

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL
HELD IN THE DENMAN MEMORIAL HALL, OGILVIE STREET, DENMAN ON TUESDAY 24 MAY, 2022
COMMENCING AT 6:00PM.**

PRESENT: Cr S.M. Reynolds (Mayor), Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr J.A. Lecky, Cr G.T. McNeill, Cr R. Mahajan, Cr D.E. Marshall, Cr R.W. Scholes and Cr B.N. Woodruff.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Deputy General Manager), Mr D. Walsh (Director – Corporate Services & Chief Financial Officer), Ms S. Pope (Executive Manager – Planning & Environment), Mr P. Chambers (Shire Engineer), Ms K. Manwarring (Manager – Community Services), Mr M. Lysaught (Director – Property & Place), Ms M. Cleary (Manager – Governance), Miss K. Cotter (Governance Officer), Mrs C. Middleton (Communications & Media Co-Ordinator), Mr H. McTaggart (Development Co-Ordinator), Ms M. Sandell-Hay (PA to General Manager), 13 people in the public gallery and 5 people in the public virtual gallery.

1 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was read by Cr De-anne Douglas.

2 CIVIC PRAYER

The Civic Prayer was read by Cr Louise Dunn.

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

311 RESOLVED on the motion of Crs Woodruff and McNeill that:

The Minutes of the Ordinary Meeting held on 5 April 2022, and the Extra Ordinary Meeting held on 26 April 2022, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

5 DISCLOSURE OF ANY PECUNIARY AND NON PECUNIARY INTEREST

Cr R. Scholes – declared an insignificant non-pecuniary interest in Item 12.20. Cr Scholes advised Council that he is a member of the Race Club.

Cr D. Douglas – declared a pecuniary interest in Item 11.6. Cr Douglas advised Council that her employer has a contract with the Applicant.

Cr J. Lecky – declared a pecuniary interest in Item 12.17. Cr Lecky advised Council that she has made a significant monetary donation to the project.

Cr R. Mahajan – declared a significant non-pecuniary interest in Item 10.3. Cr Mahajan advised Council that he owns a business in close proximity to the proposed development.

Cr D. Marshall – declared an interest in Item 11.6. Cr Marshall advised Council that his employer works for the applicant.

Cr L. Dunn – declared a non-pecuniary interest in Item 10.6. Cr Dunn advised Council that she is employed at Muswellbrook South Public School who is mentioned in the report.

Cr J. Drayton – declared a non-pecuniary interest in Item 10.2. Cr Drayton advised Council that he has had dealings with the applicant in a former employment role.

Cr G. McNeill – declared a significant pecuniary interest in Item 10.3. Cr McNeill advised Council that he is part owner of a property in close proximity to the development.

Cr G. McNeill – declared an insignificant non-pecuniary interest in Item 10.5. Cr McNeill advised Council that he is a past client of the applicant.

Cr B. Woodruff – declared a significant pecuniary interest in Item 11.7. Cr Woodruff advised Council that that his employer undertakes works for the applicant.

Cr M. Bowditch – declared a significant non-pecuniary interest in Item 10.4. Cr Bowditch advised Council that a close relative is the applicant.

Cr M. Bowditch – declared an insignificant non-pecuniary interest in Item 11.6. Cr Bowditch advised Council that he was at a function held by Malabar Coal three weeks ago.

Cr M. Bowditch – declared an insignificant non-pecuniary interest in Item 19.1. Cr Bowditch advised Council that his daughter is undertaking work experience with one of the tenderers.

6 PUBLIC PARTICIPATION

- Christine Hope – In opposition to Item 10.1 – DA 2021/32 – Boarding House Development
- Wayne Perrett – In opposition to Item 10.1 – DA 2021/32 – Boarding House Development
- Jan Kamstra – In opposition to Item 10.1 – DA 2021/32 – Boarding House Development
- Eleisha Prestley – In opposition to Item 10.1 – DA 2021/32 – Boarding House Development
- David Casson – In Support of Item 10.1 – DA 2021/32 – Boarding House Development (via Video Link)
- Nitin Gupta – In Support of Item 10.1 – DA 2021/32 – Boarding House Development (via Video Link)
- Nathan Battishall – In Support of Item 10.1 – DA 2021/32 – Boarding House Development (Via Video Link)
- Granville Taylor – Querying Item 12.11
- Mr Ronald Weikens – In opposition to Item 10.2 – DA 2002-342 – Modification to Quarry and Batching Concrete Facility (via Video Link)

Disclosure of Interest

Cr Drayton declared a non-pecuniary interest in Item 10.2. At 6.55pm Cr Drayton left the meeting room.

At 7.00pm Cr Drayton returned to the meeting room.

7 MAYORAL MINUTES

Nil

8 GENERAL BUSINESS

Nil

9 BUSINESS ARISING

Nil

10 ENVIRONMENTAL SERVICES

10.1 DA 2021/32 – BOARDING HOUSE, 41 MAITLAND STREET, MUSWELLBROOK

312 RESOLVED on the motion of Crs Drayton and Douglas that:

This item be deferred to the June Ordinary Meeting of Council to ensure all concerns raised such as size of development, parking, notification etc have been considered.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

10.2 DA 2002-342 S4.55 MODIFICATION – MODIFICATION TO QUARRY AND BATCHING CONCRETE FACILITY TO INCLUDE A 30,000 TONNE PER ANNUM CONSTRUCTION AND DEMOLITION WASTE RECYCLING FACILITY – 8440 NEW ENGLAND HIGHWAY, MUSWELLBROOK

Disclosure of Interest

Cr J. Drayton declared a non-pecuniary interest in this Item. Cr Drayton advised Council that he has had dealings with the applicant in a former employment role.

At 7:05pm Cr Drayton left the Council Chambers and therefore took no part in discussion or voting on this matter.

313 RESOLVED on the motion of Crs Douglas and Marshall that:

This item be deferred to the June Ordinary Council meeting to allow further clarification to be provided on the questions raised regarding the right of way.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

At 7:12pm Cr Drayton returned to Council Chambers and resumed his chair at the meeting table.

10.3 DA 2021-61 - ALTERATIONS AND ADDITIONS TO COMMERCIAL PREMISES - 4 LORNE STREET, MUSWELLBROOK

Disclosure of Interest

Cr R. Mahajan declared a significant non-pecuniary interest in this Item. Cr Mahajan advised Council that he owns a business in close proximity to the proposed development.

Cr G. McNeill declared a significant pecuniary interest in this Item. Cr McNeill advised Council that he is part owner of a property in close proximity to the development.

At 7:12pm Crs Mahajan and McNeill left the Council Chambers and therefore took no part in discussion or voting on this item.

314 RESOLVED on the motion of Crs Drayton and Lecky that:

Development Application No. 2021-61 for Alterations and Additions to the Commercial Premises at Lot A DP 332469, 4 Lorne Street, Muswellbrook be approved subject to the conditions in Appendix B of this report.

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In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, D. Marshall, S. Reynolds and B. Woodruff.

Against: Crs M. Bowditch and R. Scholes.

At 7.16pm Crs Mahajan and McNeill returned to the meeting room and resumed their chairs at the meeting table.

10.4 DA 2021-152 - CHANGE OF USE TO ARTISAN FOOD AND DRINK INDUSTRY - THOMAS MITCHELL DRIVE, MUSWELLBROOK

Disclosure of Interest

Cr M. Bowditch declared a significant non-pecuniary interest in this Item. Cr Bowditch advised Council that a close relative is the applicant.

At 7.16pm Cr Bowditch left the meeting room and therefore took no part in discussion or voting on this item.

315 RESOLVED on the motion of Crs Scholes and Drayton that:

Council grant development consent to DA 2021/152 involving the change of use of Lot 1001 DP 870109 Thomas Mitchell Drive Muswellbrook, to an Artisan Food and Drink Industry, subject to the recommended conditions of consent in attachment B.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

At 7.17pm Cr Bowditch returned to the meeting room and resumed his chair at the meeting table.

10.5 DA 2021-158 - CHANGE OF USE - HEALTH CARE SERVICE - 79 BROOK STREET, MUSWELLBROOK

Disclosure of Interest

Cr G. McNeill declared an insignificant non-pecuniary interest in this Item. Cr McNeill advised Council that he is a past client of the applicant.

FORESHADOWED MOTION

Council grant development consent to Development Application 2021-158 for the change of use of the building located at 79 Brook Street, Muswellbrook (Lot 19 DP 701287) to a health service facility, subject to the conditions in Attachment B.

MOTION

Moved and Seconded by Crs McNeill and Marshall:

That Council grant development consent to Development Application 2021-158 for the change of use of the building located at 79 Brook Street, Muswellbrook (Lot 19 DP 701287) to a health service facility, subject to the conditions in Attachment B and subject to the removal of Condition 5 which would make Condition 6 and 22 relating to the construction of a footpath not being applicable.

The motion was put to the vote and LOST

In Favour: Crs M. Bowditch, D. Douglas, J. Lecky, R. Mahajan, D. Marshall and G. McNeill.

Against: Crs A. Barry, J. Drayton, L. Dunn, S. Reynolds, R. Scholes and B. Woodruff.

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

Council grant development consent to Development Application 2021-158 for the change of use of the building located at 79 Brook Street, Muswellbrook (Lot 19 DP 701287) to a health service facility, subject to the conditions in Attachment B.

In Favour: Crs A. Barry, J. Drayton, L. Dunn, J. Lecky, S. Reynolds, R. Scholes and B. Woodruff.

Against: Crs M. Bowditch, D. Douglas, R. Mahajan, D. Marshall and G. McNeill.

10.6 COMMUNITY WAR ON WASTE GRANTS

Disclosure of Interest

Cr L. Dunn declared a non-pecuniary interest in this Item. Cr Dunn advised Council that she is employed at Muswellbrook South Public School who is mentioned in the report.

At 7.23pm Cr Dunn left the Council Chambers and therefore took no part in discussion or voting on this item.

317 RESOLVED on the motion of Crs Scholes and Lecky that:

Council approve the grants as recommended in Table 1 of this report.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

10.7 MONTHLY REPORT TO COUNCIL - PLANNING, ENVIRONMENT AND REGULATORY SERVICES

318 RESOLVED on the motion of Crs Marshall and Scholes that:

The information contained in this report be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

At 7.25pm Cr Dunn returned to Council Chambers and resumed her chair at the meeting table.

11 COMMUNITY INFRASTRUCTURE

11.1 CONCEPT DESIGN - ROSEBROOK BRIDGE

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

Council endorses the concept design, attached as A to the report, for the replacement of Rosebrook Bridge on Wybong Road.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.2 WILDER STREET ROAD DESIGN CONCEPT

320 RESOLVED on the motion of Crs Scholes and Lecky that:

Council:

1. Endorses the Concept Design, attached as A to the report, for the rehabilitation of Wilder Street, Muswellbrook (between the New England Highway and Muscle Creek Bridge approaches); and
2. Approves financial savings from the Muscle Creek bridge and road approaches construction project, estimated to be \$300,000, to be carried forward to 2022-23 under the Urban Road Renewal Program (ledger number 3500.4050.504) for the carrying out of part of the endorsed Wilder Street upgrade works, including the construction of a concrete path and tree planting.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.3 CONCEPT DESIGN FOR RENEWAL HILL ST CARPARK

321 RESOLVED on the motion of Crs Woodruff and Lecky that:

Council endorses:

1. The Concept Design attached as A to the report, for the renewal of the Hill Street Carpark identified in the report;
2. The use of the available budget from the 2021-22 Capital Budget allocation for the construction of the works up to the limit of funding available in accordance with the endorsed Concept Plan; and
3. Approves the consolidation of \$3,058 from General Ledger 3580.4234.001 to General Ledger 3580.4234.504 to facilitate the carrying out of the approved works.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.4 WASTE SERVICE EXTENSION

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

Council:

1. Endorses Option 2 in order to progress the potential for a staged extension of Council's kerbside waste service;
2. Requests that staff provide further investigation and information in relation to Option 3;
3. Requests that staff formally confirm with Council's waste collection service provider to ascertain the timeframes regarding procurement of heavy vehicles;
4. Approves staff to commence consultation with affected landowners regarding extending the waste services to new areas;
5. Indicates to landowners that more than 50% of the ratepayers in the proposed

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extension areas would need to support the proposal before a waste service extension may be considered; and

6. Requests the results of consultation be reported to Council for a decision on a waste service extension.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.5 DRAFT PLANS OF MANAGEMENT FOR OLYMPIC PARK AND DENMAN RECREATION AREA

323 RESOLVED on the motion of Crs Woodruff and McNeill that:

Council endorses the draft Plans of Management for Olympic Park and Denman Recreation Area for consultation with user groups and key stakeholders.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.6 MALABAR RESOURCES S138 ROADS ACT 1993 PERMIT - THOMAS MITCHELL DRIVE
Disclosure of Interest

Cr D. Douglas declared a pecuniary interest in this Item. Cr Douglas advised Council that her employer has a contract with the Applicant.

Cr D. Marshall declared an interest in this Item. Cr Marshall advised Council that his employer works for the applicant.

Cr M. Bowditch declared an insignificant non-pecuniary interest in this Item. Cr Bowditch advised Council that he was at a function held by Malabar Coal three weeks ago.

At 7.31pm Crs Bowditch, Douglas and Marshall left the Council Chambers and therefore took no part in discussion or voting on this item.

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

Council delegates to the General Manager authority to sign the s.138 Roads Act 1993 approval for the proposed works as outlined in the report.

In Favour: Crs A. Barry, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, G. McNeill, S. Reynolds, R. Scholes and Cr B. Woodruff.

Against: Nil.

At 7.32pm Crs Bowditch, Douglas and Marshall returned to Council Chambers and resumed their chairs at the meeting table.

11.7 MANGOOLA COAL OPERATIONS S.138 ROADS ACT 1993 PERMIT FOR THE CARRYING OUT OF ROAD MAINTENANCE ON WYBONG ROAD

Disclosure of Interest

Cr B. Woodruff declared a significant pecuniary interest in this item. Cr Woodruff advised Council that that his employer undertakes works for the applicant.

At 7.32pm Cr Woodruff left the meeting and therefore took no part in discussion or voting on this item.

325 RESOLVED on the motion of Crs Douglas and Lecky that:

Council delegates to the General Manager authority to sign the s.138 Roads Act 1993 permit for the ongoing maintenance of identified Council road sections as detailed in the report.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds and R. Scholes.

Against: Nil.

At 7.33pm Cr Woodruff returned to Council Chambers and resumed his chair at the meeting table.

11.8 MAJOR PROJECTS STATUS REPORT

326 RESOLVED on the motion of Crs Scholes and Drayton that:

The information contained in this report be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.9 DENMAN NETBALL COURTS PROPOSED LOCATION

327 RESOLVED on the motion of Crs Woodruff and Barry that:

Council approves progressing a design for two netball courts at Location 1 identified in the report, subject to consultation at the next Denman Recreation Area user group meeting.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

11.10 NATURAL DISASTER ASSISTANCE FOR REPAIR OF ESSENTIAL PUBLIC ASSETS

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

Council approves the addition of a budget allocation, to enable the carrying out of works, upon confirmation of funding under the Natural Disaster Essential Public Asset Restoration programme.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12 CORPORATE AND COMMUNITY SERVICES

12.1 2022/23 BUDGET ESTIMATES - PUBLIC EXHIBITION

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

Council resolves to place the 2022/23 Budget Estimates on Public Exhibition for a period of 28 days.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.2 PUBLIC EXHIBITION OF THE DRAFT 2022/23 OPERATIONAL PLAN

330 RESOLVED on the motion of Crs Woodruff and McNeill that:

Council endorses the Draft 2022/23 Operational Plan for public exhibition for a period of at least 28 days, with details of all public submissions, received by close of the exhibition period, reported to Council for consideration.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.3 2022/23 REVENUE POLICY - UPDATE

331 RESOLVED on the motion of Crs Lecky and Douglas that:

Council resolves to place the 2022/23 Revenue Policy on Public Exhibition for a period of 28-days.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.4 FEES & CHARGES - 2022/23

332 RESOLVED on the motion of Crs Woodruff and Barry that:

The Fees & Charges for the 2022/23 Financial Year, in accordance with the attached 2022/23 Fees & Charges Report, be placed on Public Exhibition for a period of 28-days.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.5 ENDORSEMENT - MUSWELLBROOK SHIRE 2022-2032 COMMUNITY STRATEGIC PLAN

333 RESOLVED on the motion of Crs Lecky and Douglas that:

Council endorses the 2022-2032 Muswellbrook Shire Community Strategic Plan.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.6 2022 MODEL CODE OF MEETING PRACTICE

334 RESOLVED on the motion of Crs Woodruff and Drayton that:

Council adopts the 2022 Model Code of Meeting Practice, including the non-mandatory provisions that allow for Councillors' attendance at Council meetings via Audio Visual Link (AVL) beyond 30 June 2022.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.7 2021-2022 OPERATIONAL PLAN 31 MARCH QUARTERLY REVIEW

335 RESOLVED on the motion of Crs McNeill and Barry that:

The 2021/22 Operational Plan Review dated 31 March 2022 be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.8 ADDITIONAL MEMBER FOR THE FINANCE ADVISORY COMMITTEE

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

Council nominates three additional Councillors, being Cr Louise Dunn, Cr Amanda Barry and Crs Jennifer Lecky, to join the Finance Review and Advisory Committee.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.9 RELATED PARTY DISCLOSURES POLICY

337 RESOLVED on the motion of Crs Marshall and Woodruff that:

The draft Related Party Disclosures Policy be adopted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.10 STORE AND MATERIAL STOCKTAKE - 9 MAY 2022

338 RESOLVED on the motion of Crs Woodruff and Marshall that:

Council notes the report on the stocktake carried on 9 May 2022 and that an amount of \$618.69 be deducted from the inventory register and Councils appreciation be extended.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.11 QUARTERLY BUDGET REVIEW (QBR) - MARCH 2022

339 RESOLVED on the motion of Crs Scholes and Mahajan that:

Councillors note the quarterly budget review for March 2022.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.12 REPORT ON INVESTMENTS HELD AS AT 31 MARCH 2022

340 RESOLVED on the motion of Crs Woodruff and Mahajan that:

The information showing Council's investments as at 31 March 2022 be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.13 APRIL 2022 MONTHLY FINANCIAL REPORTS

341 RESOLVED on the motion of Crs Lecky and Marshall that:

The Financial Reports for the month ending 30 April 2022 be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.14 MARCH 2022 MONTHLY FINANCIAL REPORTS

342 RESOLVED on the motion of Crs Marshall and Mahajan that:

The Financial Reports for the month ending 31 March 2022 be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.15 REPORT ON INVESTMENTS HELD AS AT 30 APRIL 2022

343 RESOLVED on the motion of Crs Lecky and Marshall that:

The information showing Council's investments as at 30 April 2022 be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.16 COUNCIL INFORMATION COMMUNICATION TECHNOLOGY UPGRADE

344 RESOLVED on the motion of Crs Drayton and Scholes that:

1. Council endorses a temporary reallocation of \$450,000 from the waste reserve to the general fund for the purpose of funding the upgrade of council's Information Communication Technology as outlined in this report.
2. The Waste Reserve is to be repaid, in full, no later than 3-years from the date of the reallocation.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan,
D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.17 ADAPT PROJECT

Disclosure of Interest

Cr J. Lecky declared a pecuniary interest in this Item. Cr Lecky advised Council that she has made a significant monetary donation to the project.

At 7:47pm Cr Lecky left the Council Chambers and therefore took no part in discussion or voting on this item.

MOTION

Moved by Cr McNeill and seconded by Cr Douglas

Council supports the ADAPT project and recognises its importance to the community. However Council does not necessarily consider it to have more merit than other Council projects.

The Motion was put the Vote and LOST.

In Favour: Crs A. Barry, D. Douglas, L. Dunn, D. Marshall and G. McNeill.

Against: Crs M. Bowditch, J. Drayton, R. Mahajan, S. Reynolds R. Scholes and B. Woodruff.

345 RESOLVED on the motion of Crs Scholes and Drayton that:

Council recognises that the ADAPT project has merit but due to the level of government funding required to deliver the project does not see the project as the highest priority for Muswellbrook Shire Council at this time.

In Favour: Crs A. Barry, M. Bowditch, J. Drayton, L. Dunn, R. Mahajan, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Crs D. Douglas and D. Marshall.

At 8:02pm Cr Lecky returned to Council Chambers and resumed her chair at the meeting table.

12.18 REPORT ON COUNCIL GRANT FUNDING AND COMMUNITY ENGAGEMENT

346 RESOLVED on the motion of Crs Barry and Woodruff that:

Council notes the information contained in the report.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.19 COMMUNITY SERVICES

347 RESOLVED on the motion of Crs Scholes and Marshall that:

The information contained in this report be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

12.20 SPONSORSHIP REQUEST - MUSWELLBROOK RACE CLUB

Disclosure of Interest

Cr R. Scholes declared an insignificant non-pecuniary interest in this Item. Cr Scholes advised Council that he is a member of the Race Club.

At 8:04pm Cr Scholes left the Council Chambers and therefore took no part in discussion or voting on this item.

348 RESOLVED on the motion of Crs Drayton and Dunn that:

Council sponsors the Muswellbrook Race Club for \$10,000 in 2022/2023 and 2023/2024.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds and B. Woodruff.

Against: Nil.

At 8:05pm Cr Scholes returned to Council Chambers and resumed his chair at the meeting table.

13 REPORTS FROM COMMITTEES

13.1 FINANCE REVIEW AND ADVISORY COMMITTEE - 11/05/2022

349 RESOLVED on the motion of Crs Mahajan and Marshall that:

The minutes for the Finance Review and Advisory Committee meeting held on Wednesday 11 May 2022 be NOTED.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

14 NOTICES OF MOTION / RESCISSION

14.1 NOTICE OF MOTION - LEGAL FEE EXPENDITURE 2016 - 2022

350 RESOLVED on the motion of Crs Bowditch and Marshall that:

- A) A report be prepared for the June 2022 Council Meeting a breakdown of annual expenditure on all legal fees for the financial years commencing 2016 to date.
- B) A second report be tabled for councillors for Closed Council outlining what the fees for the legal matters were related to.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill and S. Reynolds.

Against: Crs J. Drayton, R. Scholes and B. Woodruff.

14.2 NOTICE OF MOTION - STAFFING NUMBERS 2016-2022

351 RESOLVED on the motion of Crs Bowditch and Marshall that:

A report be prepared for the June 2022 Council Meeting specifying the staffing numbers in all departments both current and departments no longer active, from the calendar year beginning 2016 and compared to the numbers as at January 2022.

In Favour: Crs M. Bowditch, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill and S. Reynolds.

Against: Crs A. Barry, D. Douglas, J. Drayton, R. Scholes and B. Woodruff.

14.3 NOTICE OF MOTION - COUNCIL SERVICES POLICY

- a) Council expedite the Council Services Policy which is to be undertaken with the community consultative panel, so as to effectively commence our service levels for the required areas i.e. mowing, roads etc and increase our presentation and so as the council and community has a formalised base of the areas prioritised and reoccurrences of maintenance.
- b) The community panel be selected and meet for the first time before the 15 June 2022 to commence this process.

The Motion was put to the vote and LOST

In Favour: Crs M. Bowditch, D. Douglas, J. Lecky, R. Mahajan and D. Marshall.

Against: Crs A. Barry, J. Drayton, L. Dunn, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

14.4 NOTICE OF MOTION - GALLERY CAFE

352 RESOLVED on the motion of Crs Bowditch and Marshall that:

Council seeks tenders of expressions of interest for the lease and management of the current gallery café by external operators to councils existing function.

In Favour: Crs M. Bowditch, D. Douglas, J. Lecky, R. Mahajan, D. Marshall, G. McNeill and S. Reynolds.

Against: Crs A. Barry, J. Drayton, L. Dunn, R. Scholes and B. Woodruff.

14.5 NET ZERO 2050 ROADMAP

The resolution of Council on 28 September, 2021 regarding Item 10.3 – Net Zero 2020 Roadmap BE RESCINDED to allow the new council to consider the roadmap against budgets & their priorities.

The motion was put to the vote and LOST

In Favour: Crs M. Bowditch, D. Douglas, J. Lecky, R. Mahajan, D. Marshall and G. McNeill.

Against: Crs A. Barry, J. Drayton, L. Dunn, S. Reynolds, R. Scholes and B. Woodruff.

15 QUESTIONS WITH NOTICE

15.1 QUESTIONS WITH NOTICE FROM CR BOWDITCH

353 RESOLVED on the motion of Crs Bowditch and Reynolds that:

The information be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

16 COUNCILLORS REPORTS

16.1 CONTRIBUTIONS TO THE SHIRE

Cr Graeme McNeill congratulated the Mayor and Council Staff on lobbying the Government for the generous contributions to the Shire.

16.2 RFS MEDALS AND AWARDS

Cr Mark Bowditch reported that he had attended the Rural Fire Service Medal and Awards Ceremony held recently at Denman and the Day was very well received.

16.3 INDIGENOUS SPECTACULAR

Cr De-Anne Douglas reported that she had attended the Indigenous Spectacular in Singleton on Saturday night which was very impressive. Cr Douglas advised that it was anticipated that the Spectacular would be held in Muswellbrook in two years' time and congratulated everyone involved in organising the event.

Cr Marshall also reported that he attended this event and concurred with Cr Douglas' comments.

17 QUESTIONS FOR NEXT MEETING

17.1 COUNCIL'S APPRECIATION

Cr Woodruff asked if Council's appreciation could be passed on to the staff involved in preparing the Denman Township and old Football grounds for the Diesel Dust and Rust Event and Market Day as Denman looked sensational and saw 157 items of machinery when we were hoping to get 35 trucks?

17.2 DENMAN ROAD SIGNAGE

Cr McNeill inquired whether there was any progress in regards to identification signage along Denman Road?

Mr Finnigan advised Council that this was being progressed.

17.3 HUNGERFORD ROAD UPDATE

Cr Drayton inquired whether an update could be provided in regards to Mr & Mrs Walker?

Cr Reynolds advised that a meeting had been held with Mr & Mrs Walker and that they are currently seeking, through the Local Land Services Natural Resources Regulator, an exemption.

18 ADJOURNMENT INTO CLOSED COUNCIL

354 RESOLVED on the motion of Crs Marshall and Lecky 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 TENDER 2021-2022-0526 - RIDGELANDS ROAD CH7.46 UPGRADE

Item 19.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(ii) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.2 TENDER - T032223HUN DRUG & ALCOHOL TESTING

Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(ii) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 TENDER 2021-2022-0530 - PROVISION OF STREET SWEEPING SERVICES

Item 19.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.4 TENDER 2021-2022-0490 - SUPPLY AND DELIVERY OF WASTE DEPOT MULTI-PURPOSE TRUCK AND ATTACHMENTS

Item 19.4 is classified CONFIDENTIAL under the provisions of Section10A(2)(d)(l) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.5 CONTAINER DEPOSIT SCHEME - REVERSE VENDING MACHINE - PROPOSED DENMAN LOCATION

Item 19.5 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.

19.6 VISITOR INFORMATION CENTRE - MUSWELLBROOK

Item 19.6 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.

19.7 YOUTH PROGRAMS MUSWELLBROOK

Item 19.7 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.

19.8 EXECUTION OF REFINANCING \$7.980M LOAN

Item 19.8 is classified CONFIDENTIAL under the provisions of Section10A(2)(d)(l) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.9 EXECUTION OF NEW \$2.5M LOAN

Item 19.9 is classified CONFIDENTIAL under the provisions of Section10A(2)(d)(l) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.10 LOXTON HOUSE WORKS ON HOLD

Item 19.10 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.

19.11 COUNCIL HOSPITALITY SERVICES

Item 19.11 is classified CONFIDENTIAL under the provisions of Section10A(2)(f) of the local government act 1993, as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and council property, and Council considers

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL
HELD IN THE DENMAN MEMORIAL HALL, OGILVIE STREET, DENMAN ON TUESDAY 24 MAY, 2022
COMMENCING AT 6:00PM.**

that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.12 OPENING AND OPERATION OF THE MUSWELLBROOK INDOOR AQUATIC CENTRE

Item 19.12 is classified CONFIDENTIAL under the provisions of Section 10A(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.

19.13 PARTIAL WRITE-OFF OF RATES

Item 19.13 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.

In Favour: Crs A Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19 CLOSED COUNCIL

19.1 TENDER 2021-2022-0526 - RIDGELANDS ROAD CH7.46 UPGRADE

Disclosure of Interest

Cr M. Bowditch declared an insignificant non-pecuniary interest in this item. Cr Bowditch advised Council that his daughter is undertaking work experience with one of the tenderers.

At 8.45pm Cr Bowditch left the meeting room and therefore took no part in discussion or voting on this item.

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

Council:

1. Accepts the Tender submitted by Hunter Wide Civil Ltd for Contract 2021-2022-0526 – Ridgeland Road Ch 7.46 upgrade works, for the lump sum of \$452,720.00 exclusive of GST, subject to a satisfactory financial assessment ;
2. Delegates to the General Manager authority to sign Contract 2021-2022-0526.
3. Endorses the use of the funding sources from the 2021-22 Capital Budget nominated to deliver the project:

Resources for Regions R6 – Ridgeland Road	GL 3500.4303	\$ 374,781
Safety Audit Ridgeland Road	GL 3500.4270	\$ 47,272
Rural Road Renewal Program	GL 3502.4125	\$ 99,279
4. Approves consolidation of the identified funding amounts into General Ledger 3500.4303 for a total budget amount of \$521,332.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL
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At 8.46 Cr Bowditch returned to the meeting room and resumed his chair at the meeting table.

19.2 TENDER - T032223HUN DRUG & ALCOHOL TESTING

356 RESOLVED on the motion of Crs Scholes and Lecky that:

1. Council accepts the tenders of the following contractors as a Panel for the Provision of Drug and Alcohol Testing for the period from 1 July 2022 to 30 June 2025:
 - a. AusHealth
 - b. Safework Laboratories
2. A provision be allowed for a 24-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2027.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.3 TENDER 2021-2022-0530 - PROVISION OF STREET SWEEPING SERVICES

357 RESOLVED on the motion of Crs Lecky and Marshall that:

Council accepts the tender of Specialised Pavement Services Pty Ltd for Contract 2021-2022-0530 for the Provision of Street Sweeping Services for a period of four years with two x one year extensions.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.4 TENDER 2021-2022-0490 - SUPPLY AND DELIVERY OF WASTE DEPOT MULTI-PURPOSE TRUCK AND ATTACHMENTS

358 RESOLVED on the motion of Crs Woodruff and Dunn that:

1. Council accepts the tender from Isuzu Australia Limited for contract 2021-2022-0490 Supply and Delivery of Waste Depot Multi-Purpose Truck and Attachments, for a price of \$409,681, exclusive of GST; and
2. Delegates to the General Manager authority to sign Contract 2021-2022-00490.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.5 CONTAINER DEPOSIT SCHEME - REVERSE VENDING MACHINE - PROPOSED DENMAN LOCATION

359 RESOLVED on the motion of Crs Barry and Marshall that:

Council makes representation to both Tomara and the NSW member for the Upper Hunter for the proposed Reverse Vending Machine location for Denman.

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL
HELD IN THE DENMAN MEMORIAL HALL, OGILVIE STREET, DENMAN ON TUESDAY 24 MAY, 2022
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In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.6 VISITOR INFORMATION CENTRE - MUSWELLBROOK

360 RESOLVED on the motion of Crs Woodruff and McNeill that:

Council endorses the establishment of a Visitor Information Centre in Muswellbrook.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.7 YOUTH PROGRAMS MUSWELLBROOK

361 RESOLVED on the motion of Crs Scholes and Marshall that:

The information contained in this report be noted.

In Favour: Crs A. Barry, M. Bowditch, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.8 EXECUTION OF REFINANCING \$7.980M LOAN

362 RESOLVED on the motion of Crs Mahajan and Marshall that:

Council delegate's to the General Manager the authority to apply for and execute the following loan agreement:

- 1) A principal and interest loan from Commonwealth Bank of Australia for an amount of \$7.980 million on a fixed term of 5 years, amortising over 10 years at 4.73% (Indicative only).

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.9 EXECUTION OF NEW \$2.5M LOAN

363 RESOLVED on the motion of Crs Scholes and Mahajan that:

Council delegates to the General Manager the authority to apply for and execute the following loan agreement:

- 1) A principal and interest loan from NSW Treasury Corporation (TCorp) for an amount of AUD\$2.5 million on a fixed term of 10 years at 4.19% (Indicative only),
- 2) If this application is unsuccessful, apply for the CBA option outlined at the end of this report.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.10 LOXTON HOUSE WORKS ON HOLD

364 RESOLVED on the motion of Crs Barry and Marshall that:

Council:

1. Endorses the stop work and make safe instruction to the construction contractor for Loxton House works, and
2. Approves the scope of works for Loxton House to be reviewed in detail and reported to Council for consideration.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.11 COUNCIL HOSPITALITY SERVICES

This item became null and void due to resolution 352 of this meeting.

365 RESOLVED on the motion of Crs Reynolds and McNeill that:

The Council meeting be extended by 15 minutes to consider the remaining items

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.12 OPENING AND OPERATION OF THE MUSWELLBROOK INDOOR AQUATIC CENTRE

366 RESOLVED on the motion of Crs McNeill and Drayton that:

1. Council endorses the forward operational plan and budget for the Muswellbrook Aquatic and Fitness Centre and Pools.
2. Council supports the planned opening of the Muswellbrook Aquatic & Fitness Centre.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

19.13 PARTIAL WRITE-OFF OF RATES

367 RESOLVED on the motion of Crs Lecky and Scholes that:

Councillors approve write-off of Rates and Charges for Assessment 114439

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall, G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

20 RESUMPTION OF OPEN COUNCIL

368 RESOLVED on the motion of Crs McNeill and Marshall that:

The meeting return to Open Council.

In Favour: Crs A. Barry, D. Douglas, J. Drayton, L. Dunn, J. Lecky, R. Mahajan, D. Marshall,
G. McNeill, S. Reynolds, R. Scholes and B. Woodruff.

Against: Nil.

Cr Reynolds read the resolutions determined by Council during the Closed Meeting.

21 CLOSURE

The meeting was declared closed at 9.06pm.

THE MINUTES OF THE MEETING (PAGES 1 TO 22) WERE CONFIRMED AT THE
ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON
TUESDAY 28 JUNE, 2022 AND ARE A FULL AND ACCURATE RECORD OF
PROCEEDINGS OF THE MEETING HELD ON TUESDAY 24 MAY, 2022

.....
Ms F. Plesman
General Manager

.....
Cr S. Reynolds
Chairperson