, attached as appendix B, be ENDORSED.

12.6 DIRECTOR'S REPORT - PLANNING, COMMUNITY & CORPORATE SERVICES

- 13 RESOLVED on the motion of Crs Scholes and Ledlin that:

The information contained in this report be noted.

12.7 WEIDMANN COTTAGE - CALL FOR EXPRESSIONS OF INTEREST

Disclosure of Interest

Cr Rush declared a significant non-pecuniary interest in this item. Cr Rush advised that a friend had submitted an Expression of Interest.

At 06:22 PM Councillor Martin Rush left the Council Chambers and therefore took no part in discussion or voting on this matter.

Cr Scholes assumed the role of Chair for this item.

- 14 RESOLVED on the motion of Crs Green and Woodruff that:

1. Council delegate to the General Manager the decision to appoint a business operator for Weidmann Cottage as outlined in the report;
2. Council allocate \$20,000 for design and development approval; and
3. Following detailed design and development approval Council be provided with a report on the project cost estimate and required budget allocation.

At 06:23 PM Councillor Martin Rush returned to Council Chambers and resumed the role of Chair for the remainder of the meeting.

13 REPORTS FROM COMMITTEES

13.1 LOCAL TRAFFIC COMMITTEE - 20/06/2017

- 15 RESOLVED on the motion of Crs Reynolds and Ledlin that:

The Minutes of the Local Traffic Committee Meeting held on Tuesday 20 June 2017 be received and the recommendations contained therein ADOPTED.

13.2 INFRASTRUCTURE COMMITTEE - 28/06/2017

- 16 RESOLVED on the motion of Crs Woodruff and Ward that:

The Minutes of the Infrastructure Committee Meeting held on Wednesday 28 June 2017 be received and the recommendations contained therein ADOPTED.

13.3 CORPORATE POLICY AND PLANNING COMMITTEE - 28/06/2017

- 17 RESOLVED on the motion of Crs Eades and Scholes that:

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 28 June 2017 be received and the recommendations contained therein ADOPTED.

13.4 MT ARTHUR COMMUNITY FUNDING INVESTMENT COMMITTEE - 27/06/2017

Disclosure of Interest

Cr M. Green declared a pecuniary interest in this item. Cr Green advised that her husband is employed by BHP Mt Arthur.

Cr S. Reynolds declared a pecuniary interest in this item. Cr Reynolds advised that he is employed by BHP Mt Arthur.

At 06:24 PM Crs Michelle Green and Steven Reynolds left the Council Chambers therefore taking no part in discussion or voting on this item.

- 18 RESOLVED on the motion of Crs Bowditch and Scholes that:

The Minutes of the Mt Arthur Community Funding Investment Committee Meeting held on Tuesday 27 June 2017 be received and the recommendations contained therein ADOPTED.

At 06:24 PM Crs Michelle Green and Steven Reynolds returned to Council Chambers.

13.5 MANGOOLA COAL COMMUNITY FUNDING INVESTMENT COMMITTEE - 28/06/2017

Disclosure of Interest

Cr J. Foy declared a non-pecuniary interest in this item. Cr Foy advised that the item contains a funding arrangement for Muswellbrook High School which is his sole place of employment.

At 06:24 PM Cr Jason Foy left the Council Chambers and therefore took no part in discussion or voting on this item.

- 19 RESOLVED on the motion of Crs Ward and Scholes that:

The Minutes of the Mangoola Coal Community Funding Investment Committee Meeting held on Wednesday 28 June 2017 be received and the recommendations contained therein ADOPTED.

At 06:25 PM Cr Jason Foy returned to Council Chambers.

14 NOTICES OF MOTION / RESCISSION

14.1 DOMESTIC WASTE FUND - COLLECTION SERVICES

- 20 RESOLVED on the motion of Crs Rush and Bowditch that:

The item be deferred to the extra-ordinary council meeting.

15 QUESTIONS WITH NOTICE

Nil

16 COUNCILLORS REPORTS

16.1 SPUR HILL COMMUNITY CONSULTATIVE COMMITTEE

Cr Stephen Ward reported that he had attended the Spur Hill Community Consultative Committee meeting held recently.

16.2 MANGOOLA COMMUNITY CONSULTATIVE COMMITTEE

Cr Stephen Ward reported that he had attended the Mangoola Community Consultative committee where an update was provided on the Mangoola 45 million tonnes project.

16.3 DENMAN LIBRARY

Cr Stephen Ward reported that he had attended the Denman Library with his children during the school holidays where they made cookies.

17 QUESTIONS FOR NEXT MEETING

17.1 GAZZARD SHELDON REPORTS

Cr Bailey inquired whether the Gazzard Sheldon reports could be digitised and made available to Councillors?

17.2 FOOTPATH SAFETY ISSUES

Cr Bowditch raised safety concerns with people pushing prams on the road in Brook Street near George Street and inquired whether Council could investigate.

Cr Rush advised that this matter could be discussed at the Strategic Workshop being held at the end of the month.

17.3 GRADING OF ROAD

Cr Woodruff inquired whether Council had recently graded Rouchel Road to Bridgeman Road and if so, congratulated the staff on a job well done.

17.4 GRANDPARENTS DAY FUNDING

Cr Reynolds inquired whether Council had submitted any grant applications for grandparents day as submissions would be closing soon.

Cr Rush advised that staff would investigate and provide a response.

18 ADJOURNMENT INTO CLOSED COUNCIL

21 RESOLVED on the motion of Crs Bailey and Ledlin 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:

**19.1 PROVISION OF PROFESSIONAL ENGINEERING AND MAINTENANCE SERVICES
CONTRACT SPT411617MUS - MSC PROJECT2017-2018-0306**

Item 19.1 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.

19.2 ACCEPTANCE OF OFFER OF LOAN FUNDING FROM ANZ BANK

Item 19.2 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.

19 CLOSED COUNCIL

**19.1 PROVISION OF PROFESSIONAL ENGINEERING AND MAINTENANCE SERVICES
CONTRACT SPT411617MUS - MSC PROJECT2017-2018-0306**

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

Council

1. Accept the establishment of a Panel of Preferred Suppliers comprising:
 - Ampcontrol Pty Ltd
 - Barnson Pty Limited
 - Fyfe Pty Ltd
 - GHD Pty Ltd
 - Logicamms

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- Maintenance Project Engineering Pty Ltd
- Brockmann Eco- Consulting
- RPS Australia East Pty Ltd
- SLR Consulting Australia Pty Ltd
- Engenicom Pty Ltd
- ACOR Consultants (NNSW) Pty Ltd
- Industrial Engineering Solutions

to award contracts for the supply of specific service needs, for a period of two years, with possible extension of an additional year, subject to satisfactory performance and commercial arrangements (as outlined in tender No. SPT411617MUS for MSC project 2017-2018-0306).

2. If Council has needs beyond the capability of the Preferred Panel providers, conduct an annual expression of interest and associated evaluation process to develop supplemental Panel competencies, with any relevant recommendations put to Council.
3. Approve the cumulative exceedance of the \$150,000 threshold per service provider, if a prospective suite of project awards exceed this limit.

19.2 ACCEPTANCE OF OFFER OF LOAN FUNDING FROM ANZ BANK

23 RESOLVED on the motion of Crs Rush and Reynolds that:

The matter be considered at the Extra-Ordinary Council meeting in July.

20 RESUMPTION OF OPEN COUNCIL

24 RESOLVED on the motion of Crs Bowditch and Eades that:

The meeting return to Open Council.

21 CLOSURE

The meeting was declared closed at 6.35 pm.

**THE MINUTES OF THE MEETING (PAGES 1 TO 14) WERE CONFIRMED AT THE
ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON
TUESDAY 8 AUGUST, 2017 AND ARE A FULL AND ACCURATE RECORD OF
PROCEEDINGS OF THE MEETING HELD ON TUESDAY 11 JULY, 2017**

.....
Ms Fiona Plesman
General Manager

.....
Cr Martin Rush
Chairperson