

Muswellbrook Shire Council

**EXTRA ORDINARY COUNCIL
MEETING**

BUSINESS PAPER

31 MAY 2022



EXTRA ORDINARY COUNCIL MEETING, 31 MAY 2022

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
31 May, 2022

Councillors,

You are hereby requested to attend the Extra Ordinary Council Meeting to be held in Loxton Room, Administration Centre, Campbells Corner, 60-82 Bridge Street Muswellbrook on **31 May, 2022** commencing at 4.00pm.

Fiona Plesman
GENERAL MANAGER

Order of Business

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	<i>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.</i>	
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MUSWELLBROOK SHIRE COUNCIL

AGENDA

- 1 ACKNOWLEDGEMENT OF COUNTRY**
- 2 CIVIC PRAYER**
- 3 APOLOGIES AND LEAVE OF ABSENCE**

Moved: _____ **Seconded:** _____

4 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Section 451 of the Local Government Act requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

5 PUBLIC PARTICIPATION

6 NOTICES OF MOTION / RESCISSION

6.1 NOTICE OF RESCISSION

Attachments: A. 20220524 - Recission Motion ITEM 14.4 [↓](#)
 B. Hospitality Services Report - Confidential

Responsible Officer: Fiona Plesman - General Manager

Crs Drayton, Woodruff and Scholes have given notice of their intention to move a motion rescinding the following resolution of Council passed on 24 May, 2022 as follows:

MOTION

The following resolution passes at the Ordinary Council Meeting on 24 May, 2022:

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

Be RESCINDED.


Moved: _____ **Seconded:** _____

RESPONSE BY GROUP MANAGER

Council is referred to the report on Council’s Hospitality Services tabled as a closed report to the Council Meeting of 24 May, 2022.

Item 14.4

We give notice to rescind
the decision on item 14.4 made
on 25/5/2022
May Ordinary Meeting


BRETT WOODRUFF


Rob Scholes.


Jeff Drayton

7 ADJOURNMENT INTO CLOSED COUNCIL

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

RECOMMENDATION

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 OFFER TO PURCHASE COUNCIL LAND

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.

Moved: _____ **Seconded:** _____

8 CLOSED COUNCIL

9 RESUMPTION OF OPEN COUNCIL

10 CLOSURE