

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COMMUNITY HALL, GOLDEN HIGHWAY, SANDY HOLLOW ON TUESDAY 27 SEPTEMBER 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 and Cr B.N. Woodruff.

IN ATTENDANCE: Mr D. Finnigan (Acting General Manager), Mr D. Walsh (Director – Corporate Services & Chief Financial Officer), Ms S. Pope (Director – Planning & Environment), Mr P. Chambers (Chief Engineer), Mr M. Lysaught (Director – Works, Property & Building Services), Ms K. Manwarring (Acting Director - Community & Economy), Ms M. Cleary (Manager – Governance), Ms A. Hathway (Corporate Lawyer), Mr J. Hogan (Finance Manager), Mrs C. Middleton (Communications Co-Ordinator), Mrs M. Sandell-Hay (Governance Officer), Ms C. Wuiske (Business Improvement Officer) and 9 people in the public gallery.

1. Acknowledgement of Country

The Acknowledgement of Country was read by Cr Bowditch.

2. Civic Prayer

The Civic Prayer was read by Cr Lecky.

ONE MINUTE'S SILENCE

The Mayor asked everyone to remain standing for one minute's silence to pay respect to the late Diane Keating, a well know community member and past recipient of the Australia Day Citizen of the Year Award and the late Peter Higgins, a previous staff member of Council, who have passed away recently.

3. Apologies and Applications for a Leave of Absence or Attendance by Audio Visual Link by Councillors

65 RESOLVED on the motion of Cr D. Douglas and Cr D. Marshall that:

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

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

Against: Nil.

4. Confirmation of Minutes

Ordinary Council Meeting held on 23 August, 2022 and Extra-Ordinary Council Meeting held on 30 August, 2022



- 66 RESOLVED on the motion of Cr M. Bowditch and Cr G. McNeill that:
The Minutes of the Ordinary Council Meeting held on 23 August, 2022, and the Extra-Ordinary Council Meetings held on 30 August, 2022 and 21 September, 2022, copies of which have been distributed to all members, be taken as read and confirmed as a true record.

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

Against: Nil.

5. Disclosure of any Pecuniary or Non-Pecuniary Interests

Cr B. Woodruff - Declared a pecuniary interest in Item 9.2.2. Cr Woodruff advised Council that his employer undertakes work for the applicant.

Cr G. McNeill - Declared a pecuniary interest in Item 9.1.2. Cr McNeill advised Council that he owns a heritage listed property which is eligible for funding.

Cr G. McNeill - Declared a pecuniary interest in Item 16.5. Cr McNeill advised Council that his employer is a partner of the project.

Cr D. Douglas - Declared a pecuniary interest in Item 9.2.2. Cr Douglas advised Council that Mach Energy provides funding to Wanaruah Local Aboriginal Land Council that she is currently employed by.

Cr D. Douglas - Declared a pecuniary interest in Item 9.5.1. Cr Douglas advised Council that she represents Wanaruah Local Aboriginal Land Council.

Cr L. Dunn - Declared a significant non-pecuniary interest in Item 9.1.3. Cr Dunn advised Council that her step-daughter works for one of the applicants for a development application and her god mother lives adjacent to that development.

Cr A. Barry - Declared a pecuniary interest in Item 16.5. Cr Barry advised that her employer is a corporate partner of the project.

6. Mayoral Minute

Nil

7. Public Participation

Geoff Small - raised concerns with the type of trees on nature strips in Muswellbrook relating to Item 9.3.3.

8. Business Arising (From Previous Meetings)

Nil



9. Business (Specific Reports)

9.1. Planning and Environment

9.1.1. Major Landcare Projects

67 RESOLVED on the motion of Cr J. Drayton and Cr D. Marshall that:
Council approve the allocation of the Major Landcare Projects budget as itemised in this report.

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

Against: Nil.

9.1.2. Local Heritage Fund - Allocation of Funds

Disclosure of Interest

Cr McNeill declared a pecuniary interest in this item. Cr McNeill advised that he owns property that is eligible for this funding.

At 6.14pm Cr G. McNeill left the Meeting and therefore took no part in discussion or voting on this item.

68 RESOLVED on the motion of Cr J. Lecky and Cr R. Mahajan that:
Council approves the request for a one-off cash contribution, from the Local Heritage Assistance Fund, of:

1. \$2,000 for chimney conservation work at 33 Brentwood Street, Muswellbrook;
2. \$2,000 for chimney conservation work at 5 Midanga Avenue, Muswellbrook; and
3. \$2,000 for exterior painting of 13-15 Ogilvie Street, Denman.

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

Against: Nil.

At 6.15pm Cr G. McNeill returned to Council Chambers and resumed his chair at the meeting table.

**9.1.3.****Monthly Report to Council - Planning, Environment and Regulatory Services****Disclosure of Interest**

Cr L. Dunn - declared a non-pecuniary interest in this item. Cr Dunn advised Council that her daughter is employed by the venue listed in the report for 24 hours operation.

At 6.15pm Cr L. Dunn left the Meeting and therefore took no part in discussion or voting on this item.

69

RESOLVED on the motion of Cr B. Woodruff and Cr M. Bowditch that:

The information contained in this report be noted.

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

Against: Nil.

At 6.16pm Cr Dunn returned to Council Chambers and resumed her chair at the meeting table.

9.2. Community Infrastructure**9.2.1.****Concept Hill St Muswellbrook**

70

RESOLVED on the motion of Cr B. Woodruff and Cr M. Bowditch that:

1. Council endorses the Concept outlined in the report and attached as 1 to the report, for the renewal of Hill Street, Muswellbrook, between Bridge Street and the Railway Line subject to the redesign being investigated to reduce the impact of loss of trees in the street.
2. Council review designs to lessen the impact of the loss of trees in the street.

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

Against: Nil.

**9.2.2. Overton Road Design****Disclosure of Interest**

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

Cr D. Douglas declared a pecuniary interest in this item. Cr Douglas advised that her employer receives funding from the applicant.

At 6.18pm Cr D. Douglas and Cr B. Woodruff left the Meeting Room and therefore took no part in discussion or voting on this item.

71 RESOLVED on the motion of Cr G. McNeill and Cr D. Marshall that:
Council:

1. Acknowledges receipt of the Design of Overton Road in accordance with the requirements of the 'Rail Overbridge and Works Deed'.
2. Determines that the 'Overton Road Design – Issued For Construction Drawings' attached to the report is satisfactory and authorises the Acting General Manager to provide MACH Energy with notice that the Overton Road Design prepared under clause 8.2(c) of the 'Rail Overbridge and Works Deed' is satisfactory.

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

Against: Nil.

At 6.19pm Cr D. Douglas and Cr B. Woodruff returned to Council Chambers and resumed their chairs at the meeting table.

9.2.3. Muswellbrook Bypass Central Interchange

72 RESOLVED on the motion of Cr B. Woodruff and Cr J. Drayton that:

This item be deferred to seek clarification on boundary responsibilities for Council and RMS responsibilities.

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

Against: Nil.



9.3. Property and Place

9.3.1. General Recreation Programme 2022-2023

73 RESOLVED on the motion of Cr G. McNeill and Cr A. Barry that:
Council endorses the 2022-2023 General Recreation Programme as described in the report pending consultation with the Sport and Recreation User Groups.

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

Against: Nil.

9.3.2. General Building Renewal Programme 2022-2023

74 RESOLVED on the motion of Cr B. Woodruff and Cr J. Drayton that:
Council endorses the 2022-2023 General Building Renewal Programme as described in the report.

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

Against: Nil.

9.3.3. DRAFT Management of Trees on Roads and Public Land Policy

75 RESOLVED on the motion of Cr B. Woodruff and Cr D. Marshall that:
Council endorses the Draft Management of Trees on Roads and Public Land Policy to be placed on Public Exhibition for 28 days.

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

Against: Nil.

9.3.4. Major Projects Status Report

76 RESOLVED on the motion of Cr M. Bowditch and Cr D. Douglas that:
The information contained in this report be noted.

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

Against: Nil.



9.4. Corporate Services

9.4.1. Statement of Business Ethics Policy & Statement

- 77 RESOLVED on the motion of Cr G. McNeill and Cr A. Barry that:
The Statement of Business Ethics Policy and the Statement of Business Ethics be ADOPTED by Council.
- In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall and Cr B. Woodruff.
- Against: Nil.

9.4.2. Payment of Expenses and Provision of Facilities to Councillors Policy

- 78 RESOLVED on the motion of Cr B. Woodruff and Cr A. Barry that:
The amended *Councillors Expenses and Facilities Policy* be NOTED.
- In Favour: Cr S. Reynolds, Cr J. Lecky, Cr A. Barry, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall and Cr B. Woodruff.
- Against: Nil.



9.4.3. Public Exhibition - DRAFT Community Engagement Strategy

79

RESOLVED on the motion of Cr S. Reynolds and Cr B. Woodruff that:

1. Council endorses the DRAFT Muswellbrook Shire Community Engagement Strategy for public exhibition from 28 September 2022 to 25 October 2022.
2. Council Officers engage a graphic designer to enhance the Community Engagement Strategy.

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

Against: Nil.

9.4.4. Fixing Day and Hour of Regular Council Meetings

MOTION:

Moved by Crs Dunn and Bowditch that:

Council determines that:

1. Ordinary Meetings of Council be held in the Training Room, Level 2, University of Newcastle - Upper Hunter Campus, 87 Hill Street Muswellbrook, from 6:00pm to 9:00pm on the fourth Tuesday of each calendar month;
2. A pre-meeting briefing session for Councillors be held from 4:00pm to 6:00pm immediately prior to each Ordinary Meeting on the fourth Tuesday of each calendar month;
3. As the fourth Tuesday in December 2022 will fall on Christmas Day alternate public holiday, the meeting be scheduled for Tuesday 20 December 2022;
4. As the fourth Tuesday in April 2023 will fall on Anzac Day the meeting be scheduled for Thursday 27 April, 2023 and that this meeting be held in Denman Memorial Hall.
5. The Ordinary Council Meeting scheduled for March 2023 be held in Sandy Hollow.

FORESHADOWED MOTION

Moved by Cr McNeill

Council determines that:

1. Ordinary Meetings of Council be held in the Training Room, Level 2, University of Newcastle - Upper Hunter Campus, 87 Hill Street Muswellbrook, from 6:00pm to 9:00pm on the fourth Wednesday of each calendar month, subject to the facility being available;
2. A pre-meeting briefing session for Councillors be held from 4:00pm to 6:00pm



immediately prior to each Ordinary Meeting on the fourth Wednesday of each calendar month;

3. As the fourth Tuesday in December 2022 will fall on Christmas Day alternate public holiday, the meeting be scheduled for Tuesday 20 December 2022;
4. As the fourth Tuesday in April 2023 will fall on Anzac Day the meeting be scheduled for Thursday 27 April, 2023 and that this meeting be held in Denman Memorial Hall.
5. The Ordinary Council Meeting scheduled for March 2023 be held in Sandy Hollow.

THE MOTION LAPSED FOR WANT OF A SECONDER

80 RESOLVED on the motion of Cr L. Dunn and Cr M. Bowditch that:
Council determines that:

1. Ordinary Meetings of Council be held in the Training Room, Level 2, University of Newcastle - Upper Hunter Campus, 87 Hill Street Muswellbrook, from 6:00pm to 9:00pm on the fourth Tuesday of each calendar month;
2. A pre-meeting briefing session for Councillors be held from 4:00pm to 6:00pm immediately prior to each Ordinary Meeting on the fourth Tuesday of each calendar month;
3. As the fourth Tuesday in December 2022 will fall on Christmas Day alternate public holiday, the meeting be scheduled for Tuesday 20 December 2022;
4. As the fourth Tuesday in April 2023 will fall on Anzac Day the meeting be scheduled for Thursday 27 April, 2023 and that this meeting be held in Denman Memorial Hall.
5. The Ordinary Council Meeting scheduled for March 2023 be held in Sandy Hollow.

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

Against: Nil.

9.4.5. Report on Investments Held as at 31 August 2022

81 RESOLVED on the motion of Cr J. Lecky and Cr R. Mahajan that:
Council notes the Council's Investments as at 31 August 2022.

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

Against: Nil.



9.4.6. Monthly Financial Reports - August 2022

82 RESOLVED on the motion of Cr B. Woodruff and Cr M. Bowditch that:
Council notes the Financial Reports for the month ending 31 August 2022.

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

Against: Nil.

9.4.7. 2021/22 Annual Financial Statements

83 RESOLVED on the motion of Cr D. Douglas and Cr D. Marshall that:
Council Authorise:

1. The submission of the 2021/22 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules for Muswellbrook Shire Council to the Auditor; and
2. The Mayor, Deputy Mayor, Acting General Manager and Responsible Accounting Officer be authorised to sign the reports upon completion of the audit.

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

Against: Nil.

9.4.8. Councillor Questions - Previous Meeting

84 RESOLVED on the motion of Cr B. Woodruff and Cr J. Drayton that:
The information be noted.

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

Against: Nil.

9.4.9. Report on Council Grant Funding and Community Engagement

85 RESOLVED on the motion of Cr A. Barry and Cr D. Douglas that:
Council notes the information contained in the report.

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

Against: Nil.



9.5. Community and Economy

9.5.1. Aboriginal Reconciliation Committee - Terms of Reference

Disclosure of Interest

Cr D. Douglas declared a pecuniary interest in this item. Cr Douglas advised that she represents the Wanaruah Local Aboriginal Land Council on the Committee.

At 6.34pm Cr Douglas left the Meeting and therefore took no part in discussion or voting on this item.

86 RESOLVED on the motion of Cr B. Woodruff and Cr L. Dunn that:

Council endorses the Aboriginal Reconciliation Committee Terms of Reference.

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

Against: Nil.

At 6.35pm Cr Douglas returned to Council Chambers and resumed her chair at the meeting table.

9.5.2. Australia Day Awards - Categories

87 RESOLVED on the motion of Cr B. Woodruff and Cr J. Drayton that:

Council endorses the 2023 Australia Day Award categories as listed in the report with the addition of Sports Team Award.

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

Against: Nil.

9.5.3. Community Services

88 RESOLVED on the motion of Cr D. Douglas and Cr B. Woodruff that:

The information contained in this report be noted.

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

Against: Nil.



10. Minutes of Committee Meetings

10.1. Finance Review Advisory Committee Meetings - 11/05/2022, 16/06/2022 & 25/08/2022

89 RESOLVED on the motion of Cr R. Mahajan and Cr D. Marshall that:
The minutes for the following meetings of the Finance Review advisory Committee be NOTED:

1. Meeting held on 11 May, 2022
2. Meeting held on 16 June, 2022
3. Meeting held on 25 August, 2022

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

Against: Nil.

10.2. State Significant Development Committee Meetings - 21/03/2022, 16/05/2022, 9/06/2022, 27/06/2022, 18/07/2022 & 15/08/2022

90 RESOLVED on the motion of Cr B. Woodruff and Cr G. McNeill that:
The minutes for the following State Significant Development Committee meetings be NOTED:

1. Meeting held on 21 March, 2022
2. Meeting held on 16 May, 2022
3. Meeting held on 9 June, 2022
4. Meeting held on 27 June, 2022
5. Meeting held on 18 July, 2022
6. Meeting held on 15 August, 2022

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

Against: Nil.

11. Notices of Motion

Nil

12. Councillors Reports

Nil

13. Written Questions

Nil



14. Questions for Next Meeting

Cessation of Aqua-aerobics during School Holidays

Cr McNeill advised that a member of the Community Panel had indicated that Aqua-aerobics has ceased during the school holidays and has inquired why this has occurred?

The Acting General Manager advised that this would be taken on notice and advice provided.

Change of Wording for Aboriginal Reconciliation Committee

Cr Bowditch inquired whether Council could investigate the change of wording from the Aboriginal Reconciliation Committee to Aboriginal Cultural Inclusion Committee?

The Mayor advised that this would be investigated and reported to the next Council.

15. Adjournment into Closed Council

91 RESOLVED on the motion of Cr G. McNeill and Cr D. Marshall 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 provisions outlined in Section 17 below.

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

Against: Nil.

Members of the public left the meeting at this stage.

16. Closed Council

16.1. Contract 2021-2022-0534 - Supply and Delivery of a Motor Grader

92 RESOLVED on the motion of Cr B. Woodruff and Cr M. Bowditch that:

Council:

1. Accepts the tender from RDO Equipment Pty Ltd for Contract 2021-2022-0534 Supply and Delivery of a Motor Grader; and
2. Authorises the Acting General Manager to enter into a contract with RDO Equipment Pty Ltd for supply under the Contract.

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

Against: Nil.



16.2. Contract 2022-2023-0540 - Upper Hunter Region Employment Land Strategy

93 RESOLVED on the motion of Cr B. Woodruff and Cr D. Marshall that:
Council:

1. Accepts the tender from HillPDA for Contract 2022-2023-0540 Upper Hunter Region Employment Land Strategy and authorises the General Manager to enter into a Contract with HillPDA for the provision of services under the Contract; and
2. Council approves the funding from ledger number 0370.0204 to enable fulfilment of the contract.
3. Council invoices Singleton, Dungog and Upper Hunter Shire Councils for their contribution to the project.

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

Against: Nil.

16.3. Application Under Undetected Water Leaks Policy - Assessment 112862

94 RESOLVED on the motion of Cr B. Woodruff and Cr G. McNeill that:

1. Council approves a reduction of \$1,412.29 for the assessed water account as detailed in the report below.
2. A Councillor Workshop be held regarding the Policy.

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

Against: Nil.

16.4. Growing Local Economies Conditional Grant Funding Status Update

95 RESOLVED on the motion of Cr B. Woodruff and Cr G. McNeill that:
Council notes the information contained in the report.

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

Against: Nil.

**16.5. Clean Technology Ecosystem Grant****Disclosure of Interest**

Cr A. Barry declared a pecuniary interest in this item. Cr Barry advised Council that her employer is a partner in the project.

Cr G. McNeill declared a pecuniary interest in this item. Cr McNeill advised Council that his employer is a partner in the project.

At 6.49pm Cr Barry and Cr McNeill left the Meeting and therefore took no part in discussion or voting on this item.

96

RESOLVED on the motion of Cr J. Drayton and Cr R. Mahajan that:

Council endorses the submission of the application to the Clean Technology Ecosystem Grant Stage 2 full application process being prepared by the Melt in partnership with AGL for an Upper Hunter Cleantech Accelerator and Pilot Enabler.

1. A further report be presented to Council on the outcome of the grant process.
2. Should the grant be successful, funds of \$150,000 and in kind support of \$56,240 over four years be provided through the Community and Economy Directorate budget GL1790.2990.860.

In Favour: Cr S. Reynolds, Cr J. Lecky, Cr M. Bowditch, Cr D. Douglas, Cr J. Drayton, Cr L. Dunn, Cr R. Mahajan, Cr D. Marshall and Cr B. Woodruff.

Against: Nil.

At 6.50pm Cr Barry and Cr McNeill returned to Meeting and resumed their chairs at the meeting table.

16.6. Royal Australian Mint Coin

97

RESOLVED on the motion of Cr B. Woodruff and Cr M. Bowditch that:

Council notes the information contained in the report.

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

Against: Nil.



16.7. Recruitment of General Manager

Members of staff other than the Minute taker left the meeting at this stage.

98 RESOLVED on the motion of Cr D. Marshall and Cr J. Lecky that:

1. Council delegates to the Mayor the task of ensuring:
 - the selection panel is established;
 - the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position;
 - the proposed salary range reflects the responsibilities and duties of the position;
 - the position is advertised according to the requirements of the Local Government Act;
 - information packages are prepared; and
 - applicants selected for interview are notified;
2. Council nominates the Mayor, the Deputy Mayor, a suitably qualified person independent of Council to be appointed by the selection panel and at least 2 other Councillors, being Cr A. Barry and Cr B. Woodruff to form the General Managers Selection Panel;
3. Council delegates to the selection panel the task of recruitment of the general manager; and
4. The Council notes that the selection panel will report back to the governing body of Council on the recruitment process and recommend the most meritorious applicant for appointment by the Council.
5. Council delegates to the Selection Panel authority to seek further clarification regarding inclusion of all costs associated with the submissions to make a determination on the Recruitment Agency to be utilised.

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

Against: Nil.

17. Resumption of Open Council

99 RESOLVED on the motion of Cr M. Bowditch and Cr D. Marshall that:

The meeting return to Open Council.

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

Against: Nil.

Members of the public and staff returned to the meeting room.



The Mayor read out the determinations from Closed Council.

ONE MINUTES SILENCE FOR HER MAJESTY THE LATE QUEEN ELIZABETH II

One Minute's silence was observed to pay respects to our Late Sovereign Queen Elizabeth II.

18. Closure

The meeting was declared closed at 7.26pm.

THE MINUTES OF THE MEETING (PAGES 1 to 17) WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON 25 OCTOBER, 2022 AND ARE A FULL AND ACCURATE RECORD OF PROCEEDINGS OF THE MEETING HELD ON TUESDAY 27 SEPTEMBER 2022.

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Mr D. Finnigan
Acting General Manager

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Cr S. Reynolds
Chairperson